

**ATL H&S CIRCULAR 101/04**

**April 2011**

Dear ATL Safety Representatives

**Asbestos in schools campaign – Dianne Willmore Supreme Court Judgement.**

On March 9<sup>th</sup> 2011 the Supreme Court upheld an Appeal Court judgment that Dianne Willmore a former pupil at a school run by Knowsley Metropolitan Borough Council had been negligently exposed to asbestos.

ATL Press release,

<http://www.atl.org.uk/media-office/media-archive/Asbestos-ruling-is-a-victory-for-fairness-and-wake-up-call-for-government.asp>

Dianne Willmore was diagnosed with Mesothelioma in 2007 at the age of 46 and sadly passed away from this disease on the 15<sup>th</sup> October 2009. Part of the evidence she was able to give to the court was remembering fellow pupils pulling down asbestos ceiling tiles to hide school blazers as a prank, and seeing vandalised stacked tiles in the girl's toilets and watching workmen removing the tiles to put in cables.

The reason this case is significant is that it is the first time a former pupil has been awarded compensation for asbestos exposure while at school.

ATL has been involved in a long running campaign to have all asbestos removed from schools rather than the Government policy to manage asbestos. We feel this is a failed policy as was shown when the Health and Safety Executive had to investigate 34 Local authorities, which resulted in 4 of these Authorities being served with enforcement notices for serious breaches in their management of asbestos in schools.

Part of our campaign is to call for a risk assessment of exposure to asbestos in schools. We are working with all the education and support staff unions on the Joint Union Asbestos Committee (JUAC) to call for such a risk assessment. We have contacted the National Employers Organisation for School Teachers to ask them to advise all local authorities and review how asbestos is managed in schools.

ATL Safety rep's can help to apply further pressure by raising the Dianne Willmore case on the agenda's of any Health and Safety committees or safety meetings they attend and we ask that ATL reps work with other unions in their schools to ask for responses on what action is to be taken by local authorities to prevent cases like Dianne Willmore's from happening in the future.

*Mary W. Bousted*

**Mary Bousted  
General Secretary**