

ASBESTOS MANAGEMENT PLAN

Status: APPROVED

Policy Lead :	Joanna Voisey – Head of Asset & Sustainability
Owned By :	Joanna Voisey – Head of Asset & Sustainability
Date Approved:	08 August 2023
Approved By :	BHA Board
Review Date:	August 2026
Regulatory / Legislative Considerations/ References	
Other Documents to be read in conjunction with this policy :	<ul style="list-style-type: none"> • 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

Policy Title:	Asbestos Management Plan
Purpose / Aim of Policy:	To set out the policy and procedures governing our management of asbestos in an Asbestos Management Plan, in accordance with the Control of Asbestos Regulations 2012.
Scope of Policy:	The Asbestos Management Plan covers all our assets
Definitions:	Asbestos is a material used regularly in construction prior to 2000 due to its effective fire retardant qualities. There are a number of different types of asbestos which have differing levels of potential impact on people exposed to it, and which also require different levels of response.
Specific detail related to each strand in the scope:	None
Approval Source:	BHA Board
Equality Impact Assessment:	This management plan is applied to all our assets and as such there is no equality issues relevant to this management plan.
Glossary of Terms	As per the detail of the plan.
Risk Implications:	Asbestos represents a potentially significant risk to BHA and our customers if unmanaged. This Management Plan meets the requirements of the relevant asbestos regulations and following implementation will be part of how we provide assurance on this aspect of customer safety.

Amendment Register

Where any amendment or revision is made to this Management Plan, the document should be updated, and the date and version number amended accordingly. The former Management Plan should be kept in a separate file for reference purposes and to demonstrate an auditable trail of policy development.

All relevant personnel should be made aware of the amendments / revisions made.

DATE	VERSION NO. SUPERCEDED	VERSION NUMBER INTRODUCED	PREPARED BY	APPROVED BY

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1 ASBESTOS POLICY STATEMENT

- 1.1 It is recognised that Berwickshire Housing Association (BHA) 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 BHA 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 BHA aims to:
 - a. Ensure the prevention of exposure to risks associated with asbestos containing materials.
 - b. 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.
 - c. Promote awareness of the risks from asbestos containing materials and the Association's Management Procedures through training and induction of relevant staff.
 - d. Provide adequate resources to ensure the provision of appropriate information, instructions, and training.
 - e. 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.
 - f. 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.
 - g. This Register will undergo regular reviews and will be updated after any treatment and/or removal works have been undertaken.
 - h. Ensure that an appropriate Asbestos Refurbishment or Demolition Survey strategy is in place in accordance with current legislation.
 - i. Ensure only UKAS accredited asbestos consultancies are used for asbestos surveying works, asbestos air testing and asbestos analysis work.

- j. 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.
- k. 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.
- l. 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.
- m. Ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate.
- n. Ensure Licensed Contractors and/or Sub Contractors carry out ALL Asbestos Licensable Works and Competent Contractors carry out ALL Asbestos Minor Works.
- o. 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.
- p. Ensure that relevant staff of the Association and local contractors are provided with appropriate training in the Asbestos Management Plan.
- q. Regularly review the Asbestos Management Plan..

Policy Adopted by BHA		
Director		
<u>Name</u>	<u>Signature</u>	<u>Date</u>
Chair of Management Board of Directors		
<u>Name</u>	<u>Signature</u>	<u>Date</u>

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 BHA currently has approximately 1950 properties, consisting of houses, bungalows, flats, and bedsits. Some buildings acquired by the organisation were built or refurbished at a time when the use of asbestos containing materials in their construction was common. During work on these buildings, it is possible, therefore, that personnel could disturb asbestos.
- 2.5 This Policy applies to the entire property portfolio under the control of BHA 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 100 million 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.
- 3.4 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 risk) can occur in other groups of people e.g., installers of I.T. systems, burglar alarms, smoke detectors, etc.
- 3.5 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

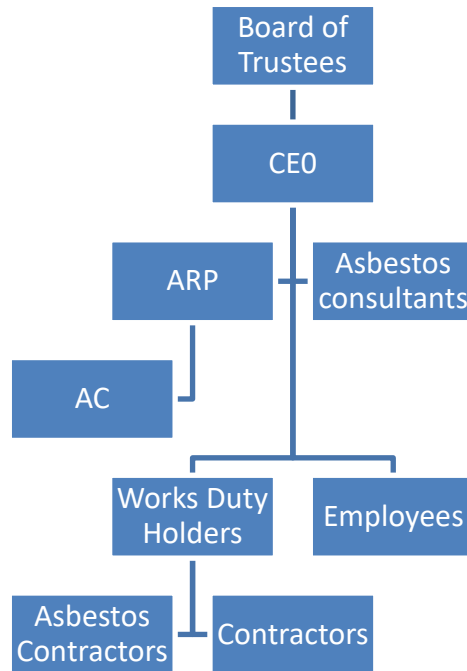
- 4.1 The Organisation recognises the duty imposed by Regulation 4 of CAR12 to 'manage' asbestos risks. In particular, the following duties set out in HSG264 in respect of routine management, refurbishment and demolition work of premises are recognised. Those are to:
- take reasonable steps to determine the location of materials likely to contain asbestos;
 - presume materials to contain asbestos, unless there are good reasons not to do so;
 - make and maintain a written record of the location of the ACMs and presumed ACMs;
 - assess and monitor the condition of ACMs and presumed ACMs;
 - assess the risk of exposure from ACMs and presumed ACMs and prepare a written plan of the actions and measures necessary to manage the risk (i.e., the 'management plan'); and
 - take steps to see that these actions are carried out.
- 4.2 To ensure compliance with this broad duty, specific roles and responsibilities have been defined and all personnel will hold the requisite levels of competence to properly discharge their responsibilities.
- 4.3 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 the legal 'duty to manage asbestos' is discharged.

5 ROLES AND RESPONSIBILITIES

5.1 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.



Named Roles

Job Title	Name(s)	R&R Section	Relevant AP
Board of Trustees	N/A	5.1	All
Chief Executive	Michelle Meldrum	5.2	All
Asbestos Responsible Person	Joanna Voisey	5.3	All
Asbestos Co-ordinator	Jacquie Cockburn	5.4	All
Works Duty Holders	Jamie Aitchinson Carrie Warnock David Scott Daniel Romanies Dan Stevenson Kathryn Dunlop Evie Copland Dan Blake All Neighbourhood Managers Customer Experience Advisors	5.5	4, 5
Asbestos Consultants	Envirotech	5.9, 5.10	n/a

5.1 Board of Trustees

5.1.1 The Board 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 Management Plan. The Chairperson will sign 'acceptance' of the Asbestos Policy Statement along with the Chief Executive.

Where there is a change of personnel, the incoming Chairperson will sign the policy to ensure the commitment on behalf of the Board of Directors remains current.

- 5.1.2 The Board of Directors will give due consideration and will make available all reasonable funding and support as may be required, to reports received from the Chief Executive Officer or Asbestos Responsible Person (ARP) in relation to asbestos risk management and/or compliance with the Asbestos Management System.
- 5.1.3 The Board of Directors 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.

5.2 Chief Executive (CEO)

- 5.2.1 The CEO, 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 Management Plan.
- 5.2.2 The CEO will appoint a suitable and competent Asbestos Responsible Person (ARP) to manage the Asbestos Management System.
- 5.2.3 The CEO will make available all reasonable resources to the ARP for the undertaking of their duties under this policy. The CEO will also make available all reasonable resources to allow all others in the management chain to comply with their own defined responsibilities.
- 5.2.4 The CEO 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 CEO 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 CEO 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.

5.4 Asbestos Co-Ordinator (AC)

The AC will be responsible for:

- 5.4.1 Maintaining an effective asbestos management strategy, as detailed in this document.
- 5.4.2 Assisting the ARP to review and update as necessary this Management Plan and report on its effectiveness to the Health & Safety Group chaired by the Chief Executive Officer, where established.
- 5.4.3 Developing and maintaining an asbestos register of properties built before 2000, which will include updating the register whenever ACM's are removed/remediated.
- 5.4.4 Providing information to interested parties on asbestos containing materials, as appropriate
- 5.4.5 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).
- 5.4.6 Providing the Enforcement Authorities with details of asbestos management procedures if/when requested.
- 5.4.7 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, Technical and Management staff.
- 5.4.8 Monitoring to ensure that all colleagues are aware of their responsibilities under this policy.
- 5.4.9 Programming asbestos surveys (Management, Refurbishment and Demolition as appropriate) in the organisation's properties to identify any asbestos containing materials that may be present and preparing/maintaining an Asbestos Register for each building.

5.4.10 Ensuring that adequate reviews of surveyed premises are carried out and that asbestos registers are updated accordingly.

5.4.11 Organising regular audits of the Asbestos Register.

5.4.12 Maintaining a current list of approved asbestos contractors (HSE Asbestos Licensed Contractors and Minor Works Contractors), Project Managers (if not managed in house) and UKAS accredited asbestos testing/survey organisations.

5.4.13 Ensuring that the Asbestos Register is updated on completion of any works on asbestos containing materials.

5.5 Works Duty Holders

[Any colleagues, 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 colleagues 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 colleagues 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. Some duty holders will also act as the project coordinator in managing projects or contracts whilst on site, indicated by PC in the job title box.

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

Job Title	Asbestos Duty	Relevant AP
Repairs Lead	Dealing with escalated reactive repairs	4.2 + 4.3 + 5
Repairs Manager/ Asset Manager	Dealing with escalated reactive repairs or repairs that require inspection, voids	
Customer Experience Team & Neighbourhood Managers	Dealing with reactive repair requests	4.3
SPS (call centre)	Dealing with reactive repair requests	4.3

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

Job Title	Asbestos Duty	Relevant AP
Head of Assets & Sustainability	Dealing with all planned maintenance works and associated asbestos elements	4.4 + 5
Assets Manager	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
Head of Assets & Sustainability	Dealing with all Capital Works and associated asbestos elements	4.4 + 5
Assets Manager	Dealing with all planned maintenance works and associated asbestos elements	4.4 + 5

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

Job Title	Asbestos Duty	Relevant AP
Repairs Manager	Dealing with tenant requests for works and associated asbestos elements	4.6
Repairs Lead	Dealing with escalated reactive repairs or repairs that require inspection, voids	

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

Job Title	Asbestos Duty	Relevant AP
Compliance Manager	Dealing with all asbestos works and removal contractors	4.7 + 5
Repairs Manager	Dealing with all asbestos works and removal contractors	4.7 + 5
Assets Manager (PC)	Dealing with all planned maintenance works and associated asbestos elements	4.4 + 5

Repairs Lead	Dealing with all planned maintenance works and associated asbestos elements	4.4 + 5
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5.5.6 Duty Holder(s) with responsibility for Newbuild development:

Job Title	Asbestos Duty	Relevant AP
CEO	Dealing with all asbestos works and removal contractors, where demolition works are required	4.7 + 5
ECG Consultancy	Dealing with all planned maintenance works and associated asbestos elements	4.4 + 5

5.6 Colleagues

All persons employed by organisation will be responsible for:

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.

5.7 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, as demonstrated through the due diligence as part of the procurement process.
2. Ensure that they have a clear understanding of the organisation's Asbestos Management Plan, as demonstrated by BHA providing a copy during contract mobilisation and the prestart meeting.
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 Project Coordinator who will be responsible for commissioning the independent asbestos testing company or Asbestos Project Manager.
6. Ensure that any relevant risk assessments, method statements, statutory notices are in place before work commences as part of due diligence process during mobilisation.
7. Progress all works diligently and, if any suspect materials are encountered, to immediately suspend operations and to contact the project Coordinator or AC for further instruction.
8. Asbestos Elements – Provide copies of all test certificates, