



FOLKETINGET
STATSREVISORERNE



FOLKETINGET
RIGSREVISIONEN

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Inspection efforts regarding illegal asbestos work

1. Introduction

1.1. Purpose and conclusion

1. This report concerns Arbejdstilsynet's basis for assessing where the risk of illegal asbestos work is greatest. We study how Arbejdstilsynet selects asbestos work for inspection and show how Arbejdstilsynet can strengthen their efforts by using data.

Since 1990, it has been prohibited to use any form of asbestos in buildings, but asbestos is still present in many buildings, posing a significant workplace safety issue. According to Statistics Denmark, one in three roofs in Denmark contains asbestos. Asbestos can also be found elsewhere in buildings that have not been registered. When buildings are demolished or maintained, workers risk inhaling cancer-causing asbestos dust. According to the Danish Cancer Society, approximately 300 Danes die each year due to exposure to asbestos dust. Effective inspections of asbestos work are therefore crucial.

In recent years, there have been several cases in the Danish media regarding illegal asbestos work. For example, a case from 2024 showed that children as young as 12 were working with asbestos without protection. In another case from 2021, a construction manager falsified an asbestos sample, thereby exposing his employees to deadly asbestos dust.

In 2019, the Danish Parliament passed a new occupational health and safety law, which was partly based on recommendations from an expert committee and a broad political agreement from April 2019. One recommendation from the expert committee was that Arbejdstilsynet should develop new and improved risk models to more accurately select companies with the highest workplace safety problems for inspections.

According to the expert committee on occupational health and safety, better risk models require that Arbejdstilsynet can obtain data from other authorities and public registers, which can be combined with its own information. The expert committee's recommendations were incorporated into the law and elaborated in the accompanying legislative comments.

Expert Committee on Occupational Health and Safety

The government established an expert committee on occupational health and safety in 2017, consisting of a chairman, four expert advisors, and four representatives from the social partners. The committee was tasked with making recommendations for a new and improved occupational health and safety initiative. The committee's recommendations were presented in 2018.

Building and Housing Register (BBR)

BBR contains information on all buildings and housing in Denmark, including details about the materials used in the buildings. BBR is updated by the municipalities.

In 2022, the Danish Parliament entered into a political agreement on asbestos. The purpose was to strengthen efforts to protect workers from dangerous asbestos dust. One initiative in the agreement was to investigate whether a mandatory requirement for building owners to report asbestos to the Building and Housing Register (BBR) would contribute to better protection for workers in the construction sector. Another initiative was to examine the possibility of using municipal data on construction waste to strengthen the inspection efforts regarding asbestos work. In another agreement from 2023, DKK 20 million was allocated for the period 2023-2026 to implement additional initiatives aimed at reducing exposure to asbestos.

2. The purpose of this study is to examine whether Arbejdstilsynet has a sufficient basis for evaluating where the risk of illegal asbestos work is greatest, and thereby direct inspections accordingly.

Efforts against illegal asbestos work represent only a part of Arbejdstilsynet's overall responsibilities. Given that it is not feasible for Arbejdstilsynet to inspect everything, it must prioritize its resources. Therefore, it is important to ensure that the resources Arbejdstilsynet uses to inspect asbestos work are applied in a way that maximizes their effectiveness.

Rigsrevisionen initiated the study in January 2024.



Conclusion

Arbejdstilsynet under the Ministry of Employment does not have a sufficient basis for assessing where the risk of illegal asbestos work is greatest, and therefore cannot target inspections accordingly. Rigsrevisionen finds this very unsatisfactory. The consequence is that Arbejdstilsynet's inspections of asbestos work are not as effective as they could be, and more employees in the construction sector are exposed to dangerous asbestos dust.

Arbejdstilsynet does not collect information on asbestos work in a way that can be used systematically in inspections

Inspections of asbestos work are primarily based on companies' mandatory notifications of asbestos work and complaints about asbestos work. However, Arbejdstilsynet does not systematically register the information it receives from these two sources. As a result, Arbejdstilsynet lacks an overview of where asbestos work is being performed, which could be used in a comprehensive assessment of where the risk of illegal asbestos work is greatest.

Arbejdstilsynet does not have a risk-based selection process for asbestos work to inspect

Arbejdstilsynet selects asbestos work for inspection based on a specific assessment of primarily asbestos notifications and complaints. Rigsrevisionen's analysis shows, however, that these sources are not sufficiently effective when used alone.

The reason is that many companies do not notify Arbejdstilsynet about asbestos work. The study shows that in 85% of the inspections where Arbejdstilsynet found illegal asbestos work, the asbestos work had not been reported to Arbejdstilsynet, even though reporting asbestos work was mandatory in all these cases.

Arbejdstilsynet has information on companies' history of illegal asbestos work but does not use this information when selecting companies for inspection. Rigsrevisionen's analysis shows that 545 companies performed illegal asbestos work at least once between 2020-2023. Of these, 417 had not reported the asbestos work to Arbejdstilsynet during this period, and therefore had not been considered in Arbejdstilsynet's selection for asbestos work inspections. Arbejdstilsynet could benefit from using knowledge about companies' history to target inspections more effectively.

Arbejdstilsynet can strengthen the risk-based selection process by using data from other authorities

The study shows that Arbejdstilsynet could use, for example, information on demolitions in the Building and Housing Register (BBR) and municipal reports on construction waste to better assess where the risk of illegal asbestos work is greatest.

Rigsrevisionen found that there was no reported asbestos work to Arbejdstilsynet in:

- 93% of cases where demolition of buildings with asbestos was registered in BBR.
- 86% of cases where asbestos in construction waste was reported to the municipality.

Arbejdstilsynet could significantly increase its knowledge of asbestos work, including unreported asbestos work, by using data on demolitions from BBR and reports on construction waste from municipalities as a supplement to its current sources.

Asbestos work must be reported if dust levels exceed a specified threshold. In January 2022, the threshold was lowered significantly, making it unlikely that dust levels for demolishing asbestos roofs would remain below the threshold if the panels were even slightly weathered. Arbejdstilsynet should have informed companies that, moving forward, it would be difficult to remove asbestos roofs without exceeding the dust threshold, and therefore, asbestos roof demolition should be reported. Rigsrevisionen finds it unsatisfactory that it took 2.5 years from the new threshold coming into effect until companies were informed that asbestos roof demolitions should be reported, and that stricter safety requirements had to be followed.

Rigsrevisionen recommends that Arbejdstilsynet work systematically to register and combine various pieces of information about asbestos work to strengthen the basis for assessing where the risk of illegal asbestos work is greatest.