

Asbestos Network Licensing Working Group (ANLWG)

Minutes of meeting held on 6 January 2022 via MS Teams

Present

Steve Sadley	ARCA	SS	
Graham Warren	ACAD	GW	
Andy Lewis-Thomas	F-Dem	ALT	
David King	HSE Asbestos Unit	DK	
Deborah Walker	HSE Asbestos Unit	DW	Chair
Rosie Bricis	HSE Asbestos Unit	RB	

Not present: Rick Statham (NASC), Ryan Noon (NFDC)

Agenda

1. Previous minutes/actions
2. Asbestos process design project
3. Non-asbestos risks - Risk Assessment Guide
4. Opinions on licensed labour agencies
5. Non-compliance of additional licence Conditions – grounds for refusal?
6. Structure of applications
7. Any other business

1 Minutes of ANLWG meetings 5 May 21, updated 3 Aug 21 and 16 Sep 21

Minutes had already been circulated to AsbNet members.

All actions completed except for:

- (2) Non-asbestos risk assessment guide – see agenda item #3.
- (3) Process for licence renewal renewals – see agenda item #2.
- (4) 12-month review included on Licence as an additional Licence Condition.
This action had been completed but was clarified: 12-month reviews are a separate requirement, not a condition of the Licence. Reviews cover matters requiring action, inspections/ interventions and compliance with additional Conditions, eg first 2 plans of work. Any licence issued with an additional Condition for a 12-month review would be amended and reissued.
- (7) Better information about licensees' work for ARCA and ACAD audits.
Additional information is now being provided to the Trade Associations.
- (8) Can Inspector training be shared with ACAD and ARCA?
Video recordings can't be but it may be possible for written material to be shared.

[Action \(1\) RB to investigate if written material from Inspectors' training can be forwarded to ARCA and ACAD.](#)

2	<p>Asbestos licence application process - design project</p>
	<p>DK gave an overview of a proposal for changes to the licence application process, which could be starting in April 2022 for applicants whose licences expire in July 2022. This new process would apply only to renewals that had already been through the pilot/existing process.</p> <ul style="list-style-type: none"> • Inspections are a key part of gauging a company’s performance; what is found on site carries greater weight. However, some topics need further examination as the information would not be available in full during an inspection, eg personal monitoring, audits, clearances, ELCI etc. • Applicants would be asked to describe any changes since the last assessment, and action by the applicant as a consequence of regulatory intervention/inspection. The assessing Inspector would then ask for further information, as they deem appropriate. • Inspections do not always take place when actual live work is taking place. This is also an issue for ARCA and ACAD auditors. ARCA already categorises audits as ‘live’ or ‘non-live’ dependent upon whether the asbestos removal process has started, and greater weight is given to those audits which are categorised as ‘live’. • Evidence of competence is not always sufficiently demonstrated; training certificates are not necessarily enough. • Recordings from CCTV may be a possibility for viewing examples of live work. • Brief discussion about licence periods. • It seems that some clients are now asking licensees for copies of their licence assessment reports, as evidence of their suitability.
3	<p>Non-asbestos risks – risk assessment guide The draft is now ready, requires a final check.</p> <p style="color: blue;">Action (2) GW forwarded draft to members after the meeting for final check. Final copy of Guide to DW/RB so that it can be sent to AsbNet members ahead of the AsbNet meeting 12 Jan 22.</p>
4	<p>Opinions on licensed labour agencies</p> <p>The quality of workers was considered to be better when labour agencies were licensed and ‘good agencies’ would welcome licensing – licensing has an effect. There was a brief discussion about how labour agencies could be licensed, eg what checks could HSE do, and would there be duplication because the LARC has a licence which includes management of training etc of workers.</p> <p>ARCA’s ALFA scheme, https://www.arca.org.uk/alfa/, seemed to be working well for its members. Perception that due diligence isn’t always carried out by the labour providers with regards to verifying certification. Demonstration of ALFA: Ratings were not defined in more depth than “good” etc, context of the rating was not given, but to ask for more information could be counterproductive, people may not want the extra work. The ratings in ALFA for labour agency operatives were intended to allow LARCs to identify the better performing and more reliable labour agency operatives. The system is being adapted to incorporate LARC’s directly employed labour, and it is intended that these ratings will be in more depth and provide context.</p> <p style="color: blue;">Action (3) DW to discuss with Archie Mitchell, Head of Asbestos Unit, of the reasons for asking the opinion of members.</p>
5	<p>Non-compliance of additional licence conditions – grounds for refusal?</p>

	<p>Compliance with licence conditions adds weight to the licence decision and can be a significant contributing factor. Where there is non-compliance and attributable risk, e.g. not providing 3 monthly summaries of findings and action taken for audits <i>and</i> not acting on the auditors' findings, could contribute to lead to refusal of a renewal licence. ARCA and ACAD to stress to members to check ASB4s/assessment reports, eg have they done all that they said would be done; what has changed; explain why if not done.</p>
6	<p>Structure of applications</p> <p>A brief or full description of what the applicant does can be provided – but this should be backed up with references of where it is formalised in the H&S Policy or SOP/SWP. The references can either be given in the body of the text or listed in the document box at the end of each Section, or both. e.g. Section 3: Preparing and reviewing PoW. A few lines of the process in the main text box with a reference to the SOP. Reference given in the document box. Add in the names of the plans of work as prompted by the form, but add in <i>new lines</i> for referencing the arrangements for emergencies, welfare and plans of work/risk assessment.</p> <p>Action (4) DW forwarded an example of what would be expected on an application form on 07/01/22.</p>
7	<p>Any other business</p> <p>a Clarification of notification by companies carrying out maintenance work, either via full licence or ancillary licence. To aid HSE inspection targeting, contractors have been asked to notify at time of licence issue (for one year) and on date of licence anniversary – therefore 3 notifications over the 3 year licence period. Each site should be notified separately. ALG memo 01/09 is not to be amended. Action (5) DW provided a copy of the email sent out to maintenance companies on 07/01/22.</p> <p>b ARCA had received a concern from one of its members who had had a condition on its licence for quarterly reports, had sent them to HSE but not had any acknowledgement from HSE that these reports had been received. SS provided name of company. Action (6) DW to investigate.</p> <p>c AsbNet meeting Teams link for 12 Jan 22 had not been renewed and the original Teams link is inactive. Action (7) RB/DW to arrange for new Teams link to be sent. Partially completed – new link sent 7 Jan 22 but not to all members.</p> <p>Date of next meeting - this would be driven by DK's work on the licence application process; possibly April 2022. Action (8) DW to arrange next meeting when appropriate.</p>