

The remit of the VIP

This document sets out the general remit of the Validation and Innovation Point for Asbestos (VIP) and clarifies the roles and responsibilities of the Ministry of Social Affairs and Employment (*Ministerie van Social Zaken en Werkgelegenheid (SZW)*), the National Institute for Public Health and the Environment (*Rijksinstituut voor Volksgezondheid en Milieu (RIVM)*) and the VIP.

Requirements for the structural organisation of the VIP

Asbestos must be removed safely and the health and safety of employees and the environment must be key when doing this. With this starting point in mind, the remit of the VIP will be to carefully, objectively and quickly assess new methods in the asbestos sector, to ensure they are marketed without delay and innovation is rewarded. In this context, the health and safety at work department (*Directie Gezond & Veilig Werken (G&VW)*) at the Ministry of Social Affairs and Employment has asked RIVM to continue to facilitate the VIP once it becomes operational.

The VIP

Tasks

The VIP will advise the health and safety at work department at the Ministry of Social Affairs and Employment of whether a method can be regarded as having been validated nationally.

The VIP will ensure that requests for the national validation of asbestos removal methods are assessed independently and quickly.

Independence

The VIP will arrive at its advice independently: it will assess requests separately to the interests of a certain innovation and separately to the asbestos-inventory, asbestos removal and final assessment processes. Its procedure will be transparent and its advice made publicly available.

No instructions will be given to the VIP that:

- prevent the VIP from carrying out a specific assessment;
- affect the way in which the VIP carries out a specific assessment;
- influence the specific findings and advice that the VIP issues to the health and safety at work department.

Procedure

The VIP will issue its advice to the Director of the health and safety at work department. In principle, the VIP will make its advice publicly available six weeks after this date, or earlier if the health and safety at work department instructs the addition of a new method to the SMA-rt web application (SMA-rt) before the end of this six-week period. The advice will be made publicly available by publishing it on the VIP website. An extension of this six-week period will be possible once, for a maximum of four weeks.

The VIP will document its activities in a protocol. Besides the remit outlined above, the protocol will consist of a process description and an assessment framework and will be adopted after liaising with the health and safety at work department and RIVM.

Composition

The VIP will consist of a Chair and a permanent pool of experts on the subject of exposure and how asbestos methods work. When describing how a method works, the relevant aspects of the underlying technique, the work instructions and the preconditions necessary for safe use will all be

covered. The VIP will be supported by a secretariat. TNO will be a permanent part of the VIP. An expert from TNO will take part in a specific assessment unless TNO itself has carried out measurements or has itself been responsible for (part of) the individual request in question.

The following applies too:

- The Chair and experts must be independent;
- Each member of the VIP assessment team is required to sign a written declaration of independence for each request to be assessed;
- The representatives of clients, clients' umbrella organisations, asbestos inventory companies, asbestos removal companies, laboratories and industry associations may not be members of the VIP assessment team;
- The VIP must possess or have access to the expertise and skills necessary to carry out the activities in question. If further knowledge is necessary on an ad hoc basis, the VIP obtains the additional specialist knowledge required from suitable knowledge holders;
- The Chair will appoint experts and knowledge holders;
- The Chair and experts will take part in the VIP independently. In other words, without having been asked to adopt a certain position or stance;
- If an expert to be used by the VP has previously been involved in some aspect of a specific request (carrying out measurements, for example), he/she will not be used to assess the request in question.

Role played by TNO

Within the pool of experts, TNO will play an important role as a permanent part of the VIP and as the supplier of the expertise necessary for the assessment of new methods and for other developments in the asbestos system. It will also ensure that the VIP's advice is implemented correctly in SMA-rt. An expert from TNO will always be a member of the assessment team, unless independence could be compromised.

RIVM

The activities of the VIP will be separate to those of RIVM, both functionally and substantively.

RIVM may issue instructions that relate to the VIP's operational management.

Tasks

RIVM will act as the facilitating contractor for operational management of the VIP and will:

- provide the VIP with its secretariat and project-related and technical support

(in the form of a project support officer, website management, accounting, administration and purchasing). Individuals with tasks of this nature will be employed by RIVM;

- supply experts for the VIP assessment team;
- facilitate further staffing of the VIP, which consists of the Chair, experts and knowledge holders;
- ensure the proper, organised and accessible management of documents that the VIP receives or uses during the course of its work;
- ensure the VIP has a website that contains information about the requirements for and help with the preparation of requests to the VIP, procedures and staffing, (admissible) requests that are being processed and possibilities for the electronic submission of requests and consultation and other information relevant for stakeholders;

- enable the VIP to meet its commitments in respect of independence from commercial interests, confidentiality, privacy and the handling of confidential company information;
- take care of the quotation process and liaise between the Ministry of Social Affairs and Employment as the client and RIVM as the contractor.

The Ministry of Social Affairs and Employment

Based on the advice issued by the VIP and the assessment carried out by the SZW Inspectorate (*Inspectie SZW*) in respect of enforceability¹, the health and safety at work department will decide whether or not a method can be regarded as having been validated nationally and, if yes, instruct the SMA-rt manager to add it to SMA-rt. To this end, the health and safety at work department has entered into an agreement with Ascert, the current SMA-rt manager.

The health and safety at work department will aim to respond to VIP advice on whether or not to make changes to SMA-rt within a maximum of two weeks of the date on which the quick scan in question is carried out by the SZW Inspectorate. One four-week extension is possible and must be requested by the health and safety at work department; this extension will not be requested without good reason.

The health and safety at work department may respond in different ways to advice issued by the VIP. The most common responses follow below:

1. Positive VIP advice requiring a change to SMA-rt will be adopted; the health and safety at work department will instruct a change to SMA-rt and inform both the VIP and the initiator/requester of this fact in writing;
2. Positive VIP advice will not be adopted; the health and safety at work department will notify both the VIP and the initiator/requester of this fact. In this case, there will be no follow-up action by the health and safety at work department with Ascert;
3. Negative VIP advice requiring a change to SMA-rt will be adopted; the health and safety at work department will not instruct a change to SMA-rt and notify both the VIP and the initiator/requester of this fact;
4. Negative VIP advice will not be adopted; the health and safety at work department will instruct a change to SMA-rt. The health and safety at work department will notify both the VIP and the initiator/requester of this fact.

Publication

In practice, follow-up will usually amount to an instruction to the SMA-rt manager to proceed to add an approved asbestos removal method to SMA-rt. In principle, methods that are added to SMA-rt in this way will be published in the Government Gazette (*Staatscourant*) twice a year (collectively) in arrears. The State Secretary will also announce the launch of the VIP in the Government Gazette.

Evaluation

Because the launch of VIP involves the creation of a new body with an important remit while implementation of the (other) asbestos policy measures is still at the preparation stage, the VIP, RIVM, TNO and the Ministry of Social Affairs and Employment will share their initial practical experience and evaluate the first year of the VIP's existence at the end of 2020. The sharing of the practical experience referred to above in respect of the VIP's assessment of new working methods in

¹ The SZW Inspectorate has proposed use of the term 'Quick Scan of VIP advice enforcement'.

the asbestos sector will be key. Consideration will also be given to the need for any additional agreements and/or preconditions.