



## Investigation Report

### Westonbirt Court, Southwark – Asbestos Incident

#### **Introduction**

1. Mears Limited carries out a Responsive Repairs and Maintenance for London Borough of Southwark (LBS). On the 19<sup>th</sup> of June 2013, an operative (plumber) was sent out to trace and repair a *“Leak coming from above - Resident reported a leak to side wall of bedroom 1”* in a dwelling at Westonbirt Court, Ebley Close, London 6BH SE15. In conducting the repair the operative had to open up the boxing and in doing so he accidentally disturbed an asbestos containing material (ACM).

#### **Information and Training**

2. Mears Corporate policy states that we do not touch any ACM and always use a Licensed Asbestos Contractor to remove and dispose of asbestos. All our operatives are asbestos aware and aware of the Company policy.
3. Both, the operative and the supervisor had been trained in Asbestos Awareness. The operative on the 12<sup>th</sup> of October 2012 and the supervisor on the 12<sup>th</sup> of December 2012.
4. In addition to the training, asbestos Information is communicated to the operatives via their PDA's. When the job is opened on the PDA the operative will see an alert against the property on the job ticket which states *“Dwelling ASBESTOS PRESUMED. ELECINTKRM. Category: Interior Walls and Panels (INTERIOR WALL F DOO). Door ASBESTOS PRESUMED. ENTRLOBBY. Category: Interior Walls and Panels (INTERIOR WALL F DOOR). Door Caution no asbestos data available for property Caution a”* This alert is generated from an interface between Mears Contract Management software (MCM) and Southwark's housing management system (i World) through a link to the asbestos data base.

#### **Sequence of events**

5. On Wednesday 19<sup>th</sup> of June 2013 at approx.11:00hrs, our plumber was sent out to trace and repair a water leak at a dwelling in Westonbirt Court. The plumber thought that the leak may be coming in from some pipework that was boxed in. He removed the top and bottom screws at the top of the panel, which he considered to be plasterboard and pulled back the panel. He noticed that the back of the panel was extremely wet and the leak looked to be coming from another flat upstairs. He gained access to flat above and asked the resident of the flat below to tap on the pipe, so that he could locate the pipe upstairs.
6. Having located the pipe in an unused bedroom, he once again broke into the boxing at low level, using a screwdriver and hammer and then he heard a drip sound. This allowed him to ascertain that the leak was actually coming from the radiator adjacent to the boxing. He isolated the radiator.

7. As the property was a lease hold, the residents of both flats were asking him what would happen next. He didn't have the answers and felt under pressure, so he called his supervisor, to ask for his assistance on site to speak to the residents.
8. When the supervisor arrived the plumber escorted him into the property. Our plumber showed the supervisor the exposed pipework with the panel still in place, but according our supervisor it was cracked/creased where it had been pulled back
9. The area behind the damaged panel was very wet, so our supervisor explained to the tenants that the leak had to be reported back to Southwark Council, for their heating contractor to attend. He further explained, having discussing the issue with his line manager, that Mears would replace the panel once the area was dry.
10. Our supervisor told the plumber to remove the broken wet panel and clear up. He cleared up, removed the rubbish from the properties and left site.
11. On Tuesday 25<sup>th</sup> June 2013, after the panel had been disturbed LBS informed Mears that the panels that had been removed were AIB. LBS arranged for Armstrong York to attend the properties and carry out a reassurance air test. Pennington's were also called to take samples and confirmed the panels to be AIB, as the works ticket only showed it as presumed asbestos.
12. Four air tests were carried out, three areas were found to be satisfactory 0.01 f/cm<sup>3</sup>, but bedroom 1, of the flat showed a reading of 0.06 f/cm<sup>3</sup>. We are currently unsure why it took 6 days for this information to be brought to our attention, considering a heating engineer had also visited the property. Due to the high reading this incident was reported to the HSE.
13. Both bedrooms were sealed and the residents of both flats were decanted to hotels on the advice of the asbestos company. LBS took control of the situation from then and have been conducting their own investigation.
14. As 6 days had lapsed following our plumber placing the rubbish in our skip, the waste skips had already been changed, however the skip company was informed of potential contamination. They immediately carried out an investigation and stated that there was no asbestos found in the waste delivered to them.
15. It was felt that as the operative had blatantly failed to follow his training and company procedures and put himself and the residents at risk of exposure to asbestos fibres. He has been suspended, pending the results of the investigations. The supervisor was also subsequently suspended, as he also visited the site and on seeing the broken panels, it should have triggered the question about asbestos.

## Investigation findings

16. The plumber was fully aware of company policy and was also asbestos aware, having attended training in October 12<sup>th</sup> 2012. He should have questioned the risks associated with this type of work and questioned the information on his PDA requesting confirmation whether the material was an ACM, as ACM's. These types of materials are often used for boxing in pipework and the like. (This is covered in the training).
17. The supervisor is also aware of company policy and also asbestos aware, having attended training in December 12<sup>th</sup> 2012. He should have questioned the plumber and checked to ensure the material was not an ACM. He should have taken action to highlight the issue as per the Company Procedures.

## Conclusions

18. Our operative blatantly breached company procedures by ignoring the warning on his PDA and the training he had been afforded, especially as ACM's are often used for boxing in pipework and the like, which is fully covered in our training. He should never have assumed the panel to have been plasterboard and should have instigated the Company Procedures.
19. His supervisor should have also checked that the plumber had confirmation on the material type. Had he of done this he should have then instigated the Company Procedures.
20. Operatives are aware that the information on PDA's sometimes requires further verification and should have raised a query, especially when working on or near materials where asbestos was commonly used such as boxing/ducting, textured coatings, floor tiles, etc.
21. It was a totally regrettable and unfortunate incident undertaken by a member of staff with many years of experience who had received asbestos awareness training in the recent past and had a presumed asbestos warning flag on his PDA.

## Recommendations:

22. Asbestos Awareness refresher training was already scheduled in the branch and it is common place for refresher courses in Mears Branches. During the training our company policy and procedures will be reiterated, especially "to treat all materials as asbestos unless told otherwise", "Do not touch or work with asbestos", and question PDA information especially when working on or near materials where asbestos was commonly used such as boxing/ducting, textured coatings, floor tiles, etc. The training will also refer to this incident and emphasised that operatives should NEVER assume, but if in doubt to Stop and Ask.
23. Mears and all others other parties who require asbestos information should be provided with additional training and further access to the register arranged.
24. Mears and LBS should liaise and work towards maintaining the asbestos register and improve communication, ensuring that all those who require asbestos information can obtain it easily and in a timely manner.

25. Inform HR to log possible asbestos exposure on the plumber and supervisors personal files.
26. Removal of the operative and supervisor from the Southwark Contract and complete the disciplinary procedure already started. In addition to this the Regional MD has also committed that whatever the outcome, the operative will not be working on the Southwark contract again and if reinstated, will be fully trained again in asbestos awareness and relocated once completed.



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Head of SHEQ London and South

The following supporting evidence is available on request:

- A. Reassurance Air Test Results
- B. Asbestos Analysis Report
- C. Mears Asbestos Procedure
- D. Mears Asbestos Risk Assessment
- E. Plumber – Statement
- F. Supervisor - Statement
- G. Work Ticket
- H. Copy of HSE F2508 Dangerous Occurrence
- I. Mears One Day BSC Course - Asbestos Element
- J. Plumber – Training Attendance Sheet
- K. Plumber – Training Matrix
- L. Supervisor – Training Matrix
- M. Photographs – No 11 & 12 Boxing