

The NASUWT position

The NASUWT is campaigning to achieve the safe management of asbestos and asbestos containing materials (ACMs) within all educational establishments. The Union believes that a long-term strategy is required to ensure the complete removal of asbestos and ACMs from all buildings used for educational purposes.

What is asbestos?

During the 1950s - 1970s asbestos was widely used in construction because it was non-flammable, flexible, virtually indestructible and heat-resistant. It is a naturally occurring mineral and was considered to be perfect for use in insulation, cement and fireproofing.

Asbestos is made up of millions of fibres which when inhaled into the lungs can cause fatal illness. The use of all types of asbestos is now banned in the UK but it still remains in many buildings built before this time, meaning that we are all still at risk from being exposed to it.

Illnesses caused by asbestos exposure:

It is important to note that not everyone who is exposed to asbestos goes on to develop an illness as a result. There are many people who have been exposed to asbestos in the past who have never suffered any asbestos-related health problems at all. The chance of developing an asbestos-related illness from a one-off incident of low-level exposure is not impossible, but very unlikely.

For those who do develop an illness as a result of asbestos exposure, it often takes decades after the exposure for symptoms to become apparent. The average interval between inhaling asbestos fibres and the onset of symptoms, if someone is to develop a condition, is around 40 years, but in some cases it can be as low as ten years or as high as 60 years. Therefore, any recent asbestos exposure within the last ten years will not cause any immediate symptoms or illness but it is always wise to have any such exposure recorded if it happened at work.

What is the problem in schools?

An increasing number of people are reporting exposure to asbestos in public sector buildings, including schools. Many premises built or refurbished before the 1980s still contain asbestos. According to the Asbestos in Schools Group (AiS), the Department for Education's best estimate is that more than 75% of all UK schools contain some form of asbestos. There is no safe level of exposure to asbestos, so if fibres become airborne, staff, pupils and visitors are at risk. Statistics released by AiS show that mesothelioma has caused the deaths of, on average, 16 teachers in the UK each year over the last decade, a figure which is set to increase year on year. In addition, school cleaners, cooks, teaching assistants, school caretakers and secretaries have also died from asbestos-related cancer.

ADVICE

Health and safety representatives/School representatives should check that the school has an Asbestos Register and that it is easily accessible by all pupils, staff and visitors. If there is no register it is vital that schools immediately have checks carried out by professional asbestos consultants to see whether they have warm air cabinet heaters or other asbestos sources within the school. An employer is not expected to remove all asbestos that may be present in a building but they are expected, if there is asbestos in the fabric of a workplace, to make it safe for pupils, staff and visitors. Duty holders for the school would have a legal obligation to manage asbestos to ensure the risks to pupils and visitors are reduced to the lowest practicable level.

What should I do if I have been exposed to asbestos?

If you have been exposed to asbestos at work there are a number of steps you can take. Firstly, you should report the exposure to your employer. The date, place and circumstances of exposure should be detailed within your occupational health records. You should also ask whether your employers have a separate 'asbestos exposure register' and, if so, enter details on there.

Thompsons Solicitors are maintaining an asbestos exposure register for NASUWT members and so you should also download the appropriate form from www.nasuwt.org.uk/asbestos. By recording information about asbestos exposure on a permanent and structured database for all those members who know or suspect that they have been exposed to asbestos, the NASUWT aims to assist any future claims for compensation. The information you provide may help not only you, but possibly other members and their families. You may also want to mention your asbestos exposure to your GP so that it can be recorded in your medical records, in case related health problems should arise in the future.

Asbestos in Schools Asbestos in Schools Making a claim for compensation if you develop an asbestos-related disease It is important to remember that the average interval between exposure to asbestos and the onset of symptoms, if someone is to develop a condition, is around 40 years. This is why it is important that details of the exposure (or potential exposure) should be registered at the time it occurs. If you develop an asbestos-related disease and wish to make a claim for compensation, any claim has to be brought within three years of the date that you were first diagnosed and realised, or ought to have realised, your condition was related to exposure to asbestos.

Who are Thompsons Solicitors?

Thompsons Solicitors are a trusted partner of the NASUWT and provide legal services to members. They have been at the forefront of asbestos litigation since 1972 when they won the first ever successful asbestos compensation claim. They remain the most experienced claimant personal injury firm in the UK, working together with asbestos victim support groups and trade unions. Thompsons have established a reputation for fighting test cases to ensure the right to fair and just compensation for those affected by asbestos disease and advising unions and campaign groups in lobbying for improved legislation. Thompsons only act for injured people, never insurers or employers.

Useful Contacts

Mesothelioma UK (the National Macmillan Mesothelioma Resource Centre): 0800 169 2409
Forum of Asbestos Victim Support Groups: Tony Whitston (Chair) Tel: 0161 363 7555
NASUWT legal helpline: 0808 100 2221