

Asbestos Policy

1. Policy Statement

- 1.1 The Association has stated its commitment, through its Health & Safety Policy Statement, to ensure that systems of work are safe and without risks to the health to tenants, employees, contractors and any other person who may be affected with regard to any premises or operations under our control.
- 1.2 As such, the presence of asbestos in the Association's properties can present a risk and so the purpose of this policy is to:
- ensure that the Association complies with appropriate legislation;
 - establish clear guidelines to be followed whenever asbestos is encountered in properties owned or occupied by the Association; and
 - state that the Association's policy will be to remove asbestos unless following detailed assessment, it is proven to be in a location and condition which will ensure it is not liable to damage, nor affect future maintenance plans / activities.

2. Asbestos

- 2.1 Asbestos is a naturally occurring mineral made up of small fibres. From the 1950s to mid-1980s it was widely used in the construction of homes before being banned in 1999. Given the age of construction of the Association's stock, asbestos may therefore be present in the following locations:
- roof tiles
 - floor tiles
 - wall panels
 - insulation panels in storage heaters
 - packing between floors and partition walls
 - bath panels
 - airing cupboard walls
 - central heating flues
 - garage and shed roofs
 - gutters and drainage pipes
 - pipe lagging
 - textured paint and plastering
 - cement fireplace surrounds
 - fuse boxes.

3. The Dangers Associated with Asbestos

- 3.1 The presence of asbestos does not, in itself, present a hazard, provided it is in good condition, encapsulated (sealed) or is not likely to be damaged or worked on.
- 3.2 However if asbestos becomes or is likely to become worn or damaged, dust fibres can be released into the air, which if inhaled or swallowed can lodge in the lungs and may cause fatal cancers, or lung diseases such as asbestosis and mesothelioma. These conditions often do not develop for many years after exposure - up to 50 years.

4. Legislation and Approved Codes of Practice

4.1 Legislation

4.1.1. The primary piece of legislation is the Health and Safety at Work Act 1974 and the main legislative regulations are the Management of Health and Safety at Work Regulations 1999.

4.1.2 The Control of Asbestos Regulations 2012 came into force on 6 April 2012 updating previous asbestos regulations (1987 & 2002) to take account of the European Commission's view that the UK had not fully implemented the EU Directive on exposure to asbestos (Directive 2009/148/EC).

4.2 Approved Codes of Practice

4.2.1 The Health and Safety Executive produce Approved Codes of Practice (ACOP) as guidance to aid in ensuring compliance with the respective regulations. It is not a legal requirement to adhere to the relevant ACOP, however if you don't, and through act or omission, an event happens which would not have happened had you followed the ACOP, then you will carry the evidential burden of explaining why you didn't follow the ACOP.

4.2.2 The most recent ACOP *Managing and Working with Asbestos* was published in 2013.

5. Duty to Manage

5.1 The Duty to Manage is directed at those who manage non-domestic dwellings and requires the appointment of a Duty Holder who is responsible for the maintenance of such premises.

5.2 The Duty Holder for the Association is the Chief Executive; the person the Board delegates the responsibility to for all matters appertaining to health and safety. In practice the duties and responsibilities will be delegated to two members of staff: the Maintenance Manager in respect of reactive and void maintenance and the Asset Manager in respect of planned maintenance.

5.3 The Finance and Admin Officer is the designated Asbestos Coordinator and is responsible for maintaining and updating the Asbestos Register.

5.4 The Control of Asbestos Regulations 2012 applies to known asbestos that has not been removed in non-domestic premises. This includes the Association's Office, lounges in Retirement Housing, accommodation leased to other organisations (dependent upon the terms of the lease), and common areas of blocks of flats (internal and external) including gardens and yards.

5.5 In addition, the Association as a landlord is required by the general duty under Section 3 of the Health & Safety at Work Act 1974 to conduct our business so as to not create a risk to our tenants or others (including contractors).

5.6 In practice this means that if asbestos is suspected to be present in a domestic dwelling, we are required to survey it and if left in situ manage it and inform our contractors in advance before it is disturbed.

6. Asbestos Management System

6.1 The Association has a sound management strategy for identifying, assessing and managing asbestos materials to control the risk of exposure to workers and others who may use any building owned by the Association or who come across asbestos during their work.

6.2 The Control of Asbestos at Work Regulations requires the Duty Holder (and those named with delegated authority) to presume that materials contains asbestos unless there is strong evidence that they do not.

6.3 Reactive response

6.3.1 This is where a material is suspected of being asbestos either via a void survey or reactive maintenance visit or accidentally either before or during work being undertaken by a contractor.

6.3.2 Those potentially exposed include all users of Association premises and others including contractors carrying out work on behalf of the Association.

6.3.3 The person locating the suspected asbestos has a duty to inform the Asbestos Coordinator who will arrange for a competent contractor to test and if necessary remove the material.

6.4 Planned response

6.4.1 In 2013 the specialist company ACS were commissioned to carry out asbestos management surveys in a sample number of common areas.

6.4.2 The Asset Manager is responsible for ensuring that there is a systematic programme for identifying the presence of asbestos in non-domestic locations and prior to any major planned maintenance work being carried out.

6.4.3 A Refurbishment and Demolition survey is commissioned by either the Association or the relevant planned maintenance contractor prior to commencing any major works in our domestic properties. This survey is carried out by a suitably accredited and competent company.

6.4.4 The survey will be input into the Asbestos Register and the Duty Holder, Maintenance Manager and Asset Manager will decide on the specific action to implement.

7. **Asbestos Register and Monitoring**

7.1 Where asbestos is found and is left in situ, it must be either labelled and / or encapsulated, added to the Asbestos Register and the tenant informed.

7.2 The Association's Asbestos Register is managed via the Association's SDM database. Its purpose is to formally record, through survey and inspection, the location and condition of asbestos in Association premises. The accuracy will be assured by regular inspections to assess the condition of known asbestos, report on its condition and allow any amendments to be made to the register.

7.3 Access to the Asbestos Register will be made available to our contractors prior to them commencing work in our properties via the SDM database.

8. **Asbestos Removal**

8.1 The Association's policy is to remove asbestos unless following detailed assessment, it is proven to either be impractical or in a location and condition which will ensure it is not liable to damage, nor affect future maintenance activities.

8.2 The Asbestos Register in SDM is managed by the Maintenance Manager who oversees the decision making process as to whether it should be removed.

8.3 The Association will advise the tenant of the location and presence of asbestos and that it must not be disturbed.

9. Training and Instructions

9.1 All Property Services staff who may foreseeably encounter asbestos during their working day, will be trained to an appropriate level to ensure, so far as reasonably practicable, their health, safety and welfare and that of others.

9.2 Every employee has a general duty to report any asbestos which in their opinion is in a hazardous condition, not to interfere with materials suspected of being asbestos and not to collect materials for sampling unless specifically trained to do so.

9.3 Staff with a direct responsibility for the inspection and management of asbestos will receive specific training.

9.4 The qualifications and competence of all contractors carrying out asbestos inspection or removal works will be assured through the Association's policy on awarding contracts.

9.5 Appointment of consultants will include a warning to consider and advise on the possible presence of asbestos.

9.6 The Association requires its planned and reactive maintenance contractors to confirm that they have asbestos management training and practice in place for their operatives.

10. Risk Management Statement

The risks associated with Asbestos Policy are comprehensively incorporated within Association's Risk Management Framework.

11. Equality and Diversity Statement

The protected characteristics enshrined in the Equality Act 2010 are respected when implementing the Asbestos Policy.

12. Policy Monitoring and Review

12.1 The Health and Safety Steering Group will monitor the implementation and operational effectiveness of the Asbestos Policy.

12.2 The Association will regularly monitor good practice advice from the Health and Safety Executive and adopt such advice when formulating the review of the Asbestos Policy.

12.3 The Asbestos Policy will be reviewed every three years or as and when deemed necessary.