



CORPORATE HEALTH AND SAFETY COMMITTEE – 13TH OCTOBER 2004

SUBJECT: ASBESTOS PROSECUTION – 29TH SEPTEMBER 2004

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Members, Management and Trade Union Safety Representatives of outcome of the recent prosecution being brought by the Health and Safety Executive against Caerphilly County Borough Council following accidental asbestos exposures.

2. SUMMARY

- 2.1 The Health and Safety Executive made the decision to prosecute Caerphilly County Borough Council following accidental asbestos exposures at Ty Sign School.
- 2.2 The incident occurred as a result of an incident in which contractors (employed by procurement to install whiteboards in schools) drilled through asbestos containing materials exposing themselves, employees and members of the public to asbestos dust.
- 2.3 The Council pleaded guilty on 29th September 2004 at Blackwood Magistrates Court to 2 breaches of the Health and Safety at Work etc Act 1974.
- 2.4 The court heard how following the incident various steps have been taken including a detailed review and overhaul of the Corporate Asbestos Management Policy and procedures, the completion of asbestos surveys in all Council owned or controlled premises, and the provision of up-to-date asbestos registers for all premises. In addition all Building Managers have received a comprehensive asbestos logbook and information pack and have been provided with instruction on the new arrangements, the use of the asbestos registers and logbooks and their role in ensuring effective management of Asbestos Containing Material's across the Authority.
- 2.5 The outcome of the Court was a total fine of £8,000 for Caerphilly County Borough Council with costs awarded to the HSE.
- 2.6 The outcome was as favourable as could have been expected in the circumstances and re-emphasises the need for effective Health and Safety Management at all levels.

3. RECOMMENDATION

- 3.1 That the contents of the report be noted.

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Councillor Paul Ford, Cabinet Member