

East Devon District Council

ASBESTOS CONTROL PROCEDURE AND MANAGEMENT PLAN (POLICY) FOR HOUSING PROPERTIES

FOR COMPLIANCE WITH
THE CONTROL OF ASBESTOS REGULATIONS 2006
REGULATION 4 “DUTY TO MANAGE ASBESTOS IN
NON-DOMESTIC PREMISES”

1 Introduction

- 1.1 As a Landlord, the Council is responsible for managing the maintenance and repair of our housing stock and this means managing the asbestos in each property.
- 1.2 As well as protecting people from exposure to asbestos fibres we have a legal duty to manage asbestos under Regulation 4 of the Control of Asbestos Regulations 2006.
- 1.3 Generally asbestos has been used in many parts of a building and has been used for fire protection and thermal insulation and has been used in roofing and wall cladding, gutters decorative plasters and paints.
- 1.4 There are eight steps to managing asbestos in buildings:
- a. **Are you responsible** for maintenance and repair activities for non domestic buildings either through a contract or tenancy agreement or because you own the building?
If yes, you have a responsibility.
 - b. **Was the building built before 2000?**
If yes, assume asbestos is present.
 - c. **Do you already have information on asbestos in your building?**
Use the information as a starting point.
 - d. **Walk around the property.**
Identify all materials that may contain asbestos. You can either presume asbestos is present or confirm its presence/absence through a 'survey' and sampling.
 - e. **Keep a written record or register.**
Record where the asbestos is and its condition. Record roles and responsibilities with regard to managing asbestos.
Use this information to tell workers/staff/tenants about the location of asbestos in the property.
 - f. **Act on your findings.**
Give priority to 'damaged materials and materials likely to be disturbed. Decide whether to leave in place or remove. If leave in place – review regularly.
Record what you find and the action you take.
 - g. **Tell people where the asbestos is.**
Consider labelling potential Asbestos Containing Materials.
Consider who works on or near asbestos.

Tell them where the asbestos is before they start work and agree the precautions that need to be taken to prevent exposure.

Anyone who may work on asbestos must be trained and use safe working methods.

Remember some work requires a licence.

h. Keep your records up to date

Even after your action list is completed you need to continue to manage risks.

- 1.5 The aim of this procedure is to set out the responsibilities relating to the management and control of asbestos in the Council housing stock.
- 1.6 As a Landlord we have responsibilities for staff, contractors and our tenants who work in or occupy our properties.
- 1.7 We currently have an Asbestos Register on our HOST system that identifies the known asbestos in each of our tenanted properties. The information is maintained by repairs staff and updated when asbestos is identified or when action is taken to deal with asbestos in a property.
- 1.8 Our aim over the next three years is to review our information relating to asbestos and to improve the data we hold on each of our properties. This will enable us to bring our asbestos register up to date and provide comprehensive, reliable and detailed information about asbestos in the Council housing stock.
- 1.9 To help with this process we will undertake an asbestos survey at each property that becomes empty. This will be organised by the Day to Day/Responsive Repairs Contractor (currently Skinner Construction Ltd) on our behalf.
- 1.10 Ad hoc surveys will be arranged by Maintenance Surveyors through the Day to Day Repairs Contractor when required if maintenance or repair works to a property identifies specific previously unknown information about asbestos being present in the property.
- 1.11 Each property should be surveyed by a qualified and competent contractor to identify as a minimum the:
- location and type of asbestos in the property, including sampling where necessary
 - risk to staff, contractors and tenant
 - action necessary to deal with the asbestos
- 1.12 The results of the survey of the property should be provided in a written

report to the Property and Asset Manager within 7 days of the survey being undertaken. The report should include photographs and a floor plan showing location of the asbestos. An appendix in the report should provide all the details relating to the location, description and position of material, quantity, sample, and level of identification e.g. no asbestos, presumed present, or sampled, a clear assessment of the materials and the priority assessment as well as recommended action. This appendix will form the basis of the asbestos Management Plan for the property and the Asbestos Register.

- 1.13 Responsibility under this policy is organised under group headings. It is critical that individuals are able to identify themselves belonging to one or more of these groups regardless of their job title or who they work for.
- 1.14 Every individual who orders work in connection with the structure, fabric or fittings in a building suspected of containing asbestos must comply with 4.2 as well as ensuring the contractor performing the work complies with either 4.3 or 4.4.

2 Scope of Asbestos Policy

The management of asbestos is only required to non-domestic premises, as stated in Control of Asbestos Regulation 2006, Regulation 4. However as a Landlord we will identify asbestos in all our housing stock (domestic premises) and will carry out all work necessary including both asbestos removal work and any other work which may inadvertently disturb asbestos materials.

3 Statement of Intent

The Council (as a Landlord) accepts its responsibilities under health and safety legislation and associated regulations and guidance. In support of this statement the Council will adhere to the following standards:-

- i. Prevent further use of asbestos containing materials in the Council housing stock in accordance CAR 2006.
- ii. Adopt a programmed approach over the next three years to identify existing asbestos containing materials within the housing stock.
- iii. Create and maintain a comprehensive register of asbestos containing materials within the housing stock.
- iv. We will undertake:
 - a. an asbestos survey in each empty property to identify asbestos containing materials. This will allow same location/construction type/size/age properties

to be linked to the survey for inclusion on the Asbestos Register.

- b. ad hoc surveys when required.
- c. a three year programme of surveys of all our communal areas to update our current information.
- v. Either remove or actively manage all existing asbestos containing materials whichever is the most practicable and effective way to control the risk from asbestos.
- vi. Clearly and appropriately label all asbestos containing materials where practicable.
- vii. Put in place arrangements to monitor and control the risks from work involving asbestos.
- viii. Provide an appropriate level of information and training for those with duties under the policy and those exposed to risk.
- ix. Inform tenants in writing of the position of any asbestos containing materials within their home.
- x. To ensure all work with asbestos is carried out in accordance with the Approved Code of Practice.

The Property and Asset Manager will be responsible for overseeing and monitoring the implementation of the policy in the Council's housing stock.

4 Specific Responsibilities in the discharge of the above standards

4.1 Property and Asset Manager/Senior Surveyor:-

- 4.1.1 To identify the locations of all suspected asbestos containing materials in the housing stock.
- 4.1.2 Take immediate action to control imminent risks from asbestos (**Procedure 1**).
- 4.1.3 Manage asbestos and ensure relevant risk assessments, method statements, clearance certificates following removal, and any other relevant information is provided and recorded (**Procedure 2**).
- 4.1.4 Arrange for the labelling of all asbestos containing materials as appropriate (**Procedure 2**)

- 4.1.5 Ensure that the results of the survey are properly recorded and that relevant information from the Asbestos Register and the Asbestos Procedure (**Procedure 5**) is supplied to all contractors and others working in the vicinity of asbestos containing materials.
- 4.1.6 Ensure that no work that may disturb asbestos material is carried out without adherence to the standards under 4.2 and 4.3.
- 4.1.7 Arrange for the monitoring of the condition of asbestos containing materials within the housing stock where necessary dependant on risk.
- 4.1.8 Where asbestos has been identified notify tenants of the hazards to health, appropriate precautions to take and the need to report damage to suspected asbestos materials to the Council.

4.2 OFFICER COMMISSIONING WORK; Those responsible for commissioning work will:-

- 4.2.1 Consult the Asbestos Register as part of the planning process. Where insufficient information exists on the Database an asbestos survey may be arranged or alternatively assume asbestos is present (**Procedure 2**).
- 4.2.2 Decide if a HSE licensed asbestos contractor and an accredited monitoring analyst needs to be appointed for the work (**Procedure 3**).
- 4.2.3 Using the Asbestos Register and the Asbestos Procedure (**Procedure 5**) to inform all contractors and others who may disturb the fabric of the building.
- 4.2.4 Ensure a method statement and risk assessment is obtained from the contractor carrying out the work in all cases and is reviewed prior to work by the person commissioning the work. (**Procedure 4**).
- 4.2.5 Ensure that all contractors, who are undertaking work in our properties, have undertaken an asbestos awareness training or have been trained to undertake tasks as detailed in the HSE Task Manual. (**Procedure 5**).

4.3 ASBESTOS WORKERS; Managers/ contractors responsible for carrying out asbestos work will:-

- 4.3.1 Carry out a risk assessment for the proposed work (**Procedure 5**) and apply the appropriate Approved Code of Practice.
- 4.3.2 Provide a suitable method statement to the commissioning officer for review before work begins (**Procedure 5**).
- 4.3.3 Carry out monitoring where appropriate.
- 4.3.4 Notify the HSE where required.

- 4.3.5 Provide all persons working at risk of asbestos exposure with adequate information, instruction and training including regular refresher training.
- 4.3.6 Ensure all work is in accordance with the Control of Asbestos Regulations 2006 and associated Approved Codes of Practice.
- 4.3.7 Dispose of all asbestos waste in accordance with CAR Regulations and Hazardous Waste Regulations.
- 4.3.8 In cases of doubt contact your Contract Manager/Supervising Officer.

4.4 OTHER WORKERS; Local Authority employees or contractors whose work may accidentally disturb asbestos materials e.g. building maintenance or repair and refurbishment of buildings or services will:-

- 4.4.1 Be able to identify typical materials likely to contain asbestos (or work under the DIRECT supervision of someone who can) (**Procedure 5**).
- 4.4.2 Refer to the relevant section of the Asbestos Register before work begins. This should have been provided by the Commissioning Officer (**Procedure 5**).

4.5 Tenant: -

- 4.6.1 Immediately report all damaged or suspected asbestos materials to the Repairs Service and avoid any further contact and exposure unless they are informed that the material does not pose a risk.

5. Emergency procedure

- 5.1.1 Every effort will be made to avoid the uncontrolled release of asbestos fibres. However if such a situation is reported the following actions should be taken (**Procedure 7**) –
 - Vacate the affected room and close the door or move away from the area. All tools or any other items should be left behind.
 - Advice should be taken from specialist contractor on the next appropriate step.

6. Further Advice

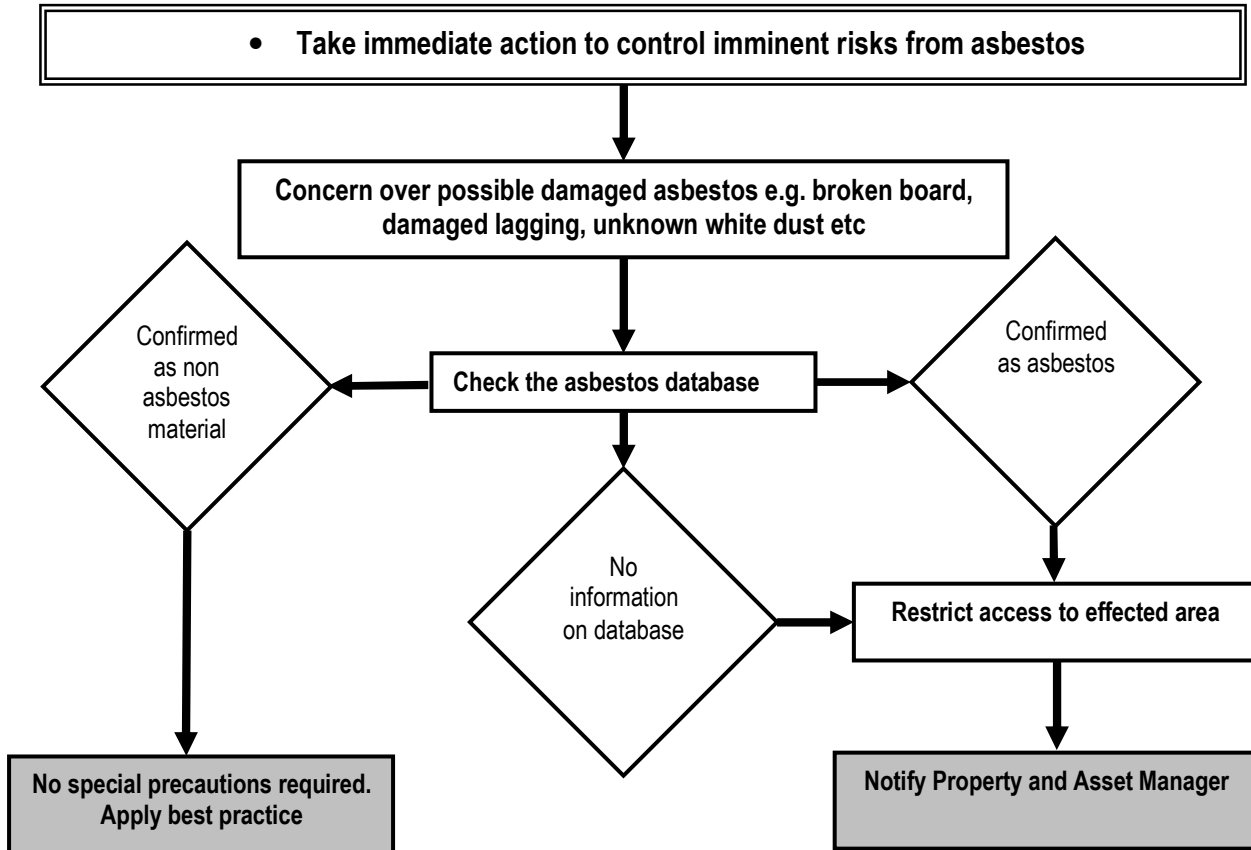
Further advice on any aspect of this policy can be obtained from Property and Asset Manager, Housing Services, Knowle, Sidmouth EX10 8HL

APPENDIX A

PROCEDURAL FLOW CHARTS

These procedure are designed to help you carry out your responsibilities

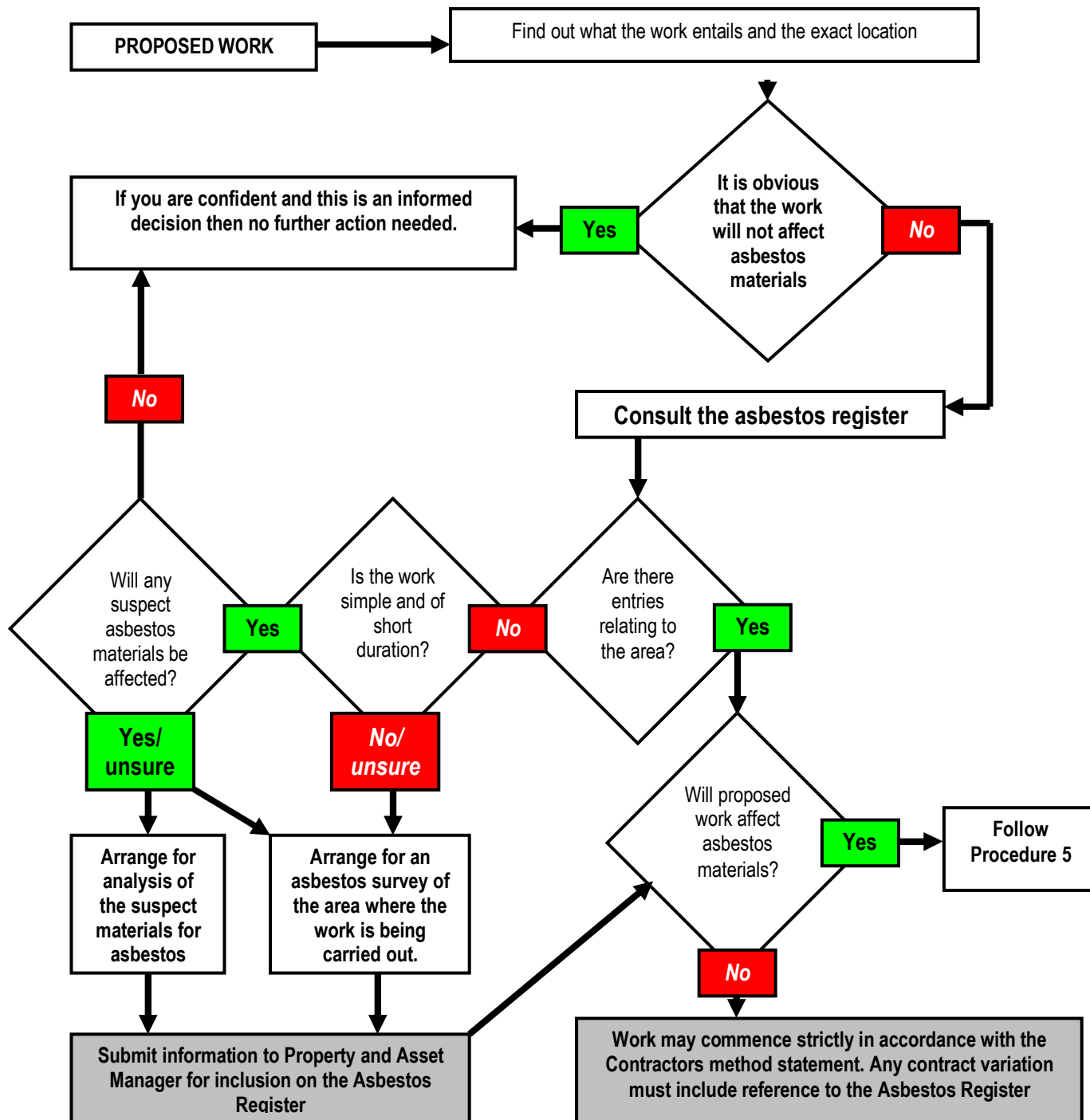
1	Control of imminent risks.
2	Those responsible for commissioning any work in buildings suspected of containing asbestos.
3	Those responsible for deciding if the need for Licensed Asbestos Removal Contractor is required.
4	Those responsible for commissioning any work in buildings suspected of containing asbestos.
5	This procedure is for building trades operatives or contractors whose work may accidentally disturb asbestos materials e.g. building maintenance or repair and refurbishment of building or services.
6	Undertaking of surveys on refurbishment projects or programmed works.
7	Emergency procedures.

PROCEDURE 1**Imminent risks**

PROCEDURE 2

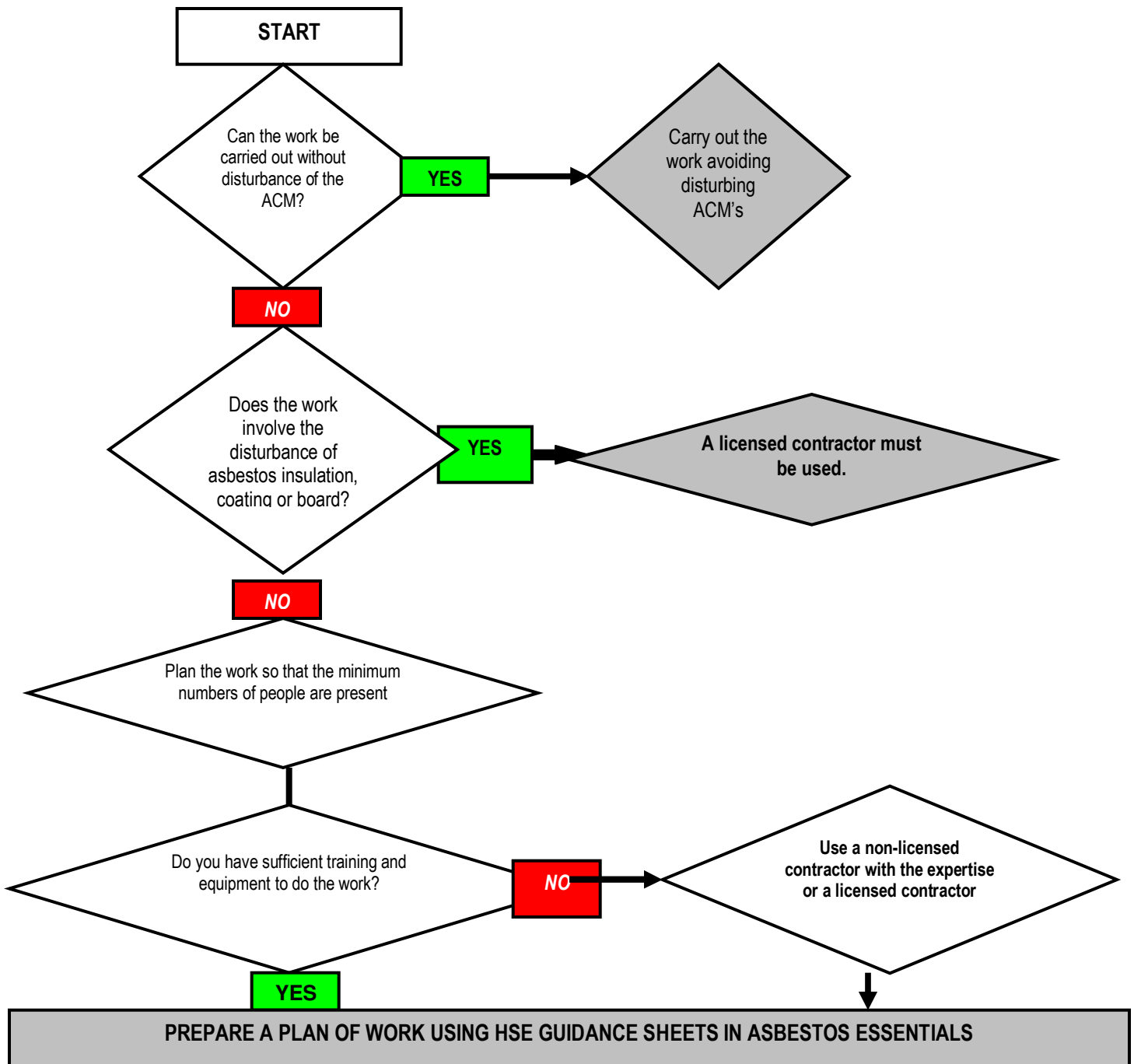
Staff responsible for ordering/arranging repair and maintenance work in the Council housing stock

- Consult the Asbestos Register as part of the planning process.



PROCEDURE 3

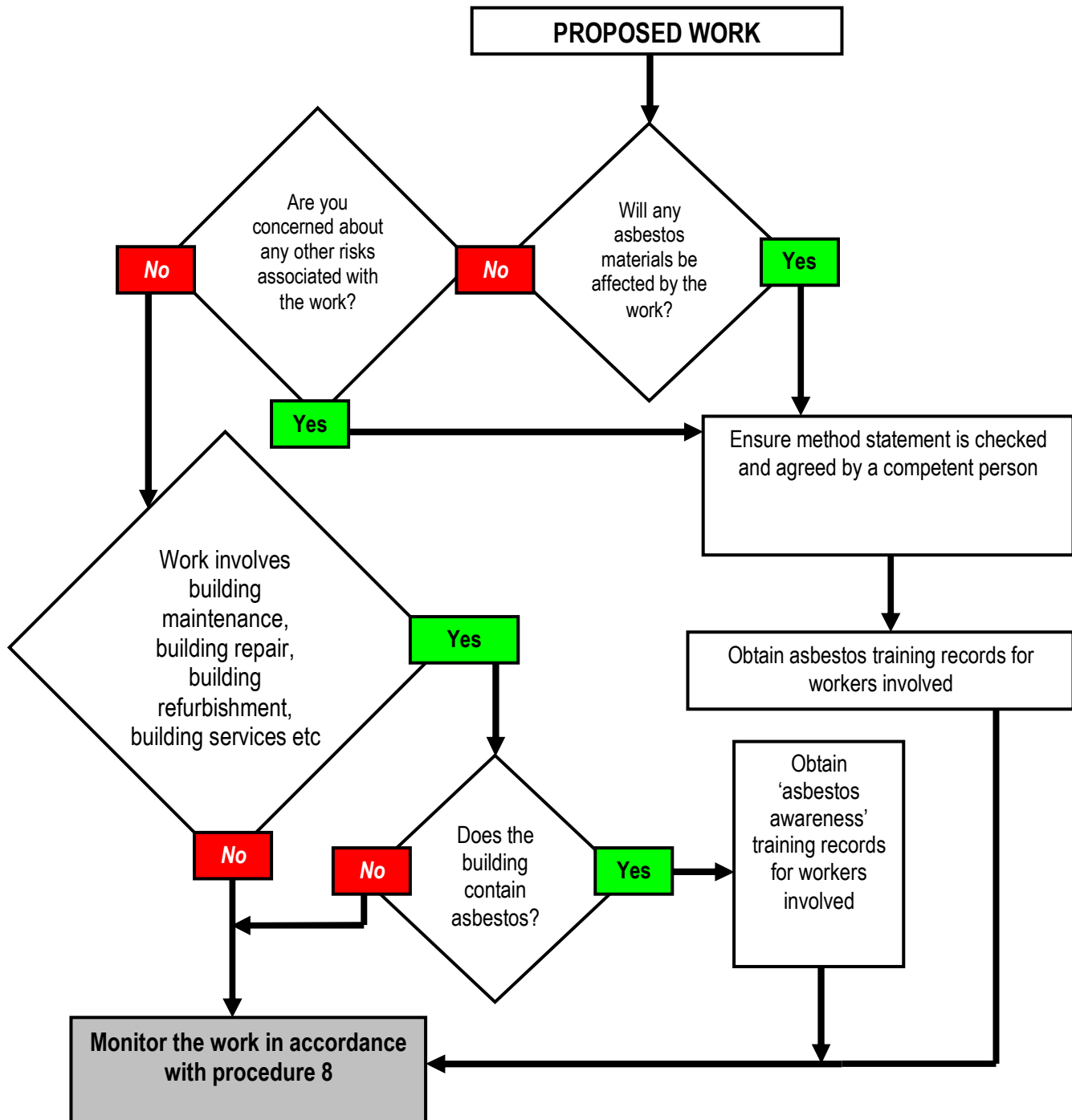
For those responsible in determining the need for a Licensed Asbestos Removal Contractor



PROCEDURE 4

Staff responsible for ordering/arranging repair and maintenance work in the Council housing stock

- Ensure that all contractors have a method statement for carrying out work in properties that are suspected of having asbestos materials and have received asbestos awareness training including recognition of suspect asbestos materials

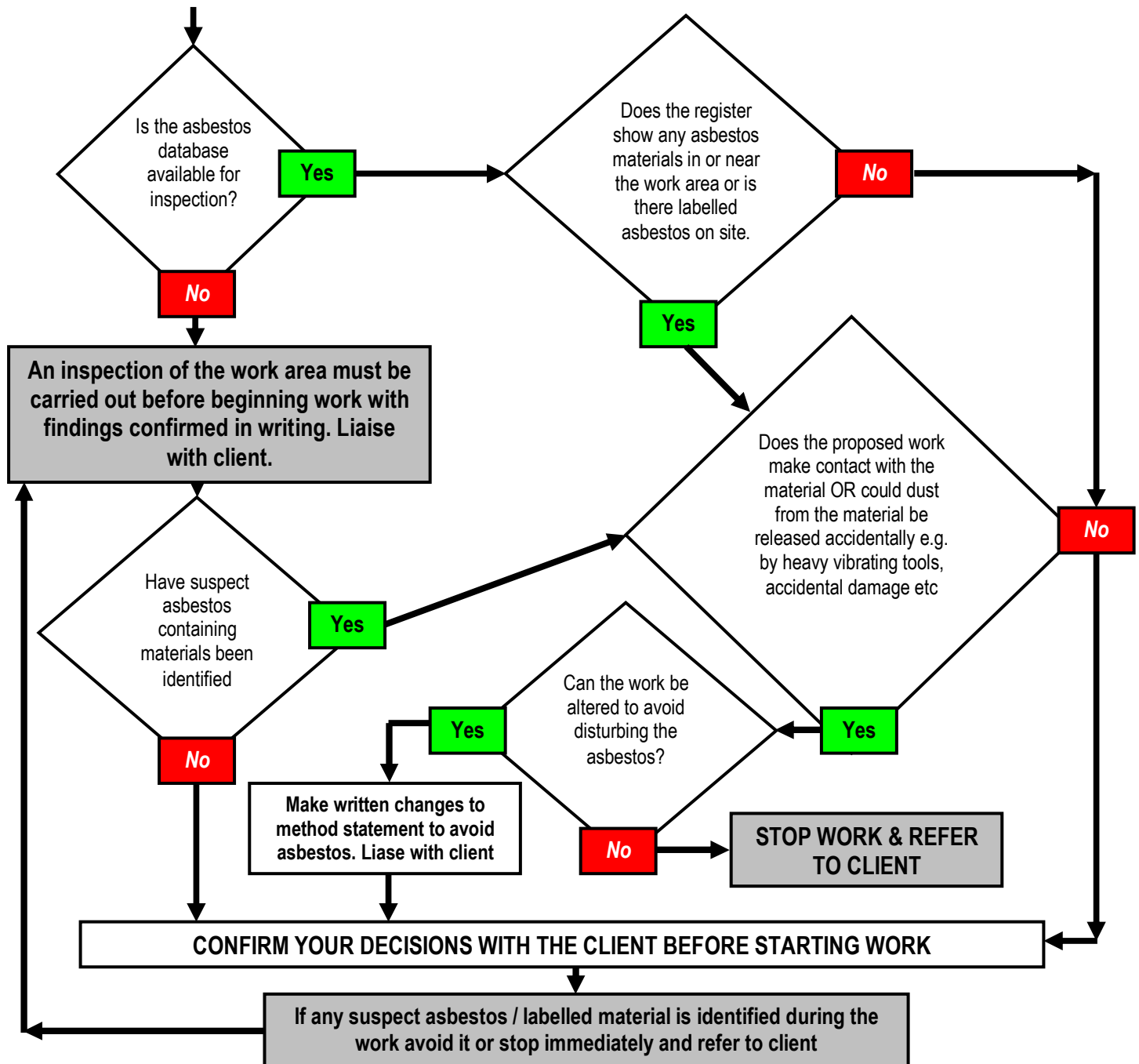


PROCEDURE 5

This procedure is for building trades operatives or contractors whose work may accidentally disturb asbestos materials e.g. building maintenance or repair and refurbishment of building or services

This asbestos policy states you must be trained in identifying materials likely to contain asbestos, refer to the relevant section of the asbestos database before work begins and stop work if suspect asbestos materials may be disturbed if the work continues. The following flow diagram helps you do this.

BEFORE YOU START WORK ask the client for the section of the asbestos register which relates to the area in which you propose to work. Ensure you have received asbestos awareness training in the recognition of suspect materials or are work under the **DIRECT** supervision of someone who has.



PROCEDURE 6

HOUSING STAFF RESPONSIBLE FOR COMMISSIONING WORK TO TENANTED HOMES REFURBISHMENT OF HOUSING STOCK LIKELY TO CONTAIN ASBESTOS

Advisory note on the refurbishment of housing stock likely to contain Asbestos

Introduction

This Advisory Note on asbestos is primarily concerned with major refurbishment programmes such as those being undertaken to meet the Decent Homes standard or similar such capital projects where local authorities, housing associations and social housing management companies are the client under the Construction (Design and Management) Regulations 2007 (CDM). However, the principles contained within it are equally applicable to routine refurbishment/ maintenance work across all housing sectors.

Asbestos Containing Materials (ACMs) may be present in many locations within domestic premises. Some of the commonest include airing cupboards, bath or similar panels and heating systems. Under CDM, clients have to comply with certain duties in relation to asbestos. These duties are not transferable and cannot be delegated to a managing agent or principal contractor.

The specific 'duty to manage' requirement under the Control of Asbestos Regulations 2006 does not apply to any domestic property, however, general duties under the Health and Safety at Work etc. Act 1974 requires employers to ensure the health and safety of employees and others so far as reasonably practicable. The Management of Health and Safety at Work Regulations 1999 also require employers to assess the health and safety risks to third parties, such as workers carrying out work in the premises and tenants, who may be affected by activities connected with their business and to make appropriate arrangements to protect them from this.

This Advisory Note sets out reasonably practicable steps that we should take when our properties are refurbished.

Information on Asbestos

We should provide sufficient information about the location and type of ACMs in order to allow effective management of the risks during any refurbishment or maintenance work. Asbestos was widely incorporated into buildings until the nineteen eighties after which time its use declined. However, the use of all forms of asbestos in domestic buildings was not prohibited until 1999. Even then, some asbestos held in stock may have continued to be used after this date. Given this, it is not possible to judge by the age of building stock alone whether asbestos is absent. Consequently, you must assume that asbestos is present in areas to be refurbished unless you have appropriate information to confirm that it is not. The steps below should be taken to determine whether asbestos is present and to obtain information about the position and condition of ACMs.

Survey Type

If there is insufficient information in our asbestos register it may be necessary to undertake a survey before carrying out any work that may disturb the fabric of a building. The purpose of this survey is to locate ACMs so that they can be removed before the refurbishment work starts. This type of survey is likely to be intrusive and destructive. Intrusive inspection techniques are employed where appropriate to lift carpets and tiles, and break through walls, ceilings, cladding and partitions.

These destructive techniques mean that surveys need to be conducted in unoccupied areas to minimise any risks to tenants. For minor refurbishment, this would only apply to the room involved or even part of the room where the work is small and the room large. In these situations, there should be effective isolation of the survey area (e.g. full floor to ceiling partition), and furniture and furnishings should be removed as far as possible or protected using sheeting. The “surveyed” area must be shown to be fit for reoccupation before refurbishment work continues or tenants are allowed access. Given the above surveys should be programmed to take maximum advantage of any periods when properties are untenanted or ‘void’.

Survey Strategy

It is unlikely that a survey of every property is going to be reasonably practicable where a large number of tenanted dwellings are involved in a refurbishment project. A carefully planned sampling programme of a representative proportion of each dwelling ‘type’ will thus be needed in order to get an accurate picture of ACM presence. Specific sampling ratios cannot be specified, as these will depend on the variability of the housing stock. The sampling strategy should be informed by the advice of a competent surveyor and take account of:

- original construction information
- building material specifications
- subsequent refurbishment or building works
- previous asbestos surveys or removals
- information generated during the survey process itself that may necessitate a revision of the original planning assumptions

The value and usefulness of a survey can be seriously undermined where either the client or surveyor imposes restrictions on the scope or techniques/method used. It is crucial that, so far as is reasonably practicable, information is provided on the location of all ACMs. Any restrictions are likely to affect this and may mean that the work programme becomes more complex, delayed and expensive.

Provision of Information

The information provided by a suitable survey is of little value if it is not provided appropriately and in good time to those that need to act upon it. The results of the survey must be provided to staff responsible to the refurbishment work and contractors.

Competent Contractors

Even when a suitable survey has been undertaken, it is still foreseeable that unknown ACMs may be encountered when construction work begins. It is, therefore, important that contractors undertaking the work know what to look for and the precautions that they should adopt. Steps should be taken to check that potential contractors have had the relevant asbestos awareness training to an equivalent standard to that required for non-domestic premises as outlined in the Approved Code of Practice to the Control of Asbestos Regulations 2006. Similarly, those selected to carrying out the survey work should also be able to demonstrate the requisite arrangements, skills and experience through such means as UKAS accreditation or personal certification.

Additional Information

Further information on the above can be found at the HSE website: www.hse.gov.uk. In particular, there are specific sections on CDM:

www.hse.gov.uk/construction/cdm.htm and asbestos

www.hse.gov.uk/asbestos/index.htm.

This guidance is also available at

www.hse.gov.uk/services/localgovernment/issues.htm.

This is East Devon District Council housing service strategy for surveying for asbestos as covered in the HSE advisory note on how social landlords should deal with asbestos in properties about to undergo refurbishment.

Propety and Asset Manager

January 2011

PROCEDURE 7

Actions after Accidental Uncontrolled Release of Asbestos

Concern over possible damaged asbestos
e.g. broken board, damaged lagging,
unknown white dust etc.
**Clear the Area of All Unprotected People,
close doors and or move away from the
area!**

