

A joint initiative of:



8 May 2013

Dear Mr David Laws

We are writing to you to raise a number of urgent concerns that surround the recent investigation into the asbestos contamination of Cwmcarn High School.

On the 17th of April Caerphilly Council took the decision to spend £1million on the removal of asbestos materials and contamination from Cwmcarn High School to make it safe for reoccupation.

The school was closed in October 2012 following a report that identified significant amounts of asbestos insulating board (AIB) in places vulnerable to damage by the occupants, amosite (brown asbestos) fibres in classrooms and the stairwell, widespread AIB debris in the ceiling void and AIB debris and unsealed and damaged AIB panels in classroom heaters.

Health and Safety Laboratory (HSL) tests confirmed that amosite fibres were being released from the warm air cabinet heaters. However the HSL report also gave the conflicting impression that there was minimal potential for the release of asbestos fibres.

The Health and Safety Executive (HSE) has publicly stated that: "The school is essentially uncontaminated" and that "It is satisfied that there are appropriate asbestos management arrangements in place". A senior director of HSE later gave evidence to the Education Select Committee that "It is perfectly safe to reopen that school."

The matter is controversial because the opinion of Caerphilly Council and the evidence and opinion from two further asbestos consultancy firms and an independent assessor is that the school is unsafe to reopen until extensive asbestos remedial work has been completed.

A report by the Council is highly critical of the HSL report and advice from HSE. It states: "...HSE issued statements essentially based on the report by HSL.....the Council has sought clarification on their position from the HSE, as it is our belief that the scientific analysis, as well as the visual evidence of extensive asbestos debris at the site does not support their conclusions that the site is 'essentially uncontaminated'.... Given all of the above officers have concluded that a return to the Cwmcarn High School site cannot be safe for pupils or staff without the abatement and remediation work being carried out."

There has been a lack of transparency surrounding the HSE investigation which has been carried out. A number of public decisions and statements have been made by HSE, the Department for Education (DfE) and the Minister, Mr David Laws MP based on the HSE report of that investigation, but the HSE has now advised that they do not intend to make the report public.

Due to the serious and controversial nature of these decisions and statements and in the interests of transparency, we are writing to you to require the publication of the HSE report of its investigation.

It is the opinion of the Joint Union Asbestos Committee (JUAC) that the way that HSE has treated this incident has sent completely the wrong message to other schools about the standards of asbestos management that they consider to be acceptable. The HSE's lack of transparency and the confusion that has now arisen is unacceptable.

The types of heaters at Cwmcarn were one of the most popular forms of school heaters and if in a similar condition they potentially present a risk to children and staff in other schools. This should be brought to the attention of the schools by issuing a proper warning about such issues.

In December 2012, following confirmation that the heaters were emitting asbestos fibres, the Asbestos In Schools Group (AIS) and JUAC asked the Department for Education (DfE) to issue an urgent warning to all schools about the heaters.

On the 8th of April the DfE stated that because of the HSE investigation and the HSL report, they would not be issuing a warning.

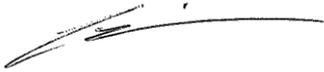
Following the Local Authority decision on the 17th of April to spend £1million on the removal of asbestos from Cwmcarn JUAC repeated the request for a warning to be issued to schools by DfE and HSE. Both requests were again refused so that JUAC has now issued its own warning to members.

The failure by DfE to issue proper warning places JUAC members and the children in the UK schools still containing asbestos in their warm air heating cabinets at an increased risk.

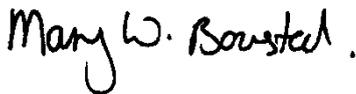
The publication of the HSE investigation report would go some way to bringing transparency to this situation and would ensure that we are all able to learn from the situation at Cwmcarn.

In conclusion JUAC requires the urgent publication of the HSE investigation report into Cwmcarn and repeats its calls for an independent review of the Government's policy on asbestos in schools.

Yours sincerely



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