



POLICY FOR THE MANAGEMENT OF ASBESTOS CONTAINING MATERIALS

1.0 INTRODUCTION

- 1.1 ng homes has around 5400 properties of mixed types, including some 3400 transferred in 2011 from Glasgow Housing Association.
- 1.2 Some buildings owned by the Association were built, or refurbished, at a time when the use of asbestos containing materials in their construction was common. During work on these buildings it is possible, therefore, that personnel could encounter asbestos.
- 1.3 The presence of an asbestos containing material in itself does not constitute a danger. However, there is a potential risk to health if such material is disturbed and damaged. An isolated accidental exposure to asbestos fibres for a short duration is extremely unlikely to result in the development of asbestos related diseases. However, regular exposure, even at relatively low levels, can present a risk. As well as people employed in the building trades, inadvertent exposure (and consequent risk) can occur in other groups of people e.g. installers of I.T. systems, burglar alarms and smoke detectors, and during heating/wiring contracts, kitchen/bathroom replacements and door/window replacements. It is important, therefore, to have in place a management system which minimises the potential for exposure to asbestos.
- 1.4 Working with and managing asbestos materials is now very tightly regulated via a number of different Legislative Acts (**See Appendix 1**). The purpose of this document is to ensure that the Association complies with all current Legislation, Regulations and Health and Safety Executive Guidance Notes. The purpose of the document is also to engender "best practice" within ng homes.

2.0 ASBESTOS POLICY

2.1 Statement of Intent

It is the policy of ng homes to ensure that, as far as is reasonably practicable, no persons are exposed to risks to their health due to exposure to any asbestos containing materials that may be present in any of the properties it owns or occupies.

2.2 Policy Statement

The Housing Association's Asbestos Policy conforms with the Health and Safety at Work Act 1974, and the Control of Asbestos Regulations 2012. The Policy will apply to all buildings and all individuals employed by the Housing Association, and to contractors/sub-contractors engaged by the Association **without exception**.

2.3 The Association's Policy on asbestos is to:

- i) ensure the prevention of exposure to risks associated with asbestos containing materials.
- ii) ensure that any asbestos containing materials that may be present in any of its buildings are maintained in a condition so as to prevent the possibility of any harm to health occurring.
- iii) promote awareness of the risks from asbestos containing materials and the Association's Management Procedures through training and induction of relevant staff.
- iv) provide adequate resources to ensure the provision of appropriate information, instructions and training.
- v) ensure a commitment to comply with all relevant asbestos legislation, Approved Codes of Practice, Health and Safety Executive Guidance Notes and to commit to the safe disposal of any asbestos waste in accordance with the appropriate legislation.
- vi) ensure that a representative proportion of properties built pre 2000 are surveyed to identify any asbestos containing materials that may be present therein and to prepare and maintain an Asbestos Register for these buildings. This Register will undergo regular reviews and will be updated after any treatment and/or removal works have been undertaken.
- vii) implement an effective asbestos management strategy in order that appropriate measures such as encapsulation, labelling, inspection, working with, or removal of, the material can be undertaken.
- viii) ensure that an appropriate system is installed, maintained and implemented for the management of all asbestos containing materials identified in the Register. Such a system is to be capable of recording the risk, the needs and priorities for treatment and/or removal.
- ix) ensure that all Contractors and Sub-Contractors engaged to carry out work on any of the Association's buildings are provided with a summary, listing all relevant premises that may contain asbestos which may be disturbed by their works.
- x) ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate.
- xi) ensure Licensed Contractors and/or Sub-Contractors carry out ALL Asbestos Major Works in accordance with HSE recommendations.
- xii) ensure all Non-Licensed Contractors carrying out Asbestos Minor Works are trained in safe working procedures and have appropriate insurance cover for the work being carried out.
- xiii) ensure that relevant staff, as identified by a Training Needs Analysis of the Association and its contractors, have appropriate training in this Policy.
- xiv) undertake a regular review of the Policy for the Management of Asbestos Containing Materials.

