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## Health and Safety Executive

### Proposals on Revised Control of Asbestos Regulations

#### Completing this questionnaire

You can move between questions by pressing the 'Tab' / 'Shift-Tab' or 'Page Up' / 'Page Down' keys or by clicking on the grey boxes with a mouse. Please type your replies within the rectangular grey boxes or click on the square grey boxes to select an answer (eg 'Yes' or 'No').

#### Respondent's details:

<b>Name:</b>	Len McCluskey
<b>Job title:</b>	General Secretary
<b>Organisation:</b>	Unite the Union
<b>Email:</b>	c/o susan.murray@unitetheunion.org
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<b>Fax:</b>	

**Size of organisation:**

Choose one option:

Not applicable <input checked="" type="checkbox"/>	1 to 9 employees <input type="checkbox"/>
10 to 49 employees <input type="checkbox"/>	50 to 249 employees <input type="checkbox"/>
250 to 1000 employees <input type="checkbox"/>	1000+ employees <input type="checkbox"/>
Self-employed <input type="checkbox"/>	

**Confidentiality**

<p>Please put a cross in the box if you do not wish details of your comments to be available to the public. (NB if you do not put a cross in the box they will be made public. This takes precedence over any automatic notes on e-mails that indicate that the contents are confidential.)</p>	<input type="checkbox"/>
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<p><b>What is your type of organisation:</b></p> <p>Choose one option</p>	
<p>Construction, building/plant/equipment maintenance, repair and installation <input type="checkbox"/></p>	<p>Asbestos equipment and services – surveying, removal, monitoring, analysis, training <input type="checkbox"/></p>
<p>Building owner/manager/landlord/client <input type="checkbox"/></p>	<p>Charity/voluntary/pressure group <input type="checkbox"/></p>
<p>Academic/consultancy/research <input type="checkbox"/></p>	<p>Member of the public <input type="checkbox"/></p>
<p>Local government <input type="checkbox"/></p>	<p>National Government including Non-departmental public bodies <input type="checkbox"/></p>
<p>Trade or professional association <input type="checkbox"/></p>	<p>Medical professional <input type="checkbox"/></p>

Trade union

Other

If 'Other' please specify:

**In what capacity are you responding:**

Choose one option:

An employer

An employee

Trade union official

Health and safety professional/Safety representative

Training provider

Self employed

**Part 1 - Consultation Questions**

Q1.1 Do you agree with the proposed definition of work for which a licence will be required?

Yes

No

**If you disagree please explain why.**

**Q1.2 Do you agree with the definitions proposed for the following terms:**

i) asbestos coating Yes  No

ii) textured decorative coatings Yes  No

iii) asbestos insulating board	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
iv) asbestos insulation	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
v) asbestos cement	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
vi) short duration work	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

**If you disagree please explain why.**

**Q1.3 Do you support the proposal to have a 3 year transition period before the requirement comes into force, for workers to have a medical examination prior to carrying out Notifiable Non Licensed Work (NNLW) with asbestos?**

Yes

No

**If not, please suggest alternatives.**

Why is a three year transition period being suggested at all? We do not need to remind you that this group of workers have been waiting a long time for this protection and urge you to dispense with a transition period.

We find the text of the consultation document confusing. What is the actual three year transition period being suggested? If a transition period is put in place Unite would expect this to mean that the employer has up to three years (or whatever the period is) to arrange an examination from the date of the regulations coming into force **not** that the employer will have three years to do this three years after the regulations come into force.

**Q1.4 Do you agree that for NNLW the requirement to have medical examinations carried out by an appointed doctor or an employment medical advisor should be extended to include other registered medical practitioners?**

Yes

Not enough information given

**If you disagree please explain why.**

Again, Unite is not sure what is meant in the consultation document in important respects. What type of registered medical practitioners would be authorised under the new regulations and what competencies would be required of them? We cannot take a view without this, and much more information about how this will work in practice. We request that HSE consults on the issues covered by this question as soon as possible.

## **Part 2 - Views on the proposed guidance**

**To help inform the development of guidance, views are invited on the types of asbestos-containing materials and work activities that should normally be categorised as Notifiable Non-Licensed Work (NNLW).**

Please provide your views. Please note that this response box has a 20,000 character limit (about 3,500 words). If you have additional points to raise, please send these in a separate e-mail to [asbestosconsultation@hse.gsi.gov.uk](mailto:asbestosconsultation@hse.gsi.gov.uk)

Unite will be very pleased to comment on all new draft guidance and on any review of existing guidance.

**Are there any further comments you would like to make on the issues raised in this consultation document that you have not already responded to in this questionnaire?**

**Is there anything you particularly liked or disliked about this consultation?**

We have indicated our views above regarding the lack of clarity in the text of the consultation documents

**Please send your response by 4 November 2011 to:**

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Health and Safety Executive  
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**Thank you for taking the time to complete this questionnaire**