

Asbestos Management Policy

Version Control					
Version	Date drafted	Date approved	Approved by	Next review date	Owner
Final	05/01/2023	23/01/2023	Board	23/01/2025	Head of Property & Assets

1. Introduction

1.1 The aim of this policy is to ensure that Westmoreland Supported Housing Limited (WSHL) complies with statutory regulations in relation to the management of asbestos within the properties it manages or has an interest in, including prevention of disturbance and safe management of asbestos and compliance with all statutory legislation. This regulation being the Control of Asbestos Regulation (CAR) 2012. Additionally, in compliance with HSE guidance documents (ref section 8. Related Documentation).

2. Objectives

2.2 This policy will ensure that WSHL is legally compliant with its asbestos management and carries out its duties in respect of CAR 2012 – Regulation 4 Duty to manage asbestos in non-domestic premises:

- 2.3 Our aim is to ensure all employees and partner contractors working with WSHL
- adhere to the policies and procedures set out in the relevant documents and in so doing appropriately mitigate the risk of exposure to asbestos (by employees, contractors, occupants and 3rd parties)
 - actively audit relevant asbestos-related documentation in order to identify any weaknesses or revisions to the procedure required for effective on-going risk management
 - and demonstrate compliance with the recommended periodic review protocols set out within published HSE guidance and where necessary appropriately respond to issues found as part of the overall WSHL compliance regime

3. Policy

- 3.1 WSHL acknowledges the health hazards associated with the exposure to asbestos and as a duty will protect those persons, as far as reasonably practicable, likely to be exposed recognising its responsibilities to comply with the Control of Asbestos Regulations 2012. The presence of Asbestos Containing Materials (ACMs) does not in itself pose a risk as long as they remain in good condition and undisturbed as only asbestos fibres when inhaled are attributed to the development of an asbestos related disease. The Health & Safety Executive (HSE) recommends the management of ACMs rather than removal until a time that maintenance over remedial cannot be achieved. However, WSHL recognises the risk associated with asbestos and acknowledges its duty to reduce the exposure to asbestos of its employees, sub-contractors, tenants and third parties affected by its activities where this is reasonably practicable. To achieve this, WSHL has implemented a programme of actions to fully manage asbestos in properties it controls, undertaking this in a planned and rational manner based on thorough risk assessment of all incidences of identified ACMs.
- 3.2 WSHL is committed to adhering to the Health and Safety at Work Act 1974, The Management of Health and Safety at Work Regulations 1999 and, more specifically to this policy, CAR 2012. These regulations place a number of duties on an employer to safeguard the health and safety of his employees and others.
- 3.3 WSHL act as Duty Holder under Control of Asbestos Regulations 2012 Regulation 4 only in specific properties i.e. common areas of high-rise blocks, multi-occupancy properties and HMOs, any commercial properties such as retail units, work areas of sheltered accommodation and any offices. While regulation 4 does not apply to dwellings i.e., houses or flats, WSHL are required, under regulation 5 of CAR 2012 to identify the presence of asbestos in such properties in order to complete a suitable & sufficient risk assessment for any workers, be they contractors or employees, sent into the dwellings to undertake work.
- 3.4 CAR 2012 requires duty holders and employers to prevent the exposure to asbestos of their Employees, any persons contracted to WSHL and any persons who could be liable to exposure by works directly undertaken by WSHL, their agents or subcontractors.

3.5 WSHL will instruct a UKAS accredited organisation known as the appointed asbestos consultants (holding both ISO17020 and ISO17025 accreditations) to complete a suitable risk assessment (bulk sampling, Management Survey (MS) and Refurbishment or Demolition (RD) Survey) to properties (domestic and non-domestic) in relation to complying with Reg 4: Duty to manage asbestos in non-domestic premises and prior to the commencement of maintenance, refurbishment or demolition activities. The appointed asbestos consultant under this policy will also undertake air monitoring for purposes of reassurance following disturbance of known or suspect asbestos and 4 stage clearances for removal of asbestos under an enclosure with a Licensed Asbestos Removal Contractor.