APPENDIX 1

LEGISLATION AND GUIDANCE

The Health and Safety at Work etc. Act 1974 places general duties on employers and self employed persons to ensure, so far as is reasonably practicable, the health, safety and welfare of all their employees, and persons other than their employees who may be affected by any of their undertakings. They must also ensure that the premises, and any plant or substance therein, are safe and present no risks. The regulations that have either been introduced under this Act, or introduced to implement the requirements of EC directives, and are relevant to the management of asbestos, are set out below.

Management of Health and Safety at Work Regulations, (Amendment) 1999 requires an employer to assess and control risks to the health and safety of his employees and, for significant risk, to record the assessment. This would include the management of risks arising from asbestos.

Control of Asbestos Regulations 2012 came into force in the UK in 2012 and extended slightly the 2006 Regulations. The latter repealed the Asbestos Licensing Regulations 1983 (as amended), the Asbestos Prohibition Regulations 1992 (as amended) and the CAWR 2002. The Regulations consolidated and simplified the regulatory framework by combining all of the previous Regulations into one framework. The new Regulations introduced a single lower Control Limit for airborne asbestos, a new fibre counting method (the WHO method), and the de-classification of Textured Coatings. The main thrust of the regulations, however, remains Regulation 4 and the Duty to Manage. The Requirement to manage asbestos in non-domestic premises (and includes the common parts of domestic premises), applies when any work with asbestos, or with any product containing it, is carried out by the employer. Exposure of employees to asbestos should be prevented, or reduced as far as reasonably practicable. The new regulations set down a control limit at, or above, which employees must not be exposed unless they are wearing respiratory protective equipment, and oblige employers to assess any risk prior to any work with asbestos so that appropriate measures can be taken to control exposure. There is also a duty to prevent or reduce, as far as is reasonably practicable, the spread of asbestos from the work place where work is carried out. In addition, there are also requirements on personal protective equipment and on ensuring that asbestos is stored or transferred only in suitable sealed and marked containers. The duties to protect employees are extended to anyone else who may be affected by the work, including members of the public. Protective equipment requirements are described in the **Personal Protective Equipment at Work Regulations 1992**. The 2012 Regulations added a new classification for low risk asbestos work i.e. Notifiable but Non Licensed Work (NNLW). All other sections of the Regulations are the same.

The Construction (Design and Management) Regulations 2015 (CDM 15) replaced the 2007 Regulations of the same name and provide a framework for the governance and management of health, safety and welfare in construction and demolition projects. The new Regulations saw the *removal of the CDM Co-ordinator role*, with the Health & Safety duties of the former CDM-C now being passed to the Principal Designer. The Regulations include various 'notification' and safety related documentation requirements for certain projects. However, in most cases of asbestos works, the Asbestos Regulations will take precedence over the specific requirements under CDM on the basis that asbestos controls are best determined by the asbestos legislation, codes of practice and guidance.

Disposal of Asbestos Waste

Part II of the EPA sets out waste management and disposal requirements that affect all companies producing controlled waste as defined in section 75(4) of the EPA. Section 34 of the EPA introduces a statutory "Duty of Care" for all those producing or dealing with waste. All waste producers must follow the Duty of Care and have a statutory obligation to ensure the appropriate and correct handling, transportation and ultimate disposal / treatment of the waste they produce. This is especially important if the material is classed as a 'Special Waste' under the *Special Waste Regulations 1996, as amended*, which denotes the waste as being of a hazardous nature and requiring specific transportation and disposal procedures to be followed. The waste must also be assigned a waste code under the European Waste Catalogue and meet specific Waste Acceptance Criteria. Waste material containing asbestos will be classed as Special Waste if it meets the hazardous waste criteria.

Useful Guidance:

HSE Legal Series L143 CAR12, Approved Code of Practice and Guidance
HSE Guidance INDG 223 A Short Guide to Managing Asbestos in Premises
HSE Guidance HSG264 Asbestos: A survey guide
HSE Guidance HSG227 Managing Asbestos in Premises