

Asbestos Management Policy

Directorate: Property Services

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Version: V9

Document Information

Scope:

The aim of this policy is to ensure that Salix Homes complies with current regulations in relation to the management of asbestos within the properties it manages, including prevention of disturbance, safe management of asbestos and compliance with all statutory legislation. The regulation being the Control of Asbestos Regulation (CAR) 2012. Additionally, in compliance with HSE guidance documents (ref section 8. Related Documentation).

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

Our aim is to ensure all employees and partner contractors working with Salix Homes:

- adhere to the policies and procedures set out in the relevant documents and appropriately mitigate the risk of exposure to asbestos (by employees, contractors, residents 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 identified as part of the overall Salix Homes compliance regime.

Service Standards / Performance Measures / Corporate Strategy:

Asbestos Surveying

Surveys of communal areas: all communal areas will have a minimum Management Survey and where asbestos is identified, is re-inspected annually. The programme of inspections will be controlled by the Responsible Person who will report to Board as part of the Performance Dashboard.

Document Information

Key Performance Indicators (KPI's)

- **Voids:** survey shall be returned in 2 working days of instruction.
- **Survey to domestic premises:** survey shall be returned in 7 working days of instruction (where access is permitted by the customer);
- **Bulk sampling:** analysis to be returned in 1 working day of instruction (where access is permitted by the resident).

Asbestos Remedial

Key Performance Indicators

Voids: remedials to be completed within 3 working days of instruction (with the exception of licensed remedial works);

Emergency/make safe: to be completed within 2 hours from instruction (where access is permitted by the resident)

Risks:

Salix Homes acknowledges 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 Asbestos Containing Materials (ACMs) on its premises. Approved Codes of Practice and guidance information published by the Health & Safety Executive (HSE) shall be taken as the adopted standards.

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, through a risk management protocol, employers/persons responsible shall as far as reasonably practical, manage ACMs to prevent exposure to asbestos fibres in conformity with the regulations.

Measures for Managing the Risk.

Effective management of ACMs is predicated upon the results of asbestos surveys carried out to properties.

A requirement of the Duty Holders management of ACMs is the application of the Asbestos Management Plan, implementing a rolling programme of re-inspections, management surveys to properties which have no asbestos information. Additional surveys for properties where invasive works have been identified, as well as treatment and removal of ACMs identified.

There will be occasions due to safety issues relating to removal or because of the cost implications, will require ACMs to be managed in situ, and not necessarily removed. Where the ACM is in a good condition and/or out of casual access, the safest option will be to leave the ACM in place in most cases.

Document Information

In summary the following will apply:

- I. All areas of high-risk ACMs will be fully assessed, and where appropriate programmed remedial or removal actions will be followed;
- II. Only those materials likely to pose a serious risk to health that could 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 within the works procedure and will remain undisturbed;
- III. Other materials adjacent to the area of planned works will be made aware to those persons working in the vicinity and will be segregated/signed to prevent damage or indirect disturbance and shall be monitored for the duration of the planned works;
- IV. All accidental damage and disturbance will be dealt with by the procedures detailed in the corresponding Salix Homes Asbestos Management Procedure document;
- V. ACMs will be assessed before planned maintenance activities by a competent person and recommendations followed.

In general, Salix Homes will follow the recommendations contained within the survey report unless deemed not necessary by the Responsible Person. For example, if an item is in good condition but is recommended for removal if refurbishment works are taking place, and the refurbishment works are cancelled.

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.. These will be assessed by Salix Homes who will identify the most appropriate and applicable management strategy for each of the ACMs on site.

Related Policy/Procedure & Documents:

Asbestos Management Procedure
Health and Safety Policy and Procedures

Related Legislation / Relevant Regulation:

Legislation

- The Health and Safety at Work Act 1974.
- The Defective Premises Act 1974.
- Control of Asbestos Regulations (CAR) 2012.

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- The Management of Health & Safety at Work Regulations 1999.
- Workplace (Health, Safety and Welfare) Regulations 1992.
- Hazardous Waste (England & Wales) (Amendment) Regulations 2009.
- Construction (Design and Management) Regulations 2015.
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

Approved Codes of Practice (ACoP) (Health & Safety Executive)

- ACoP L143 - 'Managing and Working with Asbestos' (December 2013).

Guidance Documents (Health & Safety Executive)

- HSG247 – 'Asbestos: The licensed contractors' guide.
- HSG264 – 'Asbestos: The survey guide',
- HSG248 – 'Asbestos: The analysts' guide for sampling, analysis and clearance procedures'.(2nd Edition)
- HSG213 – 'Introduction to asbestos essentials (First Edition)'.
 ○ HSG210 – 'Asbestos essentials task manual (Fourth Edition)'.
 ○ HSG33 – 'Health and safety in roof work (First Edition)'.
 (Covers asbestos cement roof demolition).
 ○ HSG227 – 'Comprehensive guide to managing asbestos in buildings'.

Retention & Legal Basis for Storage:

All asbestos information relating to an individual will be kept on file for 40 years as per the Control of Asbestos Regulations (CAR) 2012.

Management and Hierarchy of Control

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

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.

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

Those colleagues within the Salix Homes senior management structure and their associated responsibilities in managing ACMs are given below:

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Document Information

The Duty Holder :- The Chief Executive

Responsible for the implementation of this policy.

The Responsible Person:- The Building Safety Manager

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

Responsible Person Deputy :- The Property Compliance Manager (Asbestos & Fire)

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.

Equality, Diversity and Inclusion:

Salix Homes is committed to promoting and embedding a culture of equality, diversity and inclusion (EDI) within our workplaces and the communities we serve.

- Equality is about ensuring that every individual has an opportunity to make the most of their lives and talents;
- Diversity is recognising difference and responding positively to those differences;
- Inclusion is about creating an environment where our services and employment opportunities are accessible to all.

We are committed to meeting our obligations and duties under the Equality Act 2010 and to promoting equal opportunities both in the provision of services and in our employment practices. We will consider all the protected characteristics of the Act which are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Race
- Religion or belief
- Sex
- Sexual orientation
- Pregnancy and maternity

We also recognise that Socioeconomic background is an area where inequalities exist and commit to addressing this disadvantage and inequality in our communities where able to do so.

We are also mindful of our duties under the Public Sector Equality Duty, which is to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

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- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Where reasonable to do so, Salix Homes will make any reasonable adjustment to ensure compliance with the Act.

Data Protection Impact Assessment (DPIA)

A DPIA was completed as minimal customer details are shared with contractors and sub-contractors. To mitigate any risks incurred in relation to information sharing, a Data Sharing Agreement is in place with incumbent contractor. The Agreement also covers the sharing of information to third parties.

Equality Impact Assessment (EIA)

An EIA was completed by the Property Compliance Manager (Asbestos and Fire), which found there to be no equality implications, however, it is acknowledged the policy does not negatively impact any one group, in actioning parts of the policy and procedure, where we are aware we will adapt our approach to suit customers' needs.

Introduction

1. Salix Homes 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.
2. The presence of Asbestos Containing Materials (ACMs) does not in itself pose a risk as long as the ACMs remain in good condition and undisturbed as only asbestos fibres when inhaled are attributed to the development of an asbestos related disease.
3. The Health & Safety Executive (HSE) recommends the management of ACMs rather than removal until a time that maintenance over remedial cannot be achieved. However, Salix Homes recognises the risk associated with asbestos and acknowledges its duty to reduce the exposure to asbestos of its employees, sub-contractors, residents and third parties affected by its activities where this is reasonably practicable.

Implemented Actions

4. To achieve this, Salix Homes has implemented a programme of actions to fully manage asbestos in properties it controls (excluding leaseholder properties), undertaking this in a planned and rational manner based on thorough risk assessment of all incidences of identified ACMs
5. Salix Homes 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 several duties on an employer to safeguard the health and safety of the employees and others.
6. Salix Homes 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, Salix Homes 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.
7. CAR 2012 requires employers to prevent the exposure to asbestos of their Employees, any persons contracted to Salix and any persons who could be liable to exposure by works directly undertaken by Salix or their subcontractors.
8. Salix Homes 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.

9. Salix Homes will instruct a Licensed Asbestos Removal Contractor (LARC) with a 3-year HSE licence to conduct the remedial of asbestos under the three types of remedial classification – non-licensed, notifiable non-licensed and licensed. Where the LARC is not deemed appropriate the contractor undertaking the works shall prove competency prior to completing any remedial action.
10. Salix Homes are required under the Control of Asbestos regulations to maintain an asbestos register for all buildings under its control as part of Regulation 4: Duty to Manage.
11. 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 Keystone asbestos management database and CRM for Salix employees to access prior to carrying out any works. Accuserve will provide operatives with asbestos information for the property they are working in as part of the risk assessment on their handheld devices. Surveys and data can also be requested by a Salix customer via the DRP.
12. The prioritisation of remedial works will be based on a risk assessment, i.e. the likelihood for a situation to give rise to significant airborne asbestos fibre. Treatment of the asbestos will be in accordance with the relevant regulations, codes of practice and best working practice..
13. Salix Homes 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.
14. Achievement of an asbestos-free environment in all Salix Homes properties is not considered practicable. However, the hazard of asbestos is recognised, and it is Salix Homes' intention, to reduce the exposure of all persons to airborne asbestos when and where it is reasonably practicable to do so. Where there is any statutory obligation, Salix Homes will endeavour to comply with all the requirements.
15. Salix Homes will seek to progressively deal with identified ACMs in the course of its cyclical maintenance programme, refurbishment exercises, or at other appropriate times.