3.6 WSHL will instruct a Licensed Asbestos Removal Contractor (LARC) with a HSE licence to conduct the remedial of asbestos under the three types of remedial classifications:

- non-licensed
- notifiable non-licensed
- licensed

Where the LARC is not deemed appropriate the contractor undertaking the works shall prove competency prior to completing any remedial action.

3.7 Prior to any works within WSHL buildings, all external consultants, maintenance staff, contractors and any other persons planning or undertaking work on the premises, which may disturb identified ACMs must contact WSHL with details of the works to be carried out and the relevant survey information will then be issued.

3.8 If works have been instructed and either no asbestos information or insufficient asbestos information has been identified the works will not proceed until the suitable and sufficient assessment by the UKAS accredited organisation has been completed and information disseminated to the instructed party.

3.9 All asbestos information will be held and maintained by the Responsible Person (RP) and the Deputy Responsible Person (DRP). This data is held on the managed Asbestos Risk Register (ARR)

- 3.10 The prioritisation of remedial works will be based on a risk assessment based upon ACM condition type and condition, including the likelihood for a situation to give rise to significant airborne asbestos fibre. Management of the ACM will be in accordance with the relevant regulations, codes of practice and best working practice.
- 3.11 Where ACMs are considered to pose an immediate risk, remedial work will be undertaken forthwith should the assessment indicate this is necessary.
- 3.12 WSHL consider all properties constructed post-2000 shall be asbestos free, and this policy supports this assertion. This due to the prohibition of the use all asbestos materials in the U.K. in 1999.
- 3.13 Achievement of an asbestos-free environment in all WSHL properties is not considered practicable. However, the hazard of asbestos is recognised, understood and managed and it is WSHL Homes' intention, to reduce the exposure of all persons to airborne asbestos fibres. Where there is any statutory obligation, WSHL will endeavour to comply with all the requirements.
- 3.14 WSHL will seek to manage ACMs in the course of its cyclical maintenance programme, refurbishment exercises, and repair operations or at other appropriate times.

4. Service Standards & Performance Measures

4.1 Asbestos Surveying

Surveys of communal areas: all communal areas to have as a minimum a Management Survey and where asbestos is identified this shall be re-inspected periodically based upon risk. The programme of inspections will be controlled by the Responsible Person and reported to Board on a monthly basis.

- 4.2 Properties which only contain Chrysotile such as floor tiles and Artex ceilings will be reassessed every 5 years as we would expect these to be reported as day to day repairs. Properties containing AIB / Amosite / Crocidolite will be reinspected annually with a new management survey every fifth year.

4.3 Survey to domestic premises: Undertaken as part of planned or repair operations where ACMs may be disturbed. The survey shall be returned in 7 working days of instruction. Bulk sampling: analysis to be returned in 1 working day of instruction.

5. **Risks**

5.1 WSHL acknowledges, understands and accepts its responsibilities under the Health and Safety at Work Act 1974, and the Control of Asbestos Regulations (CAR) 2012 to identify and to safely manage 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 standards.

5.2 It is not a requirement of the regulation for employers or persons responsible for health and welfare (of workers, employees, contractors, visitors, third parties likely to become affected by his undertakings), to remove all asbestos when identified. However, by the use of compliant identification and material risk management they must manage ACMs via reasonably practicable means to prevent the release of and exposure to asbestos fibres and thus comply with the regulations.

5.3 **Measures for Managing the Risk.**

Effective management of ACMs is predicated upon the results of asbestos surveys carried out to properties and management reporting to board and statutory bodies in the event of an ACM incident.

5.4 A component of the Duty Holders management of ACMs is the application and annual review of the Asbestos Management Plan (AMP) and ARR by implementing a rolling programme of communal re-inspections, management surveys to properties with no asbestos information where necessary including additional surveys for properties where invasive refurbishment works have been identified, as well as treatment and removal of ACMs identified to create a safe working environment or where a deterioration in ACMs condition warrants management (removal).

5.6 The practicalities, including safety issues and cost implication, require ACMs to be managed in situ, and not necessarily removed in every case. Where the ACM is in a good condition or unlikely to be disturbed by maintenance operations it is safest to leave in place.

5.7 In summary the following will apply:

- I. All communal areas will be fully assessed for the presence of ACM, and where appropriate programmed remedial or removal actions will be followed.
- II. Only those materials likely to pose a serious risk to health that will be disturbed by works will definitely be remediated prior to the commencement of the works.

Other low risk materials can remain as long as their presence has been addressed in the works procedure and will remain undisturbed.

- III. Other locations where people reside or are working in close proximity to the area of planned works will be made aware that ACM management is taking place to prevent damage or indirect disturbance and shall be monitored for the duration of the planned works, this may include isolating public or communal spaces.
- V. ACMs will be assessed in light of planned maintenance activities by a UKAS accredited person and recommendations shared with all involved parties.

5.8 WSHL will follow the recommendations contained within the survey report unless deemed and recorded as not necessary by the Responsible Person.

5.9 The above are however standard recommendations and as such an individual Responsible Person may observe or amended the recommendations, as deemed appropriate. Any amendments to recommendations will be based upon the Responsible Person's own intimate knowledge of such criteria as: the remaining operational lifetime of the building, predicted future occupation levels for the building, future refurbishment projects or ownership. These considerations will be assessed by WSHL and then employed to identify the most appropriate and applicable management strategy for each of the ACMs on site.

6. Related Procedures & Documents

WSHL Asbestos Management Procedures Health and Safety Policy and Procedures

7. Responsibilities

7.1 Management and Hierarchy of Control

To ensure that the Asbestos Management Policy and Asbestos Management Procedure are adhered to, suitably experienced, trained and senior employees within WSHL will be nominated to act as a 'Responsible Person' to oversee their effective implementation and review on behalf of the individual Duty Holder.

7.2 Management Responsibilities

The duties as set out in Regulation 4 of The CAR 2012 Regulations will rest with the person in control of the premises and maintenance activities in the non-domestic premises and to those 'common areas' (non-domestic areas) of properties providing rented or leased accommodation.

7.3 In terms of the Duty Holders the property portfolio, the responsibility for the implementation of this Policy and the associated Asbestos Management Procedure will rest with selected member of the senior management team to act as appointed 'Responsible Person' in the management of ACMs.

7.4 Those personnel within the WSHL senior management structure and their associated responsibilities in managing ACMs are given below:

The Duty holder and Responsible Person: Head of Property & Assets

Responsible for the implementation of this policy and the day to day controlling of the associated procedure to this policy, and responsible for the implementation of this procedure and the authorised deputy.

Responsible Person Deputy: The Compliance Manager

Responsible for the day to day controlling of the associated procedure to this policy in the event the responsible person is unavailable.

These persons will be suitably trained and aware of their duties under current legislation and this policy document.

Responsible Person: Building Surveyor

Responsible for carrying out annual inspections of ACM's - Properties containing AIB / Amosite / Crocidolite. These persons will be suitably trained and aware of their duties under current legislation and this policy document.

8. Related Documentation

8.1 The following statutory legislation and specific guidance has been identified as being relevant to managing risks from asbestos containing materials further information on any document below can be obtained directly from the HSE.

Legislation.

- o The Health and Safety at Work Act 1974.
- o The Defective Premises Act 1974
- o Control of Asbestos Regulations (CAR) 2012.
- o The Management of Health & Safety at Work Regulations 1999.
- o Workplace (Health, Safety and Welfare) Regulations 1992.
- o Hazardous Waste (England & Wales) (Amendment) Regulations 2009.
- o Construction (Design and Management) Regulations 2015.
- o Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- o Approved Codes of Practice (ACoP) (Health & Safety Executive).
- o ACoP L143 - 'Managing and Working with Asbestos' (December 2013).
- o Guidance Documents (Health & Safety Executive).
- o HSG247 – 'Asbestos: The licensed contractors' guide.
- o HSG 264 – 'Asbestos: The survey guide',
- o HSG248 – 'Asbestos: The analysts' guide for sampling, analysis and clearance procedures.
- o HSG213 – 'Introduction to asbestos essentials (First Edition)'.
o HSG210 – 'Asbestos essentials task manual (Fourth Edition)'.
o HSG33 – 'Health and safety in roof work (First Edition)'.
o HSG227 – 'Comprehensive guide to managing asbestos in buildings'.1999.