

South Holland District Council

Corporate Asbestos Policy 2016

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Policy Statement

This policy is designed to provide a clear acknowledgement of the responsibilities that the Council has in relation to the management of asbestos and its approach to the management of asbestos within the properties it has responsibility for.

1. Policy Aims and Key Objectives

1.1 The aims and objectives of this policy are summarised as follows:

- provides clear lines of responsibility within the Council for the management of asbestos;
- specifies individual responsibilities in the management of asbestos;
- clarifies the Council approach to surveying properties and;
- establishes the Property Management Compliance Sub Group (PMCSG) – which will review and monitor all areas of compliance for Asbestos, Legionella, Fire, Gas and Electricity.

2. Introduction

2.1 The Council recognises and accepts its responsibility as an employer for providing a safe and healthy workplace and work environment for its employees and others (contractors, visitors, tenants and the public) who may be affected by its work.

2.2 The purpose of this document is to set out the Council's policy for identifying and managing asbestos within its premises, to ensure that systems are in place when work is to be carried out to the structure or material, to ensure that systems are in place in the event of an emergency (uncontrolled release of asbestos fibres) and to demonstrate compliance with its legal obligations under health and safety legislation. This includes disseminating appropriate information to anyone who may disturb an asbestos containing material within a Council property, either deliberately or accidentally. In respect of domestic tenants this would take the form of a general information leaflet.

2.3 The objectives set out within this Policy are further expanded upon within the Council's Asbestos Management Plan to provide a practical interpretation as to how the Council will undertake the management of asbestos within the properties it manages.

2.4 It is a requirement that the Council, its employees, contractors and tenants take all reasonable steps to comply with the management systems defined in this document as well as the Asbestos Management Plan and related procedures.

3. Scope of Asbestos Policy

3.1 This policy applies to all properties within both the Council's Corporate and Housing portfolios. It also covers fly tipped material that is suspected to contain Asbestos and needs to be dealt with by the Council.

3.2 The two portfolios include the following property types (but not limited to):

Social Housing Properties

- Houses
- Flats and flat blocks
- Maisonettes
- Bungalows
- Guest Rooms

- Sheltered housing units
- Community rooms
- Garages
- Sewerage treatment works and pumping stations

Corporate Properties

- Office buildings
- Leisure Centres
- Museums
- Pavilions
- Stores / Depots
- Commercial Properties
- Public Conveniences

3.3 As a waste collection authority the Council has a responsibility to clear fly tipped waste on public land. If a fly tip contains waste material that is suspected to contain Asbestos, the Council will appoint a suitably competent company in the removal of Asbestos Waste to undertake this task.

3.4 The Council acknowledges and accepts its responsibilities under the Health and Safety at Work etc. Act 1974, and the Control of Asbestos Regulations (CAR) 2012 to identify and to safely manage Asbestos Containing Materials (ACMs) on its premises. Approved Codes of Practice and guidance information published by the Health and Safety Commission and Executive shall be taken as the adopted standard.

4. Duty to Manage

4.1 The duty to manage asbestos in Regulations 4 of the Control of Asbestos Regulations 2012 usually rests with the person(s) in control of alterations, maintenance and repairs to non-domestic premises, whether that is the occupier(s) or landlord, sub-lessor or managing agent. If no such obligation exists; e.g. where there is no tenancy agreement or contract, or where the premises is unoccupied, then the regulations place the duty on the person(s) in control of the premises, which is usually the owner/leaseholder. Throughout the Regulations, this person(s) is referred to as the “duty holder”.

5. Duty Holders

5.1 The Director of Place has the delegated responsibility for the management of asbestos within the buildings and estate controlled by the Council, and is the duty holder.

5.2 It is the duty of Council staff as well as its contractors to ensure this policy is fully implemented.

5.3 The Council officers listed below have regular and direct control/responsibilities over the management of asbestos matters in respect of both Corporate and Social Housing (as applicable) properties within the Council’s:

Chief Executive	
SHDC Corporate Properties	SHDC Housing Properties
Executive Director Place	Executive Director Place
Executive Public Protection Manager	Executive Public Protection Manager
SHDC Place Manager	SHDC Place Manager
Appointed Persons	Appointed Persons

5.3 Whilst not having direct responsibilities for managing asbestos, officers and teams will be visiting Council properties and will consequently have a role in practically assisting with the management of asbestos containing materials (ACMs). Any officer determined through their role will therefore receive Asbestos Awareness training on an annual basis.

- 5.4 Further detail regarding duty holders' / responsible persons' roles and responsibilities can be found as part of Appendix 1.

Council staff asbestos training Matrix (including repeat cycles) is detailed within the Council's Asbestos Management Plan.

- 5.5 The Duty to Manage fly tipped materials is held by Environmental Services under the Place Directorate.

6. Asbestos Surveying

- 6.1 The first step in managing the risk from ACMs is to undertake a suitable and sufficient assessment as to the presence of ACMs, their location, asbestos fibre content, product type, and condition (i.e. material assessment) together with an assessment of the risk of that material to cause harm based on accessibility and the activities carried out in the area around the ACM (i.e. a Priority Assessment).
- 6.2 The Council undertakes to provide a 'Management' (non-invasive) survey of every property within the Corporate Portfolios.
- 6.3 'Refurbishment & Demolition' (invasive) surveys will be carried out to those parts of any building where refurbishment (or demolition) works are proposed.
- 6.4 Re-inspections of identified ACMs will be carried out at regular intervals as directed by the relevant duty holder / responsible person and in compliance with the Council's re-inspection protocol, based on a risk assessment approach as detailed in the Council's Asbestos Management Plan. Irrespective, all materials within communal (non-domestic) areas will be re-inspected annually. It is the intention, therefore, that changes in the condition of ACMs and thereby potential changes in risk will be identified through this process.

7. Individual Asbestos Management Plans

- 7.1 The actions required to manage the ACMs within an individual building (the 'Asbestos Management Plans') will be informed by the asbestos survey and associated recommendations provided. The plan will identify the risk and prioritise actions in individual properties (i.e. removal / encapsulate / label / re-inspect).
- 7.2 As per the requirements of Regulation 4 of the Control of Asbestos Regulations 2012, supported by the Health & Safety Executive (HSE) ACOP L143 Managing and Working with Asbestos, all management plans will be reviewed annually.

8. Fly Tipped Asbestos

- 8.1 The Council is responsible for investigating and clearing up small scale fly tipping on public land.
- 8.2 Where materials are suspected to contain asbestos, a licensed and suitably competent contractor will be employed to remove all materials as the entire fly tip will now be deemed to be contaminated.
- 8.3 Responsibility for the safe removal and disposal of this material will remain the responsibility of the Council.

9. Asbestos database and Risk Assessment

- 9.1 The asbestos Database is common to both Corporate and Housing properties and is stored in an electronic format accessible by staff and contractors, and is maintained by the Place based Directorate.
- 9.2 Staff and contractors must utilise the information in the asbestos database before carrying out works, in order to inform their risk assessment.
- 9.3 Where no asbestos database information can be made available to staff or contractors (i.e. some responsive repairs works) the staff or contractors will carry out a further risk assessment, to include the potential risk from ACMs, before starting any works. The result of the risk assessment will determine the next course of action. Risk Assessments must be recorded in an approved form and made available for review and audit.
- 9.4 The Council and relevant teams will ensure that staff have in place the appropriate training on asbestos awareness and risk assessment procedures.
- 9.5 Where work is of a pre-planned and intrusive nature (for example: structural repairs, some voids, kitchen and bathroom upgrades, re-wiring, roofing etc.), the asbestos report will be provided to the contractor before commencement of works.

10. Asbestos Training / Awareness

10.1 The Council has agreed that the minimum standard of Asbestos Awareness Training for its staff and contractors shall be UKATA (UK Asbestos Training Association) approved. All new training and refresher training will be determined on a risk based process as detailed in the Asbestos Management Plan. The Council will audit whether annual asbestos related training has been provided by the contractors employed by the Council to all operatives working upon Council property.

11. Procurement

- 11.1 The Council will only use services of asbestos removal contractors for non-licensed works that have provided sufficient competency information in advance. Where licensed removal is required, only companies currently on the Health & Safety Executive Asbestos License holders list will be appointed.
- 11.2 At procurement stage, the Council will require a contractor's asbestos policy where applicable, in order to assess its appropriateness for the work to be undertaken. It is the responsibility of the relevant service that is procuring the work to check the Asbestos Management Database for the latest building information.

12. Information sharing

12.1 The Council maintains a procedure for informing people about the presence of asbestos. This will include but is not limited to:

- Staff
- Contractors
- Commercial Tenants / Leaseholders (see below *)
- Home improvement applicants in Council owned premises (see section 13 below)
- Members of the public (only where a need to know exists)
- Members

* Tenants / Leaseholders will be provided with the asbestos report for the communal parts of their building (where applicable) and these will also be updated when there is a change.

13 Home Improvement Applications

- 13.1 The Council will review all new Home Improvement Applications in domestic premises they have control over against the database. Where no asbestos survey report exists one will be

commissioned. If the work involves invasive works, a targeted Refurbishment & Demolition survey will be carried out. The Council will carry out all asbestos enabling works for approved improvement requests. However, reinstatement works following asbestos removal works or damaged décor is the responsibility of the tenants.

14 Asbestos Incidents

14.1 Where it has been reported that ACMs may have been disturbed or damaged the Council's emergency procedure will be activated. A qualified asbestos person (qualified to P405 level) will respond immediately and be on site as soon as practicable, to assess and request a specialist asbestos contractor to attend where appropriate. Liaison will take place with any tenants, staff and contractors on site and an independent UKAS (United Kingdom Accreditation Service) air reassurance test will be commissioned.

15 Asbestos contractors

15.1 The Council will only use companies currently on the Health & Safety Executive Asbestos License holders list to provide asbestos related services for work that falls under Licensed Asbestos, for the effective management of asbestos risks.

15.2 The Council will use suitably qualified contractors in working with Notifiable Non-Licensed and Non Licensed Asbestos works, where this work applies.

15.3 Works on non-licensed asbestos may be carried out by Council Employees provided they have undertaken "working with non-licensed asbestos" training, supported by re-training every year.

16 Labelling of Asbestos Containing Materials (ACM's)

16.1 ACMs will not be labelled in sole domestic housing properties.

16.2 ACMs in Corporate properties, common areas etc that the Council owns or manages will not generally be labelled, unless specifically detailed in the individual management plan for that premises. Instead the presence of Asbestos will be recorded in the Asbestos Management Plan for those premises, and will be a requirement that this document is checked for the presence of Asbestos before any works are undertaken. These will be checked, reviewed and updated as necessary during the ACM re-inspection surveys.

17 Health Surveillance

17.1 Where there is an incident that may affect people's health, the Council Human Resources Department will retain factual records and circumstantial observations concerning that possible exposure, for a minimum of 40 years from the date of the incident.

18 Monitoring

18.1 The Council will closely monitor works by contractors and their own workforce to ensure compliance. See Appendix A for responsible persons.

18.2 The Council will monitor and review risk assessments (RAs) for proposed, pre-planned works to ensure that they meet the Council's standards. As per Section 9, such RA's will be made available for review and audit, followed by work in progress inspections. See Appendix A for responsible persons.

18.3 The Council will monitor the usage of the asbestos database and the Place based Directorate will be responsible for monitoring.

18.4 The Council will undertake checks of Risk Assessments and associated Method Statements on responsive repairs, on a sample basis by the Council's appointed Health & Safety Advisor.

18.5 The Council will require contractors to provide evidence that relevant asbestos training and annual refreshers has been undertaken, prior to any works taking place and approval being given by the relevant team.

18.6 Any breach of this policy and its procedures are to be reported by staff and contractors to the relevant Manager (in relation to the work being carried out), the head of that directorate and the Council's appointed H & S Advisor.

19 Property Management Compliance Sub Group (PMCSG)

19.1 This will include both operational and management staff from relevant services of the Council. It will be a sub-group reporting into the Health and Safety Committee on a quarterly basis. It will meet on a quarterly basis to monitor and ensure adherence with the Council's Asbestos Policy, Management Plan and associated detailed procedures / protocols. The Group will be chaired by the Executive Public Protection Manager, who will report to the Strategic Health & Safety Group.

20 Corporate Risk Register

20.1 Asbestos is identified as a separate risk on the Council's Corporate Risk register and as such will be reviewed on an annual basis. In addition to the PMCSG's activity, the Council's Strategic Health and Safety Group will ensure there is a regular review of the implementation of the policy, management plan and procedures by its staff and contractors. The outcome of internal audits will be reported to the PMCSG.

SIGNATURE:

Anna Graves

Chief Executive

DATE: