

**P-04-522 Asbestos in schools, Correspondence – Petitioner to Committee,
27.11.19**

I am grateful for the Committee's continued interest in this important issue.

For completeness I would remind the Committee that I am the Secretary of the Cross Party Group on Asbestos (CPG) chaired by Dawn Bowden AM. I am also an observer member of the Joint Union Asbestos Group (JUAC) and operate their Twitter account @theJUAC. These memberships post-dated the commencement of my petition.

It is a little while since I have submitted any response to the Committee or been able to update them.

HSE Statistics on Mesothelioma Deaths

Attached is the HSE response to my Freedom of Information request dated 31 July 2019. It will be seen that in the period 2013 – 2017, there have been eight mesothelioma deaths between the ages of 16 and 74 (the HSE does not record mesothelioma deaths over 74-which means that inevitably the figures are likely to be higher) in Wales amongst further education teaching professionals, secondary education teaching professionals and primary and nursery education teaching professionals. I attach also the latest JUAC analysis of mesothelioma deaths among school staff from 1980 to 2017, with more than 380 school teaching professionals having died of mesothelioma in Britain since 1980, with an average of 19 deaths every year. In addition it will be noted that other support staff have died from mesothelioma, with the statistics less clear because of the manner in which the data is collected. The figures take no account of those who have died from mesothelioma as a result of childhood exposures in school. I am sure that the Petitions Committee will agree why this is such a significant issue.

Welsh Government Guidance-Asbestos Management in Schools

The Committee has asked that I comment on the Welsh Government Guidance on Asbestos Management in Schools. The Committee should be aware that I

contributed on behalf of the CPG to the consultation on draft guidelines. Together with other members of the CPG, I also attended the stakeholder meeting in May 2018, where the Health and Safety Executive (HSE) were represented together with representatives of both trade unions and local authorities. It was a positive and collaborative meeting.

I understand informally via JUAC that the Guidance has been a positive influence at the Department of Education (DfE) Asbestos in Schools Steering Group during their review of the DfE Guidance. (I would remind the Committee of my understanding that a representative of the Welsh Government Education Directorate attends the DfE steering group. The same HSE representative who attended the meeting in May 2018 also attends).

My concern with regard to the Welsh Government Guidance is that there is no review date provided for, in contrast to the position of the DfE Guidance. I have previously referred to the need in Wales for a similar steering group to the DfE Group. I do not think that it is acceptable for Wales to rely upon the DfE Group, which as I have made clear in the past is primarily (and understandably) concerned with schools in England.

Asbestos in Schools Steering Group

As the Committee has been previously advised, during the course of this petition Welsh Government has established a group reviewing asbestos in schools in Wales but this has been entirely internal to Welsh Government, save for the presence of the HSE. The success of the stakeholder meeting in May 2018 and the positive discussions around the table led to significant changes in the Guidance from the draft previously circulated. I have long called for representation at such meetings from local authorities, trade unions, and experts. Victim organisations ought to be represented as well. I would maintain my call for such a representative group coupled with a review date.

Letter of the Minister to the Chair 20th May 2019

I note that the Minister wrote *inter alia*

“Asbestos management in schools - responses in the school condition survey

I am pleased to report that full assurances have now been received from local authorities confirming that the information they have provided is current and valid, and that schools in their estates with asbestos present have an asbestos management plan in place. On this basis, I have now decided to make this high level information available and will be instructing my officials to set this in motion as soon as possible.”

I would be grateful if the chair could confirm whether the high level information referred to has now been made available and how so.

Asbestos Management Assurance Process (AMAP)

Letter of the Minister to the Chair of the Cross Party Group on Asbestos 12th September 2019

This is attached. It will be noted the comments with regard to the AMAP in England.

“Asbestos Management in Schools: Assurance

Thank you for the information with regards the progress on the Asbestos management assurance process (AMAP) in England. As you will be aware, in Wales we monitor information about the presence of asbestos in our schools and confirmation that asbestos management plans are in place as part of our annual condition survey.

Following our annual survey earlier this year, I can confirm that we have full assurances from local authorities confirming that the information they provided is current and valid, and that schools in their estates with asbestos present have an asbestos management plan in place. We will continue to monitor this on an annual basis.”

For background I refer to my letter to the chair of the Public Accounts Committee of 20 May 2018 in which I highlighted the position of the Public accounts committee at Westminster.

<http://senedd.assembly.wales/documents/s76259/Letter%20from%20Cenric%20Clement-Evans%20-%20May%202018.pdf>

Therein I referred to the April 2017 recommendation by the committee at Westminster

“Recommendation: The Department should set out a plan by December 2017 for how it will fill gaps in its knowledge about the school estate in areas not covered by the property data survey. Specifically it needs to understand the prevalence, condition and management of asbestos, and know more about the general suitability and safety of school buildings.”

It can be seen on any reading that there is a difference in the level of detail being required with regard to schools in England and schools in Wales. To my knowledge there has been no equivalent to the AMAP carried out in Wales. Respectfully I would suggest to the committee that this is a matter of concern, as this provides no assurance that the second aspect of the petition, namely *“to know whether, where asbestos is present, it is being managed in line with the Control of Asbestos Regulations 2012”* is being addressed.

Last weekend Lucie Stephens whose mother Sue Stephens <https://you.38degrees.org.uk/petitions/protect-our-children-and-teachers-from-asbestos-exposure-in-schools> , a teacher died from Mesothelioma launched a new website <https://toxicschools.org.uk> . It is designed to allow every parent or school staff member to search online to find out if their school or that of their child contains asbestos. It relates only to schools in England as it is based on the data provided to the DfE via the AMAP process. Such online information, a request made in this petition, is not available to our school staff and parents in Wales.

Is Asbestos, where present, being managed in line with the Control of Asbestos Regulations 2012?

This is also a concern of the CPG on Asbestos and the Chair has written very recently to the Minister on 25 November seeking further information from the Minister. A copy is attached. The concerns of the CPG extend to other public buildings in Wales and copies of letters dated 25 November to the Minister for Housing and Local Government, and also to the Minister for Health and Social Services, are also attached. I shall inform the committee of any responses received in due course.

Asbestos in Public Buildings in Newport and Cardiff

I understand that one of my colleagues on the CPG, Mr Phillip Gower, recently wrote to the Minister for Health and Social Services relating to his concerns as to the conditions of public buildings containing asbestos in Newport and Cardiff. I attach a copy of the response from the Minister for Housing and Local Government together with Mr Gower's letter.

ResPublica Report

The Committee will no doubt have seen the recent articles in the media regarding asbestos in schools following the publication of the report by the think tank ResPublica "DON'T BREATHE IN: BRIDGING THE ASBESTOS SAFETY GAP", including the Guardian article "UK children exposed to more asbestos than other countries – report" <https://www.theguardian.com/society/2019/nov/25/uk-children-exposed-to-more-asbestos-than-other-countries-report>

A copy of the ResPublica report is attached and it is worth highlighting the short passage with regard to asbestos exposure in children.

"5.2 HARM OF ASBESTOS EXPOSURE IN CHILDREN

We carried out multiple searches around the term: 'biopersistence of asbestos fibres in children'. One article argues that there have not been enough high-quality studies to allow for clear conclusions to be drawn about how the age of exposure to asbestos affects the risk of developing asbestos-related cancers in the future.⁸⁶ Many articles provide evidence supporting the claim that exposure to asbestos early in life significantly increases the likelihood of developing mesothelioma.⁸⁷ Some articles go into greater detail, describing how the risk of developing mesothelioma doubles every ten years before the age of 30 in which someone is exposed to asbestos.⁸⁸ There is contention around whether children have an increased likelihood of developing other ARDs that have a shorter latency period as mesothelioma.

There is a gap in the research around whether children's incomplete development increases their vulnerability to ARDs. However, the academic literature does establish that exposure to asbestos at a younger age substantially increases the

likelihood that one will develop mesothelioma since one is more likely to live to an age where the symptoms will develop.”

Asbestos in Schools: the health of the children of our nation

The Committee is reminded, that it is the future health of the children of our nation that is at stake, which is of course why the Committee has considered this petition on so many occasions and continues to do so. It is why I and many others continue to press Welsh government for action over the issue of asbestos in our schools in Wales.

As ever I am grateful for the continued scrutiny by the committee of this issue.

Cenric Clement-Evans 27th November 2019