



# ASBESTOS MANAGEMENT POLICY

## Version Control

Version	Date	Reason for Change
1.0	July 2021	Rewrite of existing Policy
1.1	August 2021	Amends following review by BSG

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This policy was approved by the Board	<b>TBC</b>

The Asbestos Plan Manager is responsible for updating the records of this policy

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## Introduction

This Policy has been produced in accordance with Solihull Community Housing's (SCH) Health and Safety Policy and relevant legislation to ensure that all health, safety and environmental issues relating to asbestos are adequately managed and controlled and thereby minimise the risk to people of the exposure to asbestos.

SCH is committed to protecting the health, safety and welfare of its employees and others who may be affected by their undertakings. It is essential therefore that everyone who works for, or undertakes work on behalf of, SCH adheres to the requirements of this policy.

Asbestos can be found in any building built before the year 2000 (houses, factories, offices, schools, hospitals etc.) and causes around 5000 deaths every year.

When materials that contain asbestos are disturbed or damaged, fibres are released into the air. When these fibres are inhaled they can cause serious diseases. These diseases take a long time to develop and once diagnosed, it is often too late to do anything.

Workers involved in refurbishment, maintenance and other similar trades, could be at risk of exposure to asbestos during their work. This includes:

- Heating and ventilation engineers
- Demolition workers
- Carpenters and joiners
- Plumbers
- Roofing contractors
- Painters and decorators
- Plasterers
- Construction workers
- Fire and burglar alarm installers
- Shop fitters
- Gas fitters
- Computer and data installers
- General maintenance staff e.g. caretakers
- Telecommunications engineers
- Architects, building surveyors, and other such professionals
- Cable layers
- Electricians

This list does not include all occupations at risk from potential exposure to asbestos.

## Policy Statement

This policy statement outlines how Solihull Community Housing (SCH) will manage the risk posed by asbestos containing materials (ACMs) and materials presumed to contain asbestos at premises owned, managed, or controlled by SCH.

SCH recognises that it has a duty of care under the Health and Safety at Work etc. Act 1974 and the Control of Asbestos Regulations 2012 to employees, contractors, tenants, residents, visitors and the general public that may be affected by the operation and maintenance of all premises managed or owned by SCH.

SCH will ensure that sufficient resources are made available to ensure that asbestos management systems are operated and maintained in accordance with current legislation and guidance.

SCH will implement the policy through procedural arrangements laid down in the asbestos management plan and relevant procedures.

All SCH employees have a duty of care to work in a safe manner and to comply with the policy requirements in relation to their work activities. Third party service providers and contractors are also required to meet certain obligations and responsibilities, as defined by statutory requirements and in this policy, when carrying out activities involving ACMs at SCH premises.

This policy applies to all parts of the organisation and relevant suppliers to SCH.

SCH are committed to protecting tenants, staff, contractors, and visitors from the health risks associated with ACMs in all our activities and will:

- Comply with the requirements of the Control of Asbestos Regulations (CAR) 2012 and other relevant statutory obligations and maintain effective management of the risk posed by ACMs.
- Ensure relevant properties and workplaces (where SCH is the 'duty holder', as defined in CAR 2012) constructed prior to 2000 have been assessed for ACMs or presumed ACMs which identifies the location, condition, extent and nature of known and presumed ACM's.
- Record the findings from these assessments in the Asbestos register.
- Ensure that identified ACM's are regularly inspected to monitor their condition and repair or remove the materials as and when appropriate.
- Maintain a management plan and ensure that this is monitored, audited and reviewed regularly.
- Inform tenants, residents, partners, contractors, staff and other building users of the nature and extent of any known or suspected ACMs.

- Undertake a Refurbishment and Demolition (R&D) survey or targeted invasive sampling prior to any planned works being undertaken.
- Ensure only suitably trained and competent persons work on or with ACMs.
- Ensure adequate training, instruction and awareness is provided to employees who need to be involved in the safe management of ACMs.
- Provide any other person likely to be at risk from ACMs with suitable information on the location and associated risk of known ACMs in SCH controlled premises. This includes both contractors and tenants.
- Appoint competent persons to provide specialist services to meet the requirements of this policy.
- Ensure our contractors are suitably competent and have policies, procedures and training in place relating to asbestos management.

## **Composition of the Asbestos Management Policy**

This policy forms part of Solihull Community Housing's management systems for asbestos control, which also includes:

- a) SCH's Asbestos Management Plan
- b) Asbestos Management Process Maps
- c) Contractors Code of Conduct.
- d) Asbestos Information for Tenants.

Procedures and specifications will be used to clearly set out SCH's operational activity regarding the management of asbestos and methods used to conform to current legislation.

## Roles and Responsibilities (See Appendix 1)

### Chief Executive (Duty Holder)

The Chief Executive has overall responsibility for the Asbestos Management Policy and any issues arising from SCH activities involving the management of asbestos. This includes the actions of contractors acting on behalf of SCH. The Chief Executive is required to ensure that adequate resources are allocated to managing risk arising from asbestos, including but not limited to:

- Maintaining an up to date asbestos management plan including ensuring the presence of asbestos in all non-domestic premises under their control have an up to date Asbestos Survey and Risk Register
- Ensuring adequate processes and procedures are in place to manage asbestos.
- Ensuring sufficient information instruction and training is carried out.
- Monitoring the performance of staff and contractors.
- Ensuring that members of the public, staff and contractors are not unnecessarily exposed to risk.

Although overall responsibility for Health & Safety in the workplace rests with the Chief Executive, management responsibilities will be delegated through the Organisational Structure. Executive Directors, Heads of Service, Senior Managers, Line Managers and Staff at all levels of the organisation are therefore responsible for Health & Safety at Work, though the extent of this responsibility varies according to the individual's position in the organisation.

### Executive Directors

Executive Directors will assist and deputise for the Chief Executive and are responsible for the overall effectiveness of the asbestos policy in their areas of responsibility. They are required to nominate a deputy from within their own Directorate to liaise as required with the Responsible Person. The nominated Deputy should be a relevant Head of Service or Senior Manager who will assist and deputise for the Director. Directors will be required to:

- Have overall responsibility for compliance with the Management of Asbestos Policy in their Directorate
- Ensure adequate resources are allocated to manage risk arising from asbestos.
- Monitor the performance of their employees against the policy.
- Ensure sufficient information instruction and training is carried out
- Advise the Chief Executive of any problem arising in connection with the management of asbestos.

### Heads of Service

Heads of Service will act as nominated deputy for their Executive Director where required. Heads of Service will: -

- Have overall responsibility for compliance with the Management of Asbestos Policy in their Service area.
- Ensure sufficient resources are allocated to manage risks arising from asbestos.
- Ensure that managers fulfil their responsibilities relating to the management of asbestos

- Ensure sufficient information instruction and training is carried out within their service area
- Monitor the performance of their employees against the policy.
- Advise their Director of any problem arising in connection with the management of asbestos.

### **Asbestos Plan Manager (Central Responsible Person)**

The Asbestos Plan Manager (Central Responsible Person) is nominated and appointed by the Chief Executive to manage the day to day procedures necessary for the management of asbestos and be responsible for the strategic management of asbestos within the responsibility of SCH.

The Head of Service (Assets and Development) shall serve as the Asbestos Plan Manager and will report directly to the Chief Executive. The Asbestos Plan Manager may delegate tasks but retains the duty to manage and shall:

- Formulate and revise the SCH Policy every 3 years or following significant incident or change in legislation.
- Formulate and revise the SCH Asbestos Management Plan.
- Facilitate Independent Expert assessments to ensure that the provisions within the Asbestos Management Plan are being enforced to the standard required.
- Ensure that the asbestos register is maintained up to date.
- Investigate asbestos-related incidents and introduce controls to reduce the risk of such incidents recurring.
- Ensuring sufficient information instruction and training is carried out within their service area.
- Ensure risks arising from asbestos related activities are recorded reviewed and mitigated.
- Ensure a designated deputy, The Service Delivery Operations Manager, is available in their absence to manage the day to day procedures and be responsible for the strategic management of asbestos within the responsibility of SCH as well as any other duties the Asbestos Plan Manager is responsible for should the need arise.

### **Asbestos Co-ordinator**

The Asbestos Co-ordinator is responsible for the day to day running of the Asbestos Management Plan. The Contract Officer – Asbestos shall serve as the Asbestos Co-ordinator and shall:

- Provide advice on the application of this policy on an individual case by case basis.
- Ensure that the required information from asbestos related work is fed back to the appropriate section.
- Ensure that the asbestos register is maintained up to date.
- Ensure that communal areas within the stock are monitored in accordance with legislative requirements.
- Provide asbestos-related information to staff, contractors, tenants and members of the public as required.
- Conduct reviews on operations (both in-house and contracted) to ensure adherence to this policy and SCH Asbestos Management Plan.
- Ensure adequate training is maintained organisationally and in accordance with current regulations.
- Maintain an up to date library within the SCH Intranet.

- Ensure a designated deputy, The Compliance Risk Assessor, is available in their absence to manage the day to day running of the Asbestos Management Plan as well as any other duties the Asbestos Co-ordinator is responsible for should the need arise.

### **Health and Safety Support Team (HSST)**

The Health and Safety Support Team is responsible for providing a competent advisory service to SCH.

The Health and Safety Support Team will also give guidance relating to suitable training to effectively manage risks arising from the management of ACMs.

They will also ensure that all accidents/incidents/near misses reported that are notifiable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) are reported to the Health and Safety Executive.

### **Managers/Project Managers/Contract Officers**

Managers are responsible for the detailed arrangements necessary to manage the risk of asbestos within their areas of control. Where contractors are being managed and there is likelihood that asbestos may be affected, regular monitoring is to be included to ensure these precautions are maintained. Managers shall:

- Ensure adequate resources are made available to manage asbestos risk in buildings under their control.
- Ensure all employees receive adequate information, instruction and training. This includes the provision of regular refresher training to maintain skills.
- Ensure, through suitable supervision, that asbestos related checks and procedures are followed so that the risk of disturbing an ACM is minimised.
- Ensure information regarding asbestos is readily available to staff and contractors they are responsible for.
- Monitor the performance of their subordinates against the policy.

### **Employees**

All Employees of SCH, irrespective of their position shall:

- Take reasonable care for their own Health and Safety and that of other persons who may be adversely affected by asbestos works, including members of the public, tenants, visitors and contractors.
- Co-operate with Solihull Community Housing and its managers to enable compliance with this policy and the legal duties it holds.
- Halt works that, in their opinion, may present a serious risk to health of themselves or others.
- Report any incident involving an ACM that may lead to exposure to asbestos fibre without delay.



## Tenants and Leaseholders

This policy is to be read in conjunction with Solihull Council's current Tenancy Agreement or Terms of Lease. Most importantly, tenants must not make any material alterations to their homes without the express formal written permission of SCH.

## Contractors

This policy is to be read in conjunction with SCH's Code of Conduct for Contractors. Contractors are required to immediately report any asbestos related risks or concerns to the respective SCH Contract Officer or Project Manager and stop ongoing works until they are satisfied their concerns have been mitigated.

All contractors will be able to demonstrate adherence and use of information made available to them through this policy through testing as part of SCH's ongoing audit regime.

There are a number of options for asbestos remediation works:

1. Approved asbestos analyst
2. Approved licensed removal contractor
3. SCH Asbestos Removal Team (non-licensed ACMs only)

For clarity the same partner cannot be used for both analytical and removal functions, even if they are separate divisions within that company, nor shall the licensed asbestos removal sub-contractor be permitted to select or sub-contract their own analyst. This arrangement will be enacted to avoid any potential conflict of interest between the parties involved.

Contractors are responsible for managing their own asbestos management procedures, in consultation and agreement with SCH. SCH may require additional controls for specified risks and these will be notified at the project initial meeting or as they arise.

Contractor operatives and managers need to be trained to a minimum of 'Category A' level Asbestos Awareness where their role has the potential to encounter ACMs.

SCH will provide the contractor with information held within our database regarding the known locations of ACM's, or will arrange for a suitable & sufficient asbestos survey to be carried out specific to the works to be undertaken. The Contractor must ensure the effective planning of works to ensure sufficient time to carry out the survey, or to manage known ACM's prior to works commencing. The Contractor will inform their own operatives/sub-contractors of the presence of asbestos and/or materials in the property presumed to be asbestos together with their own Safe Systems of Work (SSoW).

Where materials are suspected of containing asbestos no work should commence. The Contractor is required to inform the SCH Contract Officer/Project Manager of the asbestos who will take the appropriate action.

Where contractors, with the prior agreement of SCH, are responsible for the management arrangement of asbestos associated with their works the following applies:

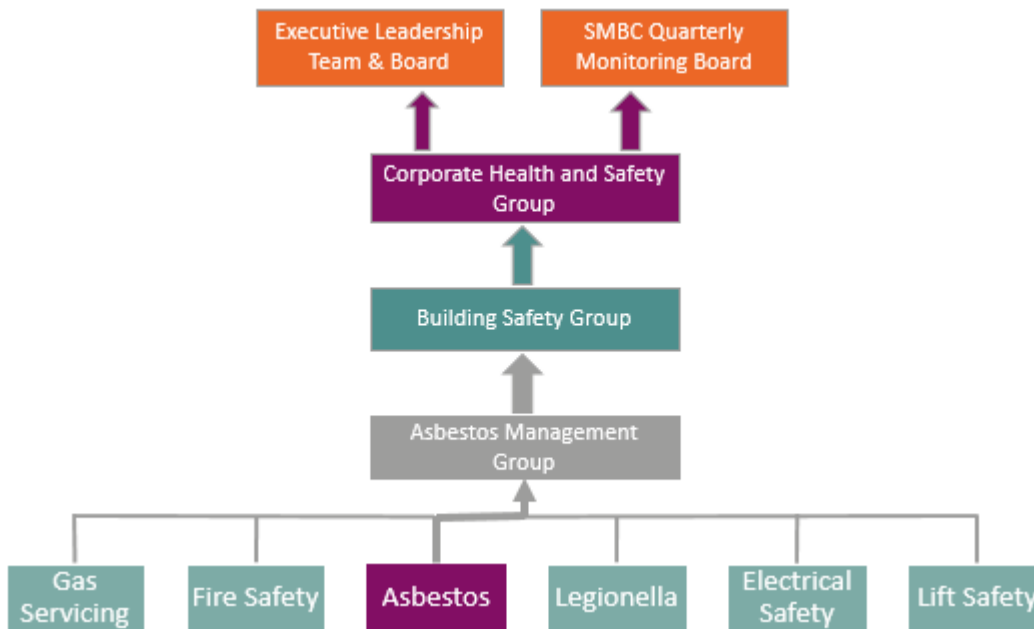
- All asbestos removals that require a licensed contractor shall be undertaken by suitably qualified and competent operatives and in compliance with legislation and Approved Codes of Practice.
- Non-licensed and Notifiable Non-licensed removal works are to be carried out by suitably qualified and competent operatives in compliance with legislation and Approved Codes of Practice.

- The Contractor is responsible for all disposal of asbestos-containing waste and this is to be carried out responsibly and in accordance with legislative requirements.

The contractor is to provide SCH with relevant certification and evidence of competency prior to commencing works, and is to provide SCH with copies of all legally required, and relevant documentation, such as COR's and WCN's upon completion of works.

## Communication

All SCH employees and stakeholders are required to immediately report any concerns regarding asbestos safety directly to their line manager. To support this approach a formal communication system is established within SCH's communication framework to provide specialist advice and support to the organisation through the Asbestos Management Group (AMG), as illustrated below.



Solihull Community Housing will liaise with external emergency services to minimise the potential risks that could arise from activities where ACMs could be disturbed within properties that it is managed.

## Training

Solihull Community Housing shall ensure that adequate information, instruction and training is given to their employees at levels proportionate to the risks of exposure and their roles. Solihull Community Housing will undertake regular training of managers and staff, regular building users and contracted third parties, where necessary to ensure that asbestos information is effectively disseminated and to ensure that training has been undertaken. Typical levels of training requirements are outlined in the table below.

Asbestos awareness training is to be undertaken for staff, and those who manage staff, who may come into contact with asbestos regularly. Training is mandatory as required under regulation 10 of the Control of Asbestos Regulations 2012, and all relevant staff must attend a suitable course.

Managers are responsible for ensuring all relevant staff attend the applicable training course.

Refresher training will be delivered as necessary, and a course based on training needs analysis will be delivered every 3 years.

All relevant staff are to be informed of the contents of the Asbestos Management Plan at regular intervals.

Training Table:

<b>Training</b>	<b>Who</b>
Foundation Asbestos Awareness Information Fact Sheet; via tool box talk, core brief or e-learning system and corporate induction	<ul style="list-style-type: none"> <li>All staff and new starters</li> </ul>
Asbestos Awareness	<ul style="list-style-type: none"> <li>Duty Holder (Chief Executive)</li> <li>Executive Directors</li> <li>Heads of Service</li> <li>Maintenance employees</li> <li>Building Managers / Facilities Managers</li> <li>Site Managers</li> <li>Contract Managers/Project Managers</li> <li>Staff involved in roles relating to refurbishment and maintenance of buildings</li> <li>Estates and Neighbourhoods Teams</li> <li>Staff conducting Customer home visits</li> </ul>
Operational Asbestos Training (Management Plan; Maintenance, Management and Communication.)	<ul style="list-style-type: none"> <li>Maintenance employees</li> <li>Building Managers / Facilities Managers</li> <li>Site Managers</li> <li>Contract Managers/Project Managers</li> <li>Staff involved in roles relating to refurbishment and maintenance of buildings</li> </ul>
Specialist Asbestos Related Training (P405)	<ul style="list-style-type: none"> <li>Head of Asset Management</li> <li>Service Delivery Operations Manager</li> <li>Asbestos Co-ordinator (Compliance Contract Officer)</li> <li>Deputy Asbestos Co-ordinator (Compliance Risk Assessor)</li> </ul>

## **Asbestos Non-Licensed Work**

For staff specifically employed to undertake limited work with asbestos where a license is not required, tailor-made training will be provided by an approved provider. This will include

details of the methods for working with asbestos and controlling the release of asbestos fibres to the environment. Refresher training will be carried out annually, and is mandatory.

### **Asbestos Licensed Work**

Licensed work is not to be carried out by any member of Solihull Community Housing. No training for this type of work will be given. All licensed asbestos work will be carried out by a competent and licensed asbestos removal contractor.

## **Customer Contact**

SCH will use all reasonable methods of consultation and communication to increase customer's awareness and its own information regarding the hazards posed by asbestos within the stock portfolio.

### **Tenants**

Customers will be given a copy of the Asbestos register that relates to their tenancy before the start of the tenancy agreement. Guidance notes on the typical locations and precautions must be included within the tenancy agreement when tenants initially sign for their tenancy. It is the responsibility of the relevant Tenancy Sustainment Officer to ensure that this is carried out.

SCH will provide guidance notes to tenants and leaseholders regarding asbestos. These guidance notes will be available to view on our website, and information will be communicated to our customers on a regular basis through varying communication channels.

SCH will provide tenants access to asbestos information associated with the property they live in, where available.

### **Right to Buy Applicants**

Right to Buy applicants are to be informed of the locations and precautions regarding asbestos when they first apply to buy the property. This information is to be included within the 'Offer Notice' issued to all right to buy applicants. This is the responsibility of the Right to Buy Team.

It is not, however, the Council's or Solihull Community Housing's responsibility to remove any asbestos known based materials prior to any right to buy sale.

### **Existing Leaseholders and Owner Occupiers**

Once the property has been sold it is not the responsibility of the Council or Solihull Community Housing to remove any asbestos-based materials within the actual dwelling itself. The owner-occupier should be given advice on how to safely manage the asbestos item(s) within their home. The leaseholder or owner occupier can either be given the address and telephone number of the SCH's current asbestos analysis contractor and removal contractor or alternatively they may be given the name and telephone number of the Health and Safety Executive, who will be able to give them a list of licensed contractors.

## **Monitoring**

The implementation, co-ordination and monitoring of the Asbestos Management Plan is the responsibility of the Asbestos Plan Manager (Central Responsible Person) who will be guided and actively seek advice by suitably qualified specialists in the continuing effective management of asbestos.

Monitoring includes regular review and updating of condition and recommendations for identified ACM's at maximum annual intervals. Completion of internal reviews is monitored through local service KPI's.

External assessment conducted by a suitably technical expert will be commissioned by the Asbestos Plan Manager to independently review adherence to this Asbestos Management Policy.

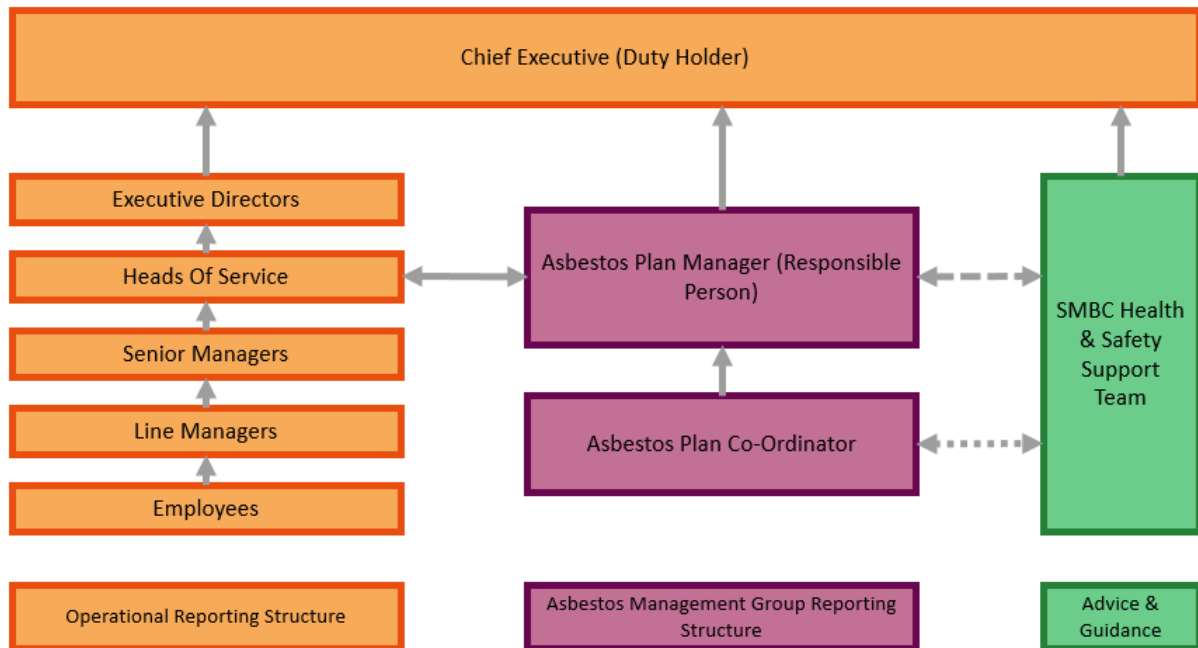
Asbestos related incidents will be initially investigated by the responsible manager, and will involve the Asbestos Plan Manager, the Asbestos Co-Ordinator and the Health and Safety Support Team. Additional controls will be introduced to reduce the risk of such incidents recurring where the outcome of any review recommends this.

## **Review**

This Policy shall be reviewed by the Asbestos Plan Manager (Responsible Person) every three years, or if there are any significant changes to current Asbestos Legislation, HSE approved codes of practice or guidance, or as the result of the outcome of an incident review.

## Appendix 1

### Roles & Responsibilities Reporting Structure



### Table of Roles

Category	Definition
Duty Holder (Chief Executive)	The representative for the organisation on whom the statutory duty falls
Asbestos Plan Manager (Responsible Person) (Head of Service (Asset Management & Development))	The person appointed to take managerial responsibility and to supervise implementation of the policy for the management of asbestos
Deputy Responsible Person (Service Delivery Operations Manager)	The person appointed as deputy to the Responsible Person
Asbestos Co-Ordinator (Asbestos Contract Officer) Deputy Asbestos Co-ordinator (Compliance Risk Assessor)	The technical person appointed to provide recommendations, advice and guidance, and to manage the implementation of the policy for the management of asbestos.

Line Managers / Project Managers / Contract Officers	The person responsible for the implementation of the organisation's operational / maintenance issues in accordance with the policy.
SMBC Health & Safety Support Team 0121 704 6328	The support team appointed to provide additional advice & guidance.

## Appendix 2

### Legislation

### Regulations

These Regulations relate to works with asbestos. It is not an exhaustive list, but includes the main Regulations to which Employees and Contractors should adhere to:-

- The Health and Safety at Work etc. Act 1974, particularly Section 2, 3 and 4: - General duties of Employers and Self-employed persons other than their employees.
- The Control of Asbestos Regulations 2012 (Statutory Instrument (SI) 2012 No.632)
- The Construction (Design and Management) Regulations 2015 (SI 2015 No. 51)
- The Control of Substances Hazardous to Health Regulations 2002 (SI 2002 No. 2677) as amended
- The Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations.1996/SI 2092
- The Hazardous Waste (England and Wales) (Amendment) Regulations 2009 (SI 2009 No. 507)
- Special Waste Regulations, 1996 (SI 1996 No.972)
- The REACH Enforcement Regulations, 2008 (SI 2008 No.2852)

### Approved Codes of Practices

- L143 Managing and working with asbestos.

### Guidance Notes

- HSG210 Asbestos Essentials
- HSG213 Introduction to Asbestos Essentials
- HSG227 A comprehensive guide to managing asbestos in premises
- HSG247 Asbestos: The Licensed contractor's guide
- HSG248 Asbestos: The analysts' guide for sampling, analysis and clearance procedures
- HSG264 Asbestos: The Survey Guide
- MS31 Guidance for Appointed doctors on the Control of Asbestos Regulations 2012 –medical surveillance - licensed asbestos works
- MS34 Guidance for doctors on the Control of Asbestos Regulations 2012 – medical surveillance – non-licensed works

### **Other Useful HSE Publications**

- EM Series Equipment & Method Sheets EM1 to EM10 inclusive
- ALAARG Asbestos licence assessment, amendment and revocation guide