

PARAGON HOUSING ASSOCIATION		H&S and Landlord Risk Management	
ASBESTOS MANAGEMENT SYSTEM - POLICY AND FRAMEWORK			
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Asbestos Management System (AMS)

POLICY AND OPERATIONAL FRAMEWORK DOCUMENT

for

PARAGON HOUSING ASSOCIATION

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1. ASBESTOS POLICY STATEMENT

- 1.1 It is recognised that Paragon Housing Association (PHA) has a duty under the Health and Safety at Work etc. Act 1974, as supported by subordinate legislation, to ensure, so far as is reasonably practicable, the health, safety and welfare of its employees, service users, contractors, the general public and others who may be affected by its undertakings.
- 1.2 It is also recognised that the management of asbestos related risk falls within the organisation's general responsibilities set out in point 1.1, above.
- 1.3 To this end, the organisation will comply with the Asbestos Management duties defined and implied in the *Control of Asbestos Regulations 2012 (CAR12)*. It is the policy of PHA to ensure that, as far as is reasonably practicable, no persons will be 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, manages, or occupies.
- 1.4 PHA aims 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 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, instruction, 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 subject to an Asbestos Management Survey Programme and an Asbestos Register for these buildings is prepared and maintained. This Register will undergo regular reviews and will be updated after any treatment and/or removal works have been undertaken.
 - (vii) ensure that an appropriate Asbestos Refurbishment or Demolition Survey strategy is in place in accordance with current legislation.
 - (viii) ensure only UKAS accredited asbestos consultancies are used for asbestos surveying works, asbestos air testing and asbestos analysis work.

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- (ix) implement an effective asbestos management strategy in order that appropriate measures such as encapsulation, labelling, inspection, working with, or removal of, asbestos containing materials can be undertaken.
- (x) 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.
- (xi) ensure that all Contractors and Sub Contractors engaged to carry out work on any of the Association's buildings are provided with adequate information on asbestos which may be disturbed by their works.
- (xii) ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate.
- (xiii) ensure Licensed Contractors and/or Sub Contractors carry out ALL Asbestos Licensable Works and Competent Contractors carry out ALL Asbestos Minor Works.
- (xiv) ensure all Non-Licensed Contractors carrying out Asbestos Non-Licensable Works are trained in safe working procedures and have appropriate insurance cover for the work being carried out.
- (xv) ensure that relevant staff of the Association and local contractors are provided with appropriate training in this Policy and these Procedures.
- (xvi) regularly review the Asbestos Management Policy and Procedures.

Policy Adopted by Paragon Housing Association		
Director		
Name Margaret Torrance	Signature	Date 13/8/2025
Chair of Management Committee		
Name Audrey Anderson	Signature	Date 13/8/2025

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2. SCOPE

- 2.1 The organisation operates a Health & Safety Management System, which comprises a broad range of documented policies, procedures, and arrangements for the effective control of risks to the health, safety and welfare of employees and others who may be affected by the organisation's undertakings.
- 2.2 This document forms part of the overall Management System and sets out the organisation's specific arrangements for the management of Asbestos.
- 2.3 The policy and procedures set out within this document are intended to facilitate compliance with the asbestos related duties defined and implied in the *Control of Asbestos Regulations 2012*.
- 2.4 The PHA stock profiles includes traditional registered social housing, mid-market rental properties and sheltered housing developments. A number of these buildings were built or refurbished at a time when the use of asbestos containing materials (ACM's) was common. During work on these buildings, it is possible, therefore, that personnel could disturb asbestos.
- 2.5 This Policy applies to the entire property portfolio under the control of PHA and to all operations carried on under its control **without exception**.

3. ASBESTOS RISK

- 3.1 It is important to differentiate between the **REAL** risks associated with asbestos materials and the **PERCEIVED** risks, as incorrect perception of risk can often result in unwarranted concern over health risks. The **perceived** risk for asbestos is that 'one fibre can kill'. The **real** risk, as shown by the fairly recent work of Prof Seaton at Aberdeen and Prof Gibb at Cardiff, is that lungs from victims of asbestos related deaths generally contain in excess of 100million asbestos fibres at the point of death.
- 3.2 The serious diseases associated with asbestos are all diseases of the deep lung. To contract these diseases, fairly substantial quantities of asbestos have to be inhaled (note that medical/scientific data, as seen above, now exists in relation to dose-response relationships associated with asbestos exposure). The **real risks** associated with asbestos materials would not, therefore, simply depend upon its **presence** but on the **airborne concentration of fibres in the atmosphere and the duration of exposure**.
- 3.3 Therefore, 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 'cumulative exposure' develops over time. As well as people employed in the building trades, inadvertent exposure (and consequent

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risk) can occur in other groups of people e.g. installers of I.T. systems, burglar alarms, smoke detectors, etc.

3.4 In developing this policy, cognisance was taken of the legislative requirements and good practice set out in the following documents (see Appendix 1):

- Health and Safety at Work Act etc. 1974
- Management of Health and Safety at Work Regulations 1999
- Control of Asbestos Regulations 2012 – HSE Document L143 Regulations, 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

4. DUTY TO MANAGE ASBESTOS

4.1 The Organisation recognises the duty imposed by Regulation 4 of CAR12 to 'manage' asbestos risks associated with normal occupancy in non-domestic premises and, in particular, the following duties set out in HSG264:

- To take reasonable steps to determine the location of materials likely to contain asbestos.
- To presume materials to contain asbestos, unless there are good reasons not to do so.
- To make and maintain a written record of the location of the ACMs and presumed ACMs.
- To assess and monitor the condition of ACMs and presumed ACMs.
- To assess the risk of exposure from ACMs and presumed ACMs and prepare a written plan of ... actions and measures.
- To take steps to see that these actions are carried out.

4.2 The Organisation also recognises the wider duties set out in CAR12, particularly in Regulations 5 and 6, in respect of maintenance, repair, refurbishment and demolition work in premises and the need to carry out appropriate, suitable and sufficient inspection/surveying, risk assessments and planning prior to any works on the fabric of premises.

4.3 To ensure compliance with these broad duties, specific roles and responsibilities have been defined, including procedures for addressing joint duties with third parties (e.g. in 'mixed tenure' premises) and all Organisation personnel will hold the requisite levels of competence to properly discharge their responsibilities.

4.4 This document also defines the Organisation's policies and procedures to ensure the risks associated with asbestos containing materials are properly addressed, assessed and managed and, in doing so, ensuring that all relevant legal duties are discharged.

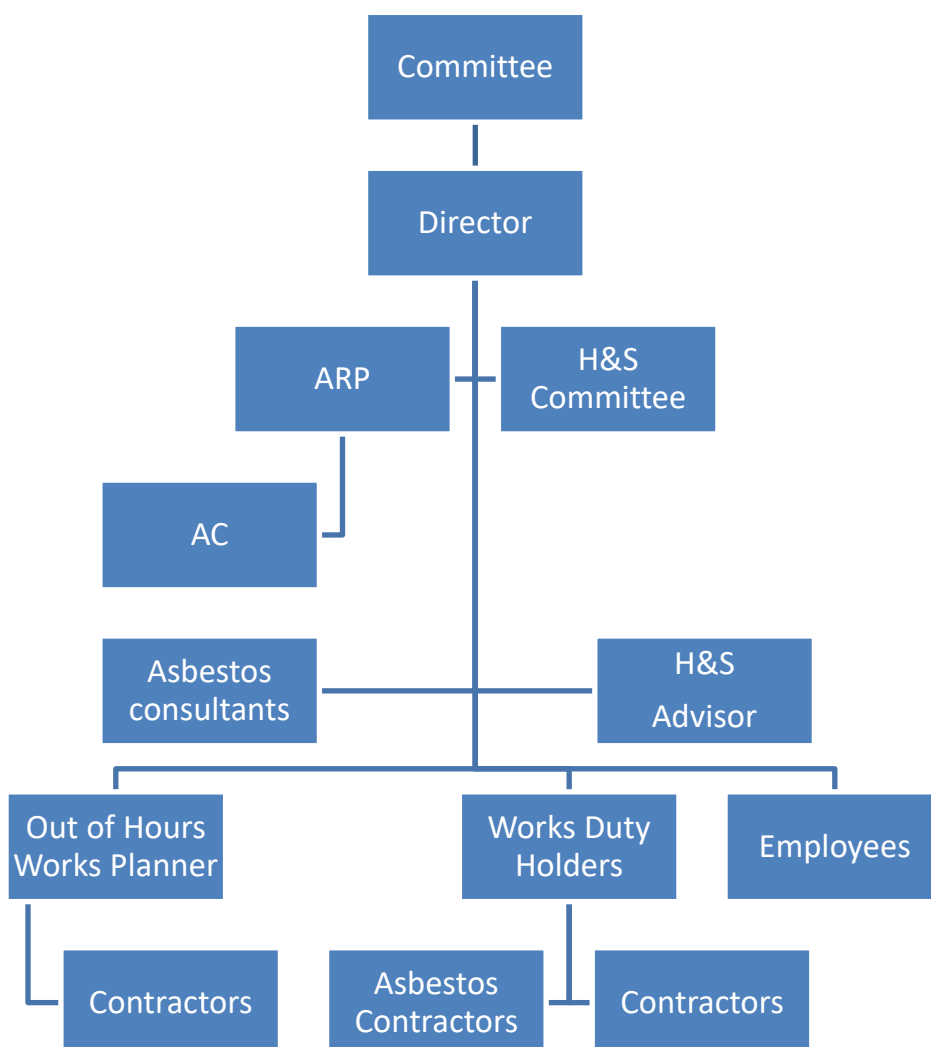
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5. ROLES AND RESPONSIBILITIES

5.0 Asbestos Organisation Chart

The following chart summarises the organisational structure which facilitates a cascading of responsibilities down through the management chain to ensure those with the most appropriate daily operational functions can manage, supervise and physically carry out asbestos related control measures as appropriate. The subsequent sub-sections provide further detail on these roles and responsibilities.

Section 10 details the actual procedures and tasks for which these identified personnel are responsible and should, therefore, be read in conjunction with this section.



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Defined Roles

Role Title	Delegated to	R&R Section	Relevant AP
Management Committee	See current committee membership	5.1	All
Director	Director (Margaret Torrance)	5.2	All
Asbestos Responsible Person	Programme & Regeneration Manager (William Baxter)	5.3	All
Asbestos Co-ordinator	Programme Co-ordinator (Vacant Post currently)	5.4	All
Works Duty Holders	Maintenance Officer (Peter Campbell) Estates Officer (Claire Rowland)	5.5	4, 5
Out of Hours Works Planner	Maintenance Contractor's Call Centre	5.5	4
H&S Committee	See current committee membership	5.6	n/a
Employees	All relevant employees	5.7	n/a
Contractors	See approved contractor list	5.8	n/a
Asbestos Contractors	See approved contractor list	5.9	n/a
Asbestos Consultants	External consultancy	5.10, 5.11	n/a

5.1 Management Committee

- 5.1.1 The Committee is collectively responsible for providing leadership and direction on Health & Safety and, with particular relevance to asbestos risk management, will ratify and endorse the Asbestos Policy and Procedures. The Chairperson will sign 'acceptance' of the Asbestos Policy Statement along with the Director. Where there is a change of personnel, the incoming Chairperson will sign the policy to ensure the commitment on behalf of the Committee remains current.
- 5.1.2 The Committee will give due consideration and will make available all reasonable funding and support as may be required to reports received from the Director or Asbestos Responsible Person (ARP) in relation to asbestos risk management and/or compliance with the Asbestos Management System.
- 5.1.3 The Committee will review the findings of all internal and external asbestos audits and of any investigations into reported asbestos failures and will authorise the use of all reasonable support required to rectify any significant non-compliances.

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5.2 Director

- 5.2.1 The Director, in holding the most senior level of executive control within the Organisation, will hold ultimate accountability and responsibility for the development and implementation of this Asbestos Policy.
- 5.2.2 The Director will appoint a suitable and competent Asbestos Responsible Person (ARP) to manage the Asbestos Management System.
- 5.2.3 The Director will make available all reasonable resources to the ARP for the undertaking of his/her duties under this policy. They will also make available all reasonable resources to allow all others in the management chain to comply with their own defined responsibilities and their roles under the asbestos management system.
- 5.2.4 The Director will ensure adequate lines of communication with the ARP and will take all reasonable steps to comply with all reasonable requests and issues raised by the ARP.

5.3 Asbestos Responsible Person (ARP)

- 5.3.1 The ARP will be responsible for the practical delivery and implementation of this Asbestos Policy and for identifying amendments/updates for improvement. All such suggested amendments will be escalated to the Director without undue delay.
- 5.3.2 The ARP will appoint a suitable and competent Asbestos Co-Ordinator (AC) to deliver the responsibilities set out in 5.4 below.
- 5.3.3 The ARP will provide all reasonable support (both Management and Technical) to the AC to ensure his/her duties may be performed accurately and timeously.
- 5.3.4 The ARP will ensure adequate lines of communication with the AC and will take all reasonable steps to comply with all reasonable requests and issues raised by the AC.
- 5.3.5 The ARP will escalate all relevant issues, non-conformances, policy breaches and other material events to the Director without undue delay.
- 5.3.6 The ARP will take all reasonable steps to deal with Asbestos related emergencies, uncontrolled risks and required actions brought to his/her attention.

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5.4 Asbestos Co-Ordinator (AC)

The AC will be responsible for:

1. Maintaining an effective asbestos management strategy, as detailed in this Document.
2. Assisting the ARP to review and update as necessary this Policy and Procedures document and report on its effectiveness to the Management Team chaired by the Director.
3. Developing and maintaining an asbestos register of properties built before 2000, which will include overall responsibility for the timeous updating of the register whenever ACMs are removed/remediated.
4. Providing contractors with all appropriate information and expectations of them as defined in Sections 5.8-5.11 of this management system and maintaining a record of all information sharing and governance issues.
5. Providing information to interested parties on asbestos containing materials, and the Organisation's management system, as appropriate.
6. Reporting any incident of alleged asbestos exposure and carrying out any required investigation, with the support of the ARP. Also, where appropriate, ensuring the correct reporting of incidents under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations).
7. Providing the Enforcement Authorities with details of asbestos management procedures if/when requested.
8. Promoting awareness of the hazards of asbestos containing materials and the Organisation's Asbestos Management Procedures by advising on appropriate training and induction, in liaison with Administrative and Management staff.
9. Monitoring to ensure that all Staff are aware of their responsibilities under this policy.
10. Ensuring that adequate reviews of known asbestos containing materials ('Reinspections') are carried out by competent persons and that the asbestos registers are updated accordingly.
11. Organising regular audits of the Asbestos Register.
12. Maintaining a current list of approved asbestos contractors (HSE Asbestos Licensed Contractors and Minor Works Contractors) and UKAS accredited asbestos testing/survey organisations.
13. Ensuring that the Asbestos Register is updated on completion of any works on asbestos containing materials.

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5.5 Works Duty Holders (including Out of Hours)

[Any member of staff, other than those defined elsewhere, who has a specific role or responsibility under this system]

- 5.5.1 If any work is to be carried out in properties built before 2000 **which will interfere with the fabric of the building**, then certain staff members have specific responsibilities in relation to the planning, co-ordination, management and monitoring of that work.

These job roles all include an asbestos risk management element and, by definition, the staff members involved will be classed as 'duty holders'.

The Asbestos Procedures defined in Section 10 set out the specific responsibilities of the following duty holders and the relevant AP's should be read in association with the following.

- 5.5.2 Duty Holder(s) with responsibility for Reactive Maintenance and Repairs:

Job Title	Asbestos Duty	Relevant AP
Housing Support Team	Dealing with reactive repair requests	4.3a
Maintenance Officer	Dealing with escalated reactive repairs	4.2 + 4.3a + 5

- 5.5.3 Duty Holder(s) with responsibility for Planned Maintenance:

Job Title	Asbestos Duty	Relevant AP
P&R Manager, P&R Co-ordinator, Maintenance Officer	Dealing with all planned maintenance works and associated asbestos elements	4.4 + 5

- 5.5.4 Duty Holder(s) with responsibility for Capital Works and Projects:

Job Title	Asbestos Duty	Relevant AP
P&R Manager	Involvement at high level as required	4.5
P&R Co-ordinator	Dealing with asbestos elements of capital works	4.5 + 5

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5.5.5 Duty Holder(s) with responsibility for Tenant Requests for Work on Dwelling:

Job Title	Asbestos Duty	Relevant AP
P&R Manager, P&R Co-ordinator, Maintenance Officer, Housing Support Team	Dealing with tenant requests for works and associated asbestos elements	4.6

5.5.6 Duty Holder(s) with responsibility for Asbestos Works:

Job Title	Asbestos Duty	Relevant AP
P&R Manager, P&R Co-ordinator, Contractor (Principal Designer)	Dealing with all asbestos works and removal contractors	4.7 + 5

5.5.7 Duty Holder(s) with responsibility for Out of Hours Reactive Maintenance and Repairs:

Job Title	Asbestos Duty	Relevant AP
Call Centre, Maintenance Contractor	Dealing with reactive repair requests	4.3b

5.6 Health & Safety Committee

The H&S Committee will be responsible for:

1. Periodically reviewing the effectiveness of the Asbestos Policy and Procedures.
2. Considering reports made by the ARP and AC on the effectiveness of the Policy, Procedures, and actual working practises.
3. Acting immediately if any serious deficiencies are identified and escalating any concerns to the Director without undue delay.

5.7 Employees

All persons employed by the Organisation will be responsible for:

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1. Ensuring that any work that may disturb or damage known asbestos containing materials is avoided.
2. Preventing any work on or intentional damage to building fabrics unless advice on the asbestos risk has been obtained from the AC.
3. Reporting to the AC any materials suspected of containing asbestos, where the material has become disturbed and/or damaged.

5.8 General Contractors and Sub-Contractors (non-asbestos)

All contractors will be required to:

1. Ensure and demonstrate that they are fully familiar with current legislation relating to the management of Asbestos Containing Materials.
2. Ensure that they have a clear understanding of the Organisation's Asbestos Policy and Procedures.
3. Ensure that all staff to be utilised on the contract have received an appropriate level of asbestos awareness training (Category A as a minimum).
4. Consult with any relevant asbestos registers/survey reports that may be available for establishments **before** work progresses (ensuring the appropriate type of survey has been carried out).
5. Ensure that where work may be affected by, or involve, asbestos containing materials that an approved licensed/competent (depending upon the category of asbestos work) sub-contractor is engaged (unless the contractor itself is licensed/competent and approved by the Organisation) to carry out the work. This will also require liaison with the relevant Works Duty Holder who will be responsible for commissioning the independent asbestos testing company or Asbestos Project Manager if required.
6. Ensure that any relevant risk assessments, method statements, statutory notices are in place (and adequately referencing asbestos risk) before work commences.
7. Progress all works diligently and, if any suspect materials are encountered, to immediately suspend operations and to contact the relevant Works Duty Holder or AC for further instruction.
8. Contractors must ensure that Asbestos sub-contractors are approved by the Organisation before any order is placed or contract awarded and that all Plans of Work are approved by the Organisation.

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5.9 Asbestos Removal Contractors & Sub-Contractors

Asbestos Removal / Remediation contractors will be responsible for:

1. Ensuring that they have a current license from the HSE to work with the relevant type of asbestos or can demonstrate competence where non-licensed work is concerned.
2. Ensuring that they have current and adequate insurance cover for the asbestos works to be undertaken.
3. Ensuring working practises are in compliance with current legislation and all associated Approved Codes of Practice and Guidance Notes.
4. Attending site to assess and prepare quotations against asbestos work specifications. The contractor must raise any issues relating to health and safety, or potential additional costs, on the project to the relevant Works Duty Holder.
5. Attending site meetings as may be required, providing a written Method Statement and Risk Assessment (Plan of Work (POW)) to the Maintenance Officer ahead of the works starting. The POW must indicate the resources and timetable allocated to the project in accordance with *the Control of Asbestos Regulations 2012*. Emergency procedures must be discussed before work commences. In addition, the following documentation will be provided:
 - a. current asbestos licence check against HSE website.
 - b. insurance certificate indicating the insured is covered for asbestos work (licensed or minor).
 - c. medical examination certificates (conducted by an Employment Medical Advisory Service registered doctor) for all personnel who will work on licensed or NNLW jobs.
 - d. evidence of training records for all personnel who will work on the job (Category B or C depending upon works classification).
 - e. where applicable, evidence of notification of the job to the HSE prior to commencement.
 - f. Plans of Work prior to work commencing.
 - g. Waste Consignment Notes.
6. Providing statutory notice to the Enforcing Authority as may be required prior to the commencement of any asbestos related works (e.g. 14 day Notification for licensed work) or applying for a waiver against the minimum notice period. Copies of all such notices must be submitted to the relevant Works Duty Holder or AC before work commences.
7. Carrying out their obligations under the contract, including maintaining high standards of safety and hygiene in asbestos works and all related work

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areas and supplying labour, materials and equipment of the highest standard, complete with all supporting documentation as may be required.

8. Arranging transport and disposal of asbestos waste materials in accordance with legislative requirements and providing copies of all Consignment Notes without undue delay.
9. Carrying out regular inspections of the work environment. Any defects found, or any reported by the Organisation's representatives, must be immediately rectified.
10. Identifying to the relevant Works Duty Holder any additional elements of work which are to be agreed. The POW must be updated accordingly.
11. Liaising with the Organisation-appointed UKAS accredited asbestos testing organisation to ensure the satisfactory progress of the works.
12. Co-operating fully with any Asbestos Remediation Project Managers utilised by the Organisation.
13. Providing copies of all test certificates, Certificates of Reoccupation and evidence of correct waste disposal to the relevant Works Duty Holder (or Project Manager) within 10 working days.

5.10 Asbestos Analysts & Surveyors

Asbestos analysts, surveyors and consultants will be responsible for:

1. Maintaining and demonstrating UKAS accreditation relevant to the requested task.
2. Maintaining adequate insurance cover for the tasks to be undertaken.
3. Providing support to the Works Duty Holders and/or the AC as may be required.
4. Reviewing and commenting on, when requested by a Works Duty Holder or the AC, asbestos works such as: specifications, Contractor's and/or Sub Contractor's Method Statement, work procedures, etc.
5. Carrying out analytical works and inspections as agreed with a Works Duty Holder or the AC. Where site conditions alter, the analyst will be required to amend the level of testing and inspections to ensure that all information relevant to the continued health and safety of the Contractor and building occupants is obtained.
6. Reporting to the relevant Works Duty Holder or the AC any defect or non-compliance relating to the Contractor's and/or Sub Contractor's performance, including suitability of the work area, adherence to the Method Statement, Statutory Instruments, and the Organisation's Asbestos Policy

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and Procedures. Where senior Organisation staff are not immediately available, the surveyor/analyst will be expected to take such measures as may be deemed necessary to ensure the health and safety of Contractors and Sub Contractors and building occupants. These actions must be reported to the relevant Works Duty Holder or the AC as soon as reasonably practicable.

7. Checking areas on completion of asbestos remedial works to ensure that the contractor has completed the scope of works and all affected areas have been left in a satisfactory condition.
8. Carrying out air monitoring tests and 4-stage clearance procedures as may be required by law, a Works Duty Holder or the AC, or as identified in the POW.
9. Reporting to the relevant Works Duty Holder or the AC any aspects of asbestos management encountered on site which could give rise to health risks e.g. breaches of the Asbestos Policy and Procedures, suspect or damaged asbestos.
10. Issuing formal reports, including Certificates of Re-occupation, to the relevant Works Duty Holder or the AC on completion of any site works.

5.11 Asbestos Remediation Project Managers

Asbestos Project Managers will be responsible for:

1. Assessing the **real** risks associated with proposed asbestos works, scoping the works and preparing legally compliant and cost-effective removal/remediation works specifications.
2. Tendering, or assisting a Works Duty Holder with tendering, the works to appropriate and competent contractors.
3. Reviewing Plans of Work and liaising with the contractor to ensure legal compliance and compliance with the requirements of the Organisation.
4. On-site project management, auditing, supervision, monitoring and testing to ensure safety and quality control and compliance with all legal requirements.
5. Completion of a final site review to verify the suitability of the site for handover and the completion of works as agreed.
6. Preparation of a project completion/compliance report for the Association's long-term protection against liability.

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6. COMPETENCE – INFORMATION, INSTRUCTION AND TRAINING

The following table defines the training matrix applicable to all personnel involved in the Asbestos Management System. The ARP will be responsible for ensuring all relevant personnel are provided with the appropriate training and records will be maintained of all training provided.

Training	Director	ARP	AC	Works Duty Holders	Relevant Employees
Asbestos Awareness (Category A)	✓	✓	✓	✓	✓
Training on the Asbestos Policy and Procedures	✓	✓	✓	✓	
Training on Specific Roles & Responsibilities	✓	✓	✓	✓	✓
Asbestos for Managers and Duty Holders	✓	✓	✓		
Accredited Asbestos Management Course		Optional	Optional		

7. DOCUMENT CONTROL

7.1 The Asbestos Management System relies upon the maintenance of a range of documentation, for which the ARP is responsible. The following summarises the principal components of the system:

1. Asbestos Register
2. Survey Reports Folder
3. Policy & Procedures Document
4. Asset Register – incorporating property list / relevant premises (i.e. post 2000)
5. Approved Asbestos Contractors and Consultants List
6. Training Records
7. Incident Records
8. Asbestos Works Records

8. AUDIT AND REVIEW

8.1 The ARP will arrange for the Asbestos Management System to be audited and reviewed at least once every 12 months.

8.2 The audit / review may be carried out internally or by an external consultant, however, the auditor will be deemed to be competent by the ARP.

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- 8.3 The audit / review will take account of all policies and procedures, asbestos register, training records and all records associated with asbestos works.
- 8.4 A written report will be prepared detailing the findings of the audit/review, highlighting any non-conformances and/or areas for improvement and making recommendations and suggestions. The ARP will make the report available to the H&S Committee and the Director, who will present it to the Management Committee.

9. CONTINUAL IMPROVEMENT

- 9.1 The Organisation is committed to achieving continual improvement in the management of risk associated with asbestos. This will involve the regular review of the policy and procedures and the introduction of additional controls where knowledge or technology on the subject develops and as the risk assessment, monitoring and control schemes dictate.
- 9.2 The ARP will be responsible for overseeing the entire Asbestos Management System and will champion the continual improvement programme.

10. ASBESTOS TECHNICAL PROCEDURES

The following procedures have been prepared to ensure compliance with the Organisation's Asbestos Policy and the defined Roles and Responsibilities of key personnel. As such, these procedures should be treated as Organisation 'policy' and any deviation will not be permitted without the express permission of the ARP or the Director.

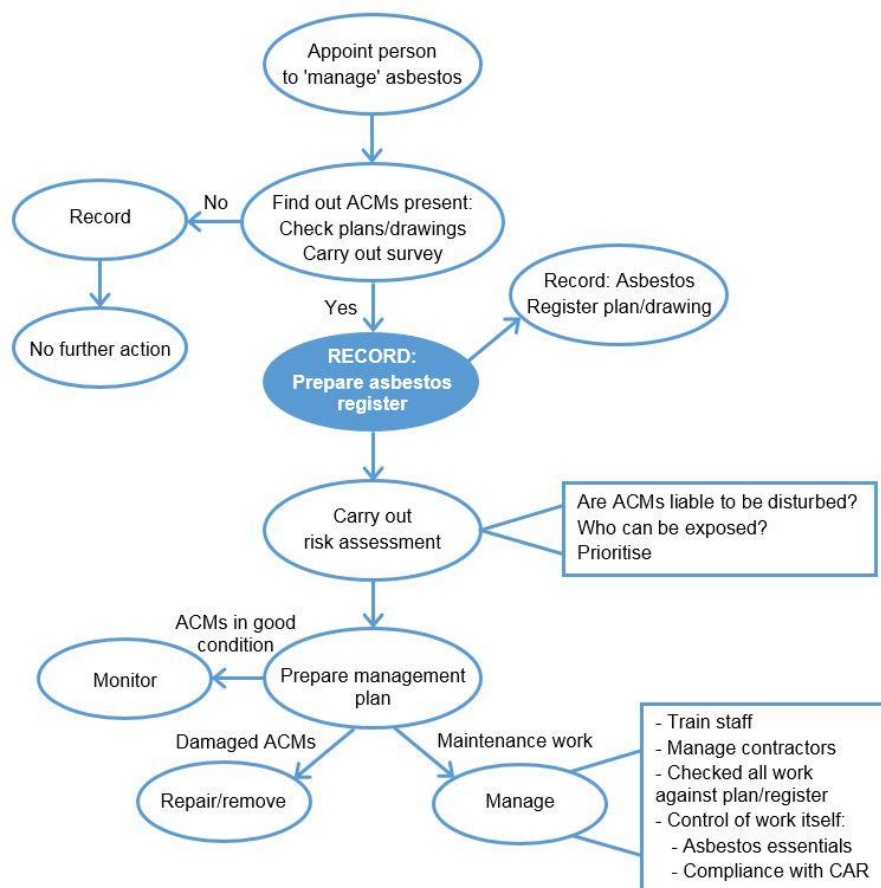
Asbestos Procedure	Title
AP0	Duty to Manage - Overarching Procedure
AP1	Prohibition on Staff Handling Asbestos
AP2	Identification of Suspect Material (Damaged, Disturbed or Previously Unidentified)
AP3	Asbestos Register and Survey Strategy
AP4	Planning and Organising Work on Buildings (and Asbestos Surveying)
AP5	Work with Asbestos Materials
AP6	Tenant Information and Work Procedures
AP7	Purchasing Housing Stock

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These procedures are defined in standalone controlled documents as part of the overall AMS.

AP0 – Duty to Manage: Overarching Procedure

AP0.1 HSG264 sets out the following figure showing the main aspects involved in the 'Duty to Manage Asbestos':



AP0.2 In essence, the HSE's figure above is designed to ensure that the possible presence of asbestos, and appropriate actions, are considered at all stages of normal occupancy, repairing, refurbishing, and demolishing of premises. To this end, the subsequent AP's have been devised to define the procedures to be followed by staff and contractors at **all stages of the life cycle** of buildings under the Organisation's control.

AP0.3 The term 'management plan' which is widely used in relation to asbestos (and is included in the figure above) is often confusing. In practice, this does not refer to one specific document. Rather, a collection of **processes** and **systems** must be adopted to ensure the overall 'duty to manage' is discharged. To this end, this policy and procedures document defines the whole range of arrangements which combine to ensure the Organisation has in place a proper management 'system', with different AP's requiring specific assessment and planning processes to be carried out, for example:

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- An Asbestos Register for 'normal occupancy' purposes (which may include a plan of action for remediation work or re-inspections)
- Defined procedures for maintenance, repair, refurbishment or demolition work (which will each require specific plans to be made where ACM's are identified)
- Documented arrangements for the undertaking of work on buildings and, specifically, asbestos related works (again, which will require risk assessments, method statements and other 'plans' to be prepared)
- Procedures for the identification of suspect materials and emergency situations

AP1 – Prohibition on Staff Handling Asbestos

- AP1.1 Unless properly trained to do so, no Organisation staff will be permitted to handle or work on asbestos containing materials (ACM's).
- AP1.2 All staff who may foreseeably come into contact with ACM's will be provided with asbestos awareness training and will be instructed in this prohibition. All such training and instruction will be recorded.
- AP1.3 In the event that the Organisation changes its position and opts to handle ACM's (e.g. for the purposes of sampling), appropriate training will be provided, appropriate insurance cover obtained and these procedures updated to reflect the acceptable process.

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AP2 – Identification of Suspect Material (Damaged, Disturbed or Previously Unidentified)

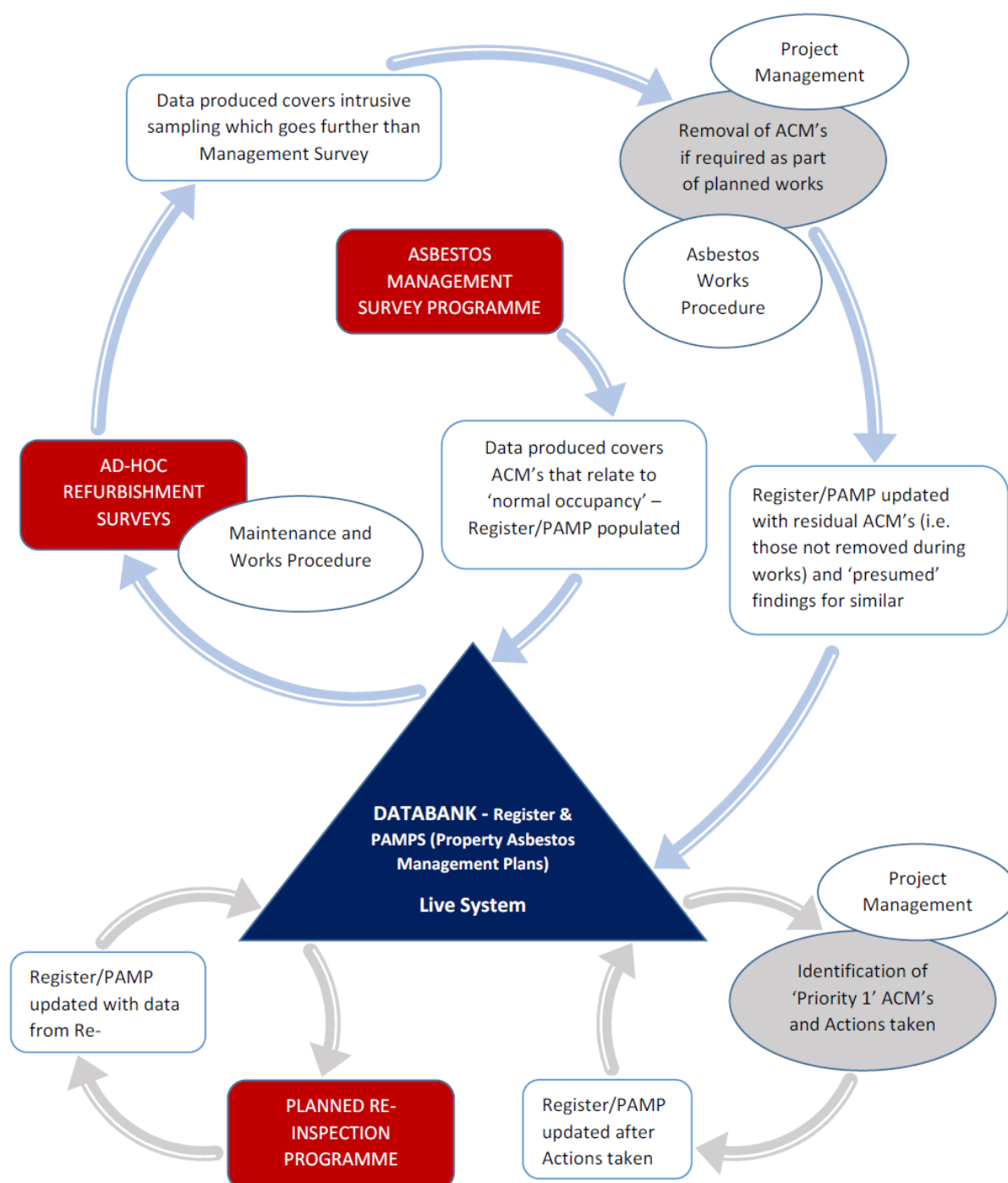
- AP2.1 It is the responsibility of all staff to report to the AC or, if more appropriate, their Line Manager or other person with designated asbestos responsibilities, if they suspect that disturbed or damaged ACM's may be present in a building owned or occupied by the Organisation. In a case where an accessible material is suspected of containing asbestos, and where this material may reasonably **become** disturbed or damaged, this will also apply.
- AP2.2 In such cases, an external consultant having UKAS (United Kingdom Accreditation Service) accreditation for asbestos sampling and analysis, will be contacted to carry out identification.
- AP2.3 If asbestos is identified within the sample, advice will be obtained from the Organisation's Asbestos Consultant on the appropriate course of action.
- AP2.4 Where damage to any material known to contain asbestos has taken place and is likely to give rise to airborne fibre release, the AC or other responsible person (e.g. another Duty Holder) will arrange for isolation of the area pending an investigation. The AC and/or ARP will be informed without delay, who will arrange for air monitoring tests (measurement of airborne fibre concentrations) and bulk sampling to be carried out by an independent UKAS accredited organisation to determine the level of any potential contamination, or to provide reassurance that unacceptable contamination has not occurred.
- AP2.5 Details of all test results will be made available for inspection and recording purposes.
- AP2.6 Remedial action will be required when airborne fibre levels **exceed 0.01 f/cc** and/or where residual asbestos debris or damaged asbestos containing materials are observed. The nature of the remedial work will be advised by the Asbestos Consultant and agreed with the ARP and/or AC.
- AP2.7 When remedial action becomes necessary after a personal exposure incident, the relevant facts may have to be reported to the HSE in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). Advice will be sought from the Asbestos Consultant to determine whether the incident is in fact RIDDOR reportable.

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AP3 - Asbestos Register and Survey Strategy

AP3.1 Overview

3.1.1 The following figure shows the integration of different survey types and the collection of asbestos data in the Organisation's Register.



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3.1.2 The cycle can be explained as follows:

Asbestos Management Surveys are carried out to provide information relating to 'normal occupancy of a premises' and to devise an initial Asbestos Register. However, these are not particularly intrusive (e.g. they would not go below floors, into wall cavities, etc.) and are not, therefore, suitable to determine asbestos presence prior to works on the fabric of the building.



In such cases, additional **Asbestos Refurbishment Surveys** would be required, which can be 'localised' to the proposed works area and, therefore, reduce unnecessary damage to areas that will be unaffected by works. (Where demolition is planned, a specific **Asbestos Demolition Survey** (extremely intrusive) would be required). From these surveys:

- **Asbestos removal or remediation** may be required prior to works
- Work contracts may need to take cognisance of asbestos materials
- New information may be generated for the Asbestos Register



In addition to these surveys, additional 'management' tasks are also carried out such as:

- Regular **Re-Inspections** of known asbestos items (generating new information for the Asbestos Register)
- **Planned programmes of asbestos removal/remediation for higher risk items** (e.g. 'Priority 1' items) – again generating new information for the Asbestos Register



All of the above would be incorporated into the **Asbestos Register** and/or **Property Asbestos Management Plans (PAMPS)** on an ongoing basis to ensure that the asbestos data is always up to date and can be used as '**live working information**'.

The remainder of this AP details the Organisation's policies and procedures on asbestos surveying and the management of asbestos data.

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AP3.2 Surveying Strategy

3.2.1 The following relates to premises which were built or renovated prior to 2000 (HSE expects that no asbestos containing materials would be in use from 2000). All surveying, sampling and analysis will be carried out by competent **UKAS accredited** surveying companies.

- a) **Asbestos Management Survey** programmes will be carried out across all commercial premises and common areas of Organisation housing/domestic stock. Common areas include circulation areas, stairwells and cupboards, attics and stores to which access may be gained from a common area. The surveying company and the Organisation will jointly determine an appropriate strategy to cost-effectively assess relevant premises, taking account of the permissibility of 'representative' surveying across properties of the same archetype and construction date. The overall aim will be to **assess the asbestos risks associated with normal occupancy of the premises** so far as the remit of CAR12 extends.

See Joint Duty Holders note¹

- b) **Asbestos Refurbishment or Demolition Surveys** will be carried out ahead of any planned works on the fabric of any premises (domestic, common and commercial) controlled by the Organisation or for which CAR12 would define the Organisation as the Duty Holder (e.g. where works are arranged by the Organisation). The surveying company and the Organisation will jointly determine an appropriate strategy to cost-effectively assess relevant premises, taking account of the permissibility of 'representative' surveying across properties of the same archetype and construction date.
- c) **Asbestos Reinspections** (i.e. condition assessments to determine whether known ACM's have deteriorated and to update the risk assessment) will be carried out at regular intervals. The surveying company and the Organisation will jointly determine an appropriate strategy and reinspection frequency for each known ACM.

¹ Joint Duty Holders – The 'Duty Holder' is defined as the person(s) who has responsibility for maintenance and repair of the non-domestic premises. For mixed tenure stock in which the Organisation has an interest (e.g. as a Landlord), it will be established whether the Organisation is **the** Duty Holder (or **a** Duty Holder) by interrogating any written agreements and/or deeds for the premises to determine who has such a responsibility. In the event that no maintenance and repair responsibilities are defined (and have not been assumed by convention or other activities carried on by any party), then the Duty Holder role is likely to be split across all owners within the block (including private owners/Landlords). In such cases, the Tenement Management Scheme (TMS) or other mechanism for sharing and communicating joint responsibilities will be referred to. Note that where a factoring agreement is in place, the Factor may be given responsibility for *arranging* surveys and related asbestos work but the legal Duty Holder(s) role would still remain with the Landlord/Owner(s).

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- d) All survey data will be properly recorded in the Organisation's Asbestos Register and, where appropriate, Property Asbestos Management Plans (PAMPs) specific to each premises will be prepared or updated (see AP3.3).

3.2.2 It is noted that current legislation (specifically CAR12) does not subject 'domestic dwellings' to the requirement for Asbestos **Management** Surveys (although Refurbishment and Demolition Surveys **are** required – see AP4). However, the Organisation recognises the increasingly common stance of undertaking Management Surveys to domestic dwellings for the purpose of ensuring 'safe' housing as expected of a responsible Landlord. As such, consideration will be given to the development of Management Survey data for domestic dwellings within the Register.

3.2.3 Whilst it may be deemed appropriate to include Asbestos Refurbishment and Demolition Surveys within works 'packages' (i.e. to be arranged by the Contractor), the Organisation will retain the overall responsibility for ensuring that the appropriate type of survey is carried out by a competent body. This will require liaison and effective communication with the Contractor(s) at the planning stage of any works and the inclusion of expectations (e.g. the requirement for UKAS accredited surveyors to be used) in contract documentation. In all such cases, the Organisation recognises its duty to properly monitor contractors and AP4 will be followed.

3.2.4 Taking account of the above, of AP4 and of AP6, the Organisation's asbestos surveying strategy may be summarised as per the following table:

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Premises Type	Survey Type	Surveying Policy
Organisation offices	M	Survey and re-inspect in accordance with AP3.2.1
	R / D	Survey prior to works in accordance with AP3.2.1
Common areas of housing stock	M	Survey and re-inspect in accordance with AP3.2.1
	R / D	Survey prior to works in accordance with AP3.2.1
Within dwellings of housing stock	M	Not required by CAR12 but consideration given to developing Management Survey data for domestic premises over time in accordance with AP3.2.2 (e.g. via surveying of void properties)
	R	i) Survey prior to works organised by the Organisation in accordance with AP3.2.1 ii) For requests made by tenants to carry out works, consider each situation on own merits (see AP6) iii) Consider undertaking surveys in void properties to build Register data
	D	Survey prior to works in accordance with AP3.2.1
Commercial lets	M / R / D	N/A – no commercial lets
Mixed tenure	M / R / D	As per all other rows (for Organisation controlled premises) as duties as an Employer and Landlord are not affected by a building's mixed tenure status (also see footnote 1)
Factored buildings	M / R / D	i) Where Organisation is the Factor and also a Landlord, as per all other rows (i.e. normal duty to manage Organisation premises still exists) ii) Where Organisation is the Factor but not a Landlord, dependent upon Written Statement of Services iii) Where Organisation is not the Factor and not a Landlord, dependent upon Written Statement of Services for the appointed Factor. Note that if the Factor has not been instructed to carry out the asbestos services, then these may fall to the Organisation.
All premises known to contain ACM's	Re	Reinspect all known ACMs at a frequency defined in the previous survey / reinspection report or sooner if appropriate

Abbreviations: ACM = asbestos containing material; M = Management; R = Refurbishment; D = Demolition; Re = Reinspection

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AP3.3 Asbestos Register and PAMPs

Asbestos Register

- 3.3.1 The findings of all surveys and sampling undertaken will be used to prepare a Register of asbestos containing materials (an '**Asbestos Register**'), including their location and condition along with details on how best to manage / remediate the material in all relevant premises.
- 3.3.2 The Register will clearly detail the **type** of survey carried out for each address (e.g. management, refurbishment, localised refurbishment, demolition, cloned, etc.) in order that any user may reliably identify the suitability of the data for a particular use. For example, Management Survey data would **not** be acceptable for most refurbishment work.
- 3.3.3 The Register will be maintained by the AC who will be responsible for ensuring re-inspections, removals, treatments, and any other changes to the recorded status are incorporated.
- 3.3.4 All known ACM's which remain on the Register (i.e. those that are not removed), will be subject to a formal Re-inspection programme. The frequency of re-inspection will be determined at the time of the survey / re-inspection and will be based on the likely risk associated with the material and its location
- 3.3.5 Asbestos Register details:

Format	Microsoft Excel – read only
Storage location	Organisation server location: Office 365 Sharepoint/Share Drive
Persons with access	All staff and relevant contractors as required
Updating arrangements	Updated by AC following individual surveys or major replacement works, surveys and results
Other details	n/a

PAMPs

- 3.3.6 It is recognised that whilst the Register is intended as the principal 'databank' of asbestos information, certain sites may exhibit higher risk asbestos containing materials (ACM's), asbestos debris, undefined risk areas (e.g. locations of limited access) and other situations that would warrant a site-specific asbestos plan being prepared. Such a plan would be known as a **PAMP (Property Asbestos Management Plan)** and the document would clearly detail the ACM's known and suspected to be present, action and control strategies, communication procedures, monitoring routines, access and works procedures, and other relevant procedures/precautions relating to asbestos risk management **specific to the premises**.
- 3.3.7 Note that the full assessment of risk and justification of the optimum

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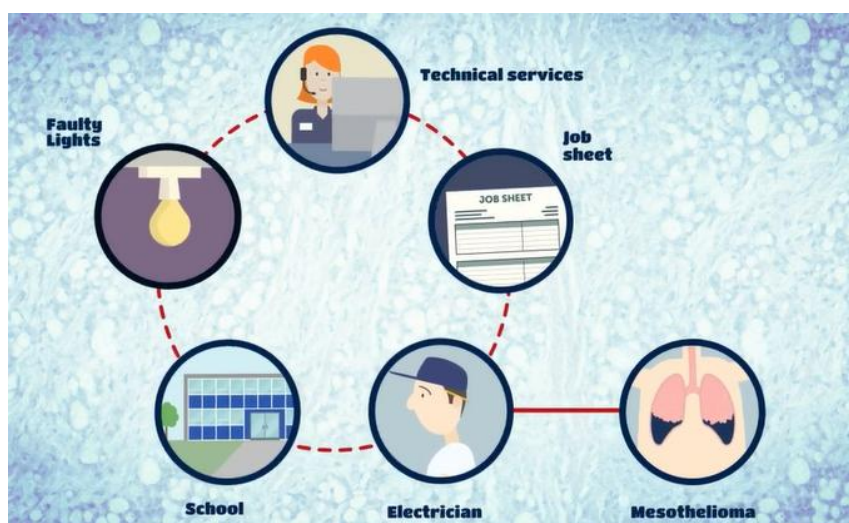
action plan may require the undertaking of additional sampling/analysis (e.g. to explore contamination spread) or disturbed air testing (e.g. to assess normal occupancy exposure risks) and advice will be taken from the Asbestos Consultant in this regard.

- 3.3.8 All PAMPS will be maintained and updated as appropriate to ensure they operate as live and current documents and will be clearly cross-referenced within the Register. Therefore, the Register will make it quite clear where a PAMP has been prepared and where the current version of the document is stored. They will also be disseminated to all appropriate persons (who will be defined within the document) and all appropriate information, instruction and training in the asbestos control measures defined in the Plan will be given.

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AP4 – Planning and Organising Work on Buildings (and Asbestos Surveying)

AP4.1 The aim of this procedure is to prevent employees/tradespersons from inadvertently disturbing ACM's and, therefore, being exposed to asbestos fibres. The following is '**Roger's Mesothelioma Loop**' and shows how inaction can result in exposure and, over time, the development of Mesothelioma.



If the correct type of asbestos survey is not carried out, then tradespersons may be inadvertently exposed to asbestos.



*If the correct type of asbestos survey **is** carried out and asbestos is found, then safe working arrangements may be made.*

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AP4.2 General Principles (applicable to ALL works and projects):

Note that the duties relating to ‘works’ on premises do not differentiate between domestic and non-domestic. Therefore, all works under the control or on behalf of the Organisation whether in a domestic or non-domestic environment, will be subject to the following procedures.

- 4.2.1 Prior to any work being carried out on the fabric of (pre-2000) buildings, the asbestos register and/or PAMP (Property Asbestos Management Plan – see AP3) will be interrogated to determine whether asbestos may be encountered. Only where the **specific areas** to be worked upon are seen to have had a valid Asbestos **Refurbishment** or **Demolition** Survey will the asbestos data be regarded as appropriate.
- 4.2.2 In the event that a **relevant Refurbishment / Demolition Survey has not been carried out**, a competent UKAS accredited asbestos consultancy will be commissioned to complete one ahead of any works being started. The surveyor and the Organisation will jointly determine an appropriate strategy to cost-effectively assess the premises, taking account of the permissibility of ‘representative’ surveying across properties of the same archetype and construction date.
- 4.2.3 **Prior to any works starting**, the information obtained from the Register / PAMP or Refurbishment / Demolition Survey will be discussed with the proposed works contractor (or works personnel) to ensure that ACM’s will not be disturbed by their works. In the event that works would have the potential to disturb ACM’s, appropriate measures will be taken, including the prior removal of ACM’s, amendments to work programme, etc.
- 4.2.4 Prior to any works starting, contractors will be required to demonstrate adequate and appropriate competence, training and risk assessments/method statements (RAMS) insofar as asbestos is concerned (e.g. Asbestos Awareness Category A training as a minimum for all general works and Category B where it is foreseeable that asbestos may be disturbed) – see Roles and Responsibilities Section 5.8.
- 4.2.5 In the event that suspected materials are discovered during the course of any works, works will be halted; staff, Contractors and Sub Contractors informed, and advice sought from the AC. This may include arranging for samples to be taken of any suspected materials, in accordance with the prescribed procedures, and arranging for the analysis of the samples by a test house with the appropriate UKAS accreditation.
- 4.2.6 Records of all surveys, communications and discussions with contractors will be retained in the Job File to demonstrate that asbestos was properly considered, and appropriate actions taken to prevent disturbance and exposure.

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AP4.3a Reactive Repair Procedure

4.3a.1 Works Duty Holders and key responsibilities:

The Housing Support Team and Maintenance Officer may all arrange for reactive repair works to be carried out by external contractors.

In all cases, the following procedures will be followed or, if there is any doubt over the interpretation of the procedures, the conduct or asbestos knowledge of a contractor or any other situation which may foreseeably result in works progressing without appropriate survey data having been taken into account, the situation will be escalated up through the management chain.

4.3a.2 Defined procedures:

- (i) The address of each repair request will be checked against the Asbestos Register (and any PAMP's that may have been [prepared for the site) before raising a Works Order or commissioning works.
- (ii) **If ACMs are recorded** on the register/PAMP for the particular property (and in areas which may be affected by the works), the Works Duty Holder will escalate the job to the AC or ARP who will liaise with the contractor as appropriate.
- (iii) If there is **no asbestos information** for the particular address, the job will be escalated to the AC or ARP, who will arrange for an asbestos refurbishment survey or bulk sampling. If asbestos is not found, all parties will be informed, the Register updated, and the works permitted to proceed. If asbestos is found, the AC or ARP will liaise with the contractor as appropriate.
- (iv) If the asbestos information is not based on an Asbestos **Refurbishment** Survey which includes the **specific areas** to be worked upon, then the job will be escalated to the AC or ARP, who will arrange for an asbestos survey or bulk sampling. If asbestos is not found, all parties will be informed, the Register updated, and the works permitted to proceed. If asbestos is found, the AC or ARP will liaise with the contractor as appropriate.
- (v) Only when appropriate Asbestos Refurbishment Survey data is available for the specific areas affected by the works will this information be shared with the contractor and their RAMS for the works requested. The Duty Holder (or, if asbestos is likely to be encountered, the AC/ARP) will then review the RAMS and approve the works to proceed, request amendments, etc.
- (vi) Note that whilst it may, on occasion, be deemed appropriate to include Asbestos Refurbishment Surveys within works

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'packages' (i.e. to be arranged by the Contractor), the Organisation will still retain the overall responsibility for ensuring that the appropriate type of survey is carried out by a competent body. This will require liaison and effective communication between the Works Duty Holder and the Contractor(s) at the planning stage of any works and the inclusion of expectations (e.g. the requirement for UKAS accredited surveyors to be used) in contract documentation. Again, if asbestos is found, the AC or ARP will liaise with the contractor as appropriate and update the Register with this new information. As above, only when appropriate Asbestos Refurbishment Survey data is available for the specific areas affected by the works will the contractor's RAMS for the works be requested. The Duty Holder (or, if asbestos is likely to be encountered, the AC/ARP) will then review the RAMS and approve the works to proceed, request amendments, etc.

- 4.3a.3 In essence, this procedure prevents any reactive works from progressing until the asbestos situation has been determined by an **Asbestos Refurbishment Survey** (either already recorded in the Register or commissioned ahead of the works). Only once this data is available, may appropriate actions be taken under the relevant section of this policy.
- 4.3a.4 For '**emergency works**' in premises or areas which have no asbestos data, special requirements may need to be adopted, including discussions and risk assessments between the AC/ARP and the contractor, discussions with the Asbestos Consultant and the attendance of an Asbestos Surveyor/Analyst to advise on safe working procedures and/or carry out air testing. Each situation will be assessed on its own merits and the optimum way forward determined.
- 4.3a.5 Special care will always be taken when using 'cloned' survey data. For example, if an area has been 'cloned' then it will have been deemed likely that this area has the same asbestos profile as another property (in which a survey was carried out). However, it is recognised that differences may occur between individual properties and it is important that caution be exercised by all trades working within properties in which 'cloned' data has been used. All contractors should, of course, have received asbestos training to at least Category A level and will be instructed to halt works and inform the Works Duty Holder if any suspect materials are identified.
- 4.3a.6 If there is any doubt raised by any party about the remedial action or safe working options on any known or suspected ACM then advice will be sought from the Asbestos Consultant before work is permitted to progress.

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AP4.3b Reactive Repair Procedure – Out of Hours

4.3b.1 Works Duty Holder and key responsibilities:

The Call Centre is responsible for dealing with out of hours requests for works (typically in tenants' homes), which involves receiving incoming calls, establishing the nature of the problem and the required trade(s) and the arrangement of said trade(s) to attend site. Therefore, the Call Centre is effectively performing the normal role of the internal Works Duty Holders.

4.3b.2 Defined procedures:

This requirement for non-Organisation staff to arrange out of hours work brings some considerable challenges in relation to the prior assessment of asbestos presence. For example, the nature of the contract and personnel in place precludes any proper interrogation of the Register, escalation of the situation to the AC/ARP or the undertaking of further asbestos surveying ahead of instructing the emergency works contractor. Therefore, the following procedure has been developed as the optimum solution, so far as is deemed reasonably practicable, for the protection of all personnel from asbestos risk, taking account of the urgent nature of these out of hours works requests.

- (i) The information provided by the Call Centre to the appropriate contractor will include a standard reminder of the out of hours emergency procedure (as below).
- (ii) Only contractors who are approved for out of hours work will be available for the Call Centre to contact. The approval process and maintenance of the approved list will be carried out by the ARP or AC and will include:
 - a. training in this procedure
 - b. access details, use, interpretation, and limitations of the Organisation's Asbestos Register
 - c. verification that all available contractor staff are UKATA Category B trained (in the event that asbestos may be encountered)
 - d. verification that an asbestos over-protection procedure is available (and all staff trained in this procedure) where the asbestos status of an area is unknown. This may include careful opening up procedures, the use of H-type vacuums and face-fitted respirators.
 - e. procedures for appointing UKAS accredited surveying and sampling organisations
 - f. dealing with emergencies on site
 - g. reporting procedures where ACMs were believed to have been encountered

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- (iii) Upon receiving notice from the Call Centre to carry out an out of hours commission, the contractor will be required to interrogate the Organisation's Asbestos Register (and any PAMP prepared for the site) before mobilising the works. Where it is not clear that asbestos is **absent** from the area to be worked upon (e.g. if there has been no Asbestos Refurbishment Survey carried out in that area), then the contractor will arrange for a UKAS accredited survey/sampling to be carried out if reasonably practicable ahead of the works. Where this is not reasonably practicable, the contractor will be required to invoke their asbestos over-protection measures as agreed with the Organisation.
- (iv) Upon completion of all out of hours contracts, the contractor will be required to report to the Organisation whether any suspected ACM's were encountered and, if so, what action was taken. The ARP/AC will address each such situation on its own merits.

AP4.4 Planned Maintenance Procedure

4.4.1 Works Duty Holder(s) and key responsibilities:

P&R Manager, P&R Co-ordinator and Maintenance Officer may all arrange for planned maintenance works to be carried out by external contractors.

In all cases, the following procedures will be followed or, if there is any doubt over the interpretation of the procedures, the conduct or asbestos knowledge of a contractor or any other situation which may foreseeably result in works progressing without appropriate survey data having been taken into account, the situation will be escalated up through the management chain.

4.4.2 Defined procedures:

- (i) The address(es) of each premises in which works are required will be checked against the Asbestos Register (and any PAMP prepared for the site) before raising a Works Order, commissioning works, preparing tender documents or otherwise 'planning' works.
- (ii) **If ACMs are recorded** for the particular property (and in areas which may be affected by the works), the Works Duty Holder will escalate the situation to the AC or ARP who will incorporate the known asbestos situation into the works process. This may involve making potential contractors aware of the situation and inviting their proposals or may result in the removal of the ACM's before undertaking the planned works (see AP5 for asbestos works).
- (iii) If there is **no asbestos information** on the register/PAMP for

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the particular address, the situation will be escalated to the AC or ARP, who will arrange for an asbestos refurbishment survey or bulk sampling. If asbestos is not found, all parties will be informed, the Register updated, and the works permitted to proceed. If asbestos is found, the AC or ARP will liaise with the contractor as appropriate.

- (iv) If the asbestos information is not based on an Asbestos **Refurbishment** Survey which includes the **specific areas** to be worked upon, then the situation will be escalated to the AC or ARP, who will arrange for an asbestos survey or bulk sampling. If asbestos is not found, all parties will be informed, the Register updated, and the works permitted to proceed. If asbestos is found, the AC or ARP will liaise with the contractor as appropriate.
- (v) Only when appropriate Asbestos Refurbishment Survey data is available for the specific areas affected by the works will this information be shared with the contractor (or in tender documentation etc.) and RAMS/proposals/tenders for the works requested. The Duty Holder (or, if asbestos is likely to be encountered, the AC/ARP) will then review all documentation in the normal fashion.
- (vi) Note that whilst it may, on occasion, be deemed appropriate to include Asbestos Refurbishment or Demolition Surveys within works 'packages' (i.e. to be arranged by the Contractor), the Organisation will still retain the overall responsibility for ensuring that the appropriate type of survey is carried out by a competent body. This will require liaison and effective communication between the Works Duty Holder and the Contractor(s) at the planning stage of any works and the inclusion of expectations (e.g. the requirement for UKAS accredited surveyors to be used) in contract documentation. Again, if asbestos is found, the AC or ARP will liaise with the contractor as appropriate and update the Register with this new information. As above, only when appropriate Asbestos Refurbishment Survey data is available for the specific areas affected by the works will the contractor's RAMS for the works be requested. The Duty Holder (or, if asbestos is likely to be encountered, the AC/ARP) will then review all documentation in the normal fashion.

4.4.3 In essence, this procedure prevents any planned works from progressing until the asbestos situation has been determined by an **Asbestos Refurbishment Survey** (either already recorded in the Register or commissioned ahead of the works). Only once this data is available, may appropriate actions be taken under the relevant section of this policy.

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- 4.4.4 Special care will always be taken when using ‘cloned’ survey data. For example, if an area has been ‘cloned’ then it will have been deemed likely that this area has the same asbestos profile as another property (in which a survey was carried out). However, it is recognised that differences may occur between individual properties and it is important that caution be exercised by all trades working within properties in which ‘cloned’ data has been used. All contractors should, of course, have received asbestos training to at least Category A level and will be instructed to halt works and inform the Works Duty Holder if any suspect materials are identified.
- 4.4.5 If there is any doubt raised by any party about the remedial action or safe working options on any known or suspected ACM then advice will be sought from the Asbestos Consultant before work is permitted to progress.

AP4.5 Capital Works / Project Work Procedure

- 4.5.1 Duty Holder(s) and key responsibilities:

P&R Manager and P&R Co-ordinator may arrange for capital / project works to be carried out by external contractors.

- 4.5.2 Defined procedures:

The works procedure here is essentially the same as AP4.4

In addition, works on brownfield land bring particular challenges in respect of possible asbestos contamination (in either loose fibre or fragment form) and in all cases, specialist advice would be sought from the Asbestos Consultant at the planning stage.

AP4.6 Tenant Request for Work on Dwelling Procedure (see also AP6)

- 4.6.1 Duty Holder(s) and key responsibilities:

The Housing Team, Maintenance Officer, P&R Manager and P&R Co-ordinator are responsible for receiving and assessing requests from tenants in respect of carrying out works to their own dwellings.

- 4.6.2 Defined procedures:

(i) In all cases of tenant work requests, the Works Duty Holder will assess the required written request for the proposed work and interrogate the register (and any PAMP prepared for the property) for any known ACMs (noting whether an appropriate type and extent of survey has been carried out). It is, however, recognised that Management surveys within domestic dwellings are outwith the requirements of CAR12 and it is not always likely that relevant asbestos data will exist.

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(ii) The Works Duty Holder will make a valued judgement on each case, based on its own merits, and may opt to conduct a site visit to assess the proposed work with the tenant and discuss any requirements for asbestos surveying/bulk sampling.

(iii) If surveying/bulk sampling is deemed appropriate, then another judgement will be made as to whether the Organisation will carry out such an assessment. The tenant will be informed of the reasoning behind any decisions made prior to authorising or rejecting the application.

AP4.7 Asbestos Works

4.7.1 Duty Holder(s) and key responsibilities:

The ARP, AC, and Contractor (Principal Designer) may all arrange for asbestos works to be carried out by external asbestos contractors.

4.7.2 Defined procedures:

See AP5.

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AP5 - Work with Asbestos Materials

AP5.1 Most work likely to disturb or remove asbestos must be carried out by an HSE licensed asbestos removal contractor (LARC) and notified to the HSE 14 days prior to commencement. However, CAR12 does allow work with certain lower risk asbestos containing materials (e.g. asbestos cement and asbestos textured coatings) to be carried out by non-licensed personnel and without notification to the HSE. The three categories of asbestos work are:

- **Major Works: Licensed works – 14 day notification by an ASB5 form and works to be completed by a LARC (highest risk work)**
- **Minor Works: Notifiable non-licensed works (NNLW) – notification before works start by an NNLW1 form and works to be completed by a competent (but not necessarily licensed) contractor.**
- **Minor Works (lowest risk category): Non-notifiable non-licensed works (NLW) – no notification and works to be completed by a competent (but not necessarily licensed) contractor.**

The following HSE flowchart shows the decision-making process on appropriate classification of works:

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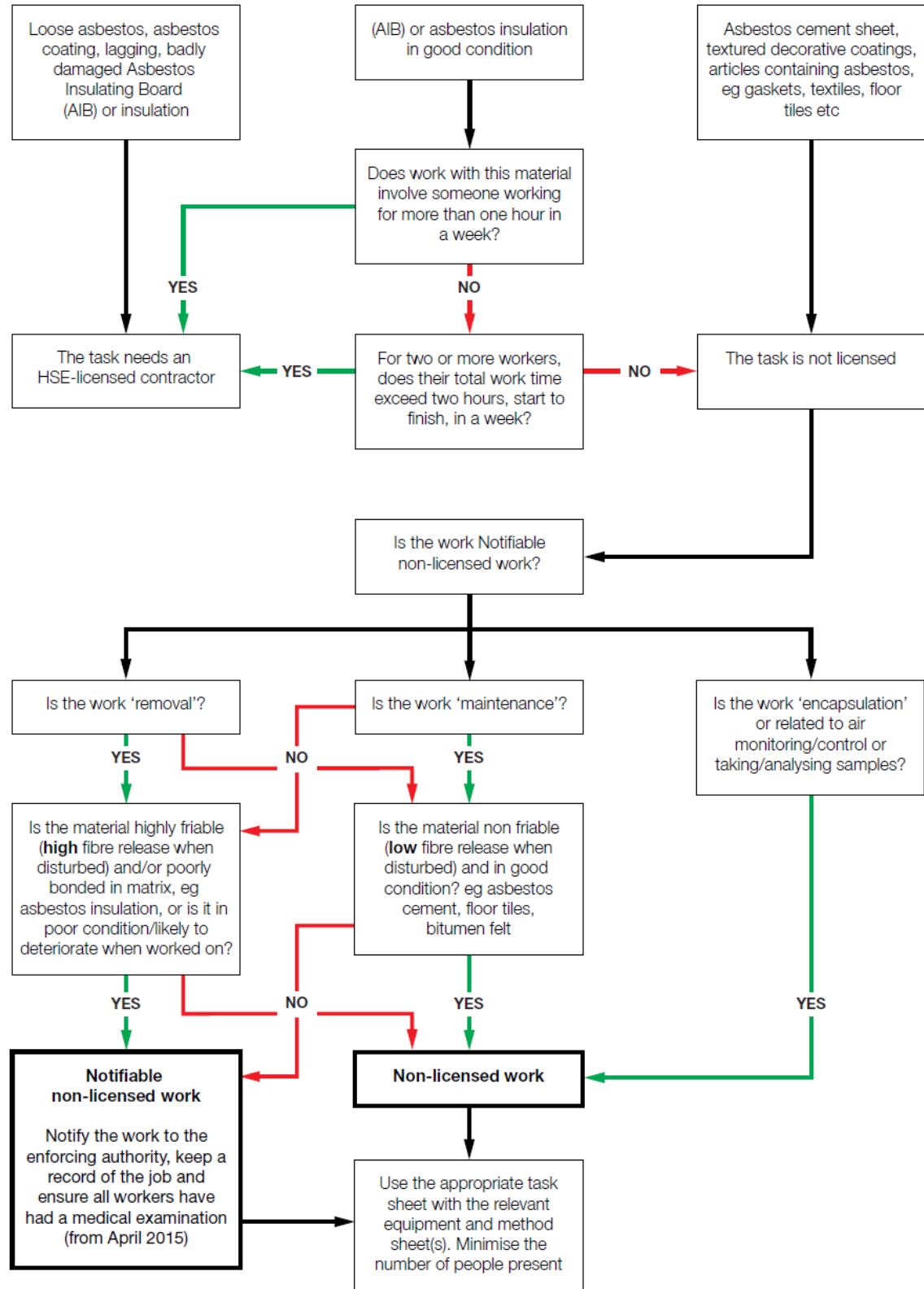
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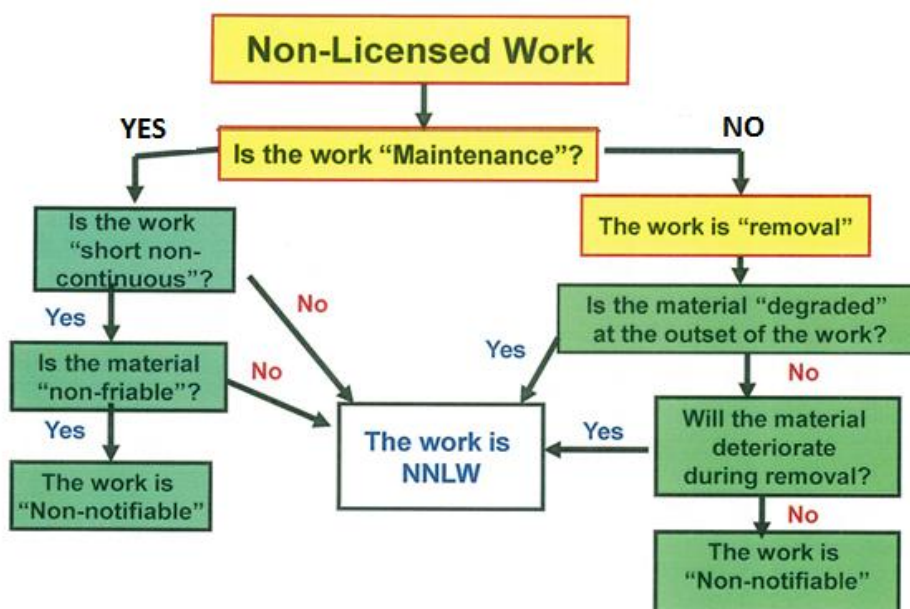
Decision flow chart

Use this simple flow chart to help you decide who needs to do the work:



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Where works are known to be 'Minor Works' (i.e. non-licensed) then the following HSE chart provides an alternative means of determining whether they should be classed as>NNLW:



AP5.2 Where any doubts exist over the correct classification or scope of asbestos works, advice will be sought from the Asbestos Consultant prior to any works being carried out. The Organisation may also appoint a competent Asbestos Project Management consultancy to scope, specify, tender and project manage asbestos contracts, where works are of a complex nature.

AP5.3 Where work is not required to be carried out by licensed contractors (i.e. Minor Works) it will, nevertheless, be undertaken in a safe manner, by appropriately trained personnel, reducing the generation of airborne dusts to as low a level as is reasonably practicable. All Plans of Work (method statements and risk assessments) for such work will be reviewed by a competent person (ARP/AC or the Asbestos Consultant or Project Manager) prior to work commencing.

AP5.4 For licensed asbestos works, the following documentation will be requested from the LARC prior to commissioning, and copies kept in the job file:

- current asbestos licence check on HSE website.
- insurance certificate indicating the insured is covered for asbestos work.
- medical examination certificates (conducted by an HSE registered doctor) for personnel who will work on the job.
- training records by a United Kingdom Asbestos Training Association (UKATA) member or equivalent.
- where applicable, appropriate notification of the job.
- method statement and risk assessment for the job (Plan of Work).

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AP5.5 For non-licensed asbestos works, the following documentation will be requested from the contractor prior to commissioning, and copies kept in the job file:

- insurance certificate indicating the insured is covered for asbestos work.
- for NNLW work (not required for NLW work), medical examination certificates (conducted by an HSE registered doctor) for personnel who will work on the job.
- training records for all personnel who will work on the job (Category B training), provided by a United Kingdom Asbestos Training Association (UKATA) member or equivalent.
- for NNLW work (not required for NLW work) notification of the job to the HSE prior to commencement.
- method statement and risk assessment for the job (Plan of Work).

AP5.6 All appropriate monitoring will be carried out to ensure that asbestos related consultants and contractors are demonstrably complying with their defined responsibilities under Roles and Responsibilities Sections 5.9 – 5.11. Monitoring is also required to ensure the Organisation, as 'client', discharges its legal obligation to properly monitor contractors. This may include the appointment of the Asbestos Consultant or Asbestos Project Manager to carry out:

- On-site project management, auditing, supervision, monitoring and testing to ensure safety and quality control and compliance with all legal requirements.
- Completion of a final site review to verify the suitability for the site for handover and the completion of works as agreed.

AP5.7 At the conclusion of all asbestos works where air testing is required and prior to reoccupation of the area (unless included within an Asbestos Project Management package), the Organisation will **directly** appoint a UKAS accredited Asbestos Analyst to carry out the required level of inspection and test (i.e. the Contractor will not be permitted to appoint the Analyst). For licensed works this will include a '4-stage clearance test' and for minor works this will include a visual inspection and reassurance air test. Care will be taken to ensure this is **excluded** from the contractor's initial proposal and price.

AP5.8 Copies of all test certificates, Certificates of Re-occupation and evidence of correct waste disposal will be received from Contractors and Asbestos Analysts (or the Asbestos Remediation Project Manager) within 10 working days of the completion of any work involving asbestos containing materials.

AP5.9 Following all asbestos removal work, the AC will update the Asbestos Register accordingly.

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AP6 - Tenant Information and Work Procedures

AP6.1 The following table details the Organisation's policy on informing tenants of the possibility of ACM's being present in housing stock and on the requirements for undertaking work on their dwellings. Any such information will be subject to a formal distribution procedure.

Organisation policy on what information to provide to tenants	(i) The Organisation has an existing policy preventing tenants from undertaking any maintenance activities on any of their properties without prior approval. Therefore, inadvertent disturbance of ACM's should be prevented. (ii) In addition, general information on asbestos, the known risks and a reminder of their contractual obligations (e.g. not to disturb fabrics, to seek approval prior to works, etc.) will be provided with each new let and at a regular frequency to all existing tenants. (iii) Note also that despite it being Organisation policy NOT to provide specific information on known ACMs within each dwelling, in the event that any medium or high risk ACMs are discovered then the tenant would be informed of such and the Organisation would arrange for appropriate remedial action as soon as is reasonably practicable.
Format of information provision	(i) Prohibition on working on building fabric included in tenancy agreement. (ii) Asbestos information provided in leaflet format. (iii) In the event of any medium/high risk ACM's being identified which require action, the tenant would be informed verbally without delay and written confirmation provided.
Reference to documentation	Tenant's Handbook

AP6.2 Prior to a tenant starting work which will interfere with the fabric and/or services of a property, tenants will be required to seek advance permission from the Organisation. Before issuing permission, the Asbestos Register will be consulted and, where ACMs are identified within the proposed work zone the Organisation will liaise with the tenant to ensure all appropriate actions are taken.

See AP4.6 for the specific procedure in this regard.

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AP7 – Purchasing Housing Stock

AP7.1 At the negotiation stage of all new stock purchasing, the Organisation will request a copy of the Asbestos Register for the stock.

AP7.2 The information provided in the Register will be reviewed by a competent person (normally the Asbestos Consultant) and a judgement made on the adequacy of the data and on the risk profile of the housing stock so far as asbestos is concerned. It is recognised that 'Management' survey data does not provide information on the presence of ACMs within voids, below floors and in other inaccessible areas and account will be taken of this uncertainty.

AP7.3 In the event that the asbestos status is unclear, dubious or otherwise unfavourable, the undertaking of a sample of additional asbestos surveys (e.g. pre-purchase surveys) may be discussed with the vendor.

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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 workplace 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.

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Useful Guidance:

HSE Legal Series L143 CAR12, Approved Code of Practice and Guidance

HSE Guidance HSG264 Asbestos: A survey guide

HSE Guidance HSG227 Managing Asbestos in Premises

HSE Webpage Guidance 'The duty to manage asbestos in buildings'

<https://www.hse.gov.uk/asbestos/duty/index.htm>