



Department
for Work &
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The Rt. Hon. Sir Stephen Timms MP
Chair of the Work and Pensions Select
Committee
House of Commons
London
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12 March 2024

Dear Sir Stephen,

I am writing to you as the Parliamentary Under Secretary of State and the Minister responsible for the Health and Safety Executive (HSE).

I understand that the previous Minister responsible for HSE, the Minister for Social Mobility, Youth and Progression, wrote to you on 16 October 2023 committing to providing you with a further update on HSE's work, in relation to the Select Committee's recommendations around asbestos.

I am aware that Sarah Albon, Chief Executive of HSE, then wrote to you on 12 February 2024 providing you with a further update on their approach to asbestos management. I hope that letter provided you with the reassurance that HSE continues to work closely with stakeholders in this area.

The Government's approach on asbestos is to focus on closely regulating activities that carry the highest risk of exposure through the licensing regime, and to ensure that legacy asbestos in the built environment is safely managed until an opportune time for removal arises. The Government believes that the best current evidence supports this approach as being the most effective way of further reducing ill health by preventing exposure to asbestos.

You will know that the Government chose not to take forward the recommendation to develop a central register on the grounds that the measure duplicates existing information requirements arising from the Control of Asbestos Regulations 2012 (CAR). There is also a lack of evidence that the significant resource from dutyholders (and government) required to set up the register would achieve improved health outcomes. The Government is reluctant

to introduce any measures which unnecessarily increase the regulatory burden on industry or potentially detract from the well-established existing 'duty to manage'.

As you are aware, in Great Britain, CAR already requires dutyholders to have an asbestos management plan through which they manage the risk associated with asbestos in situ. The plan should include active visual monitoring and oversight, keeping records of asbestos risk on their estates, and sharing of these records with anyone entering their estate to do any type of building or remedial work. The plan must include removal of the asbestos if it cannot be safely managed where it is located. Introducing an extra duty to maintain a national register does not appear to add any new protections while taking resources away from the important work of asbestos management. A possible unintended consequence, which is not to be underestimated, is that a register may also cause alarm around building use, where asbestos is in fact being safely managed in situ.

Exploratory conversations with public bodies in this space indicate that creating a register focussed solely on publicly controlled non-domestic buildings would have low impact on improving asbestos management. Please be reassured that HSE already works with other government departments to ensure that public sector dutyholders are aware of and comply with their responsibilities regarding asbestos management, taking enforcement action where necessary.

I appreciate that this is an area of significant concern for you and the Committee, and I look forward to meeting you in April to discuss this further.

*With kind regards,
James Younger*

The Viscount Younger of Leckie

Parliamentary Under Secretary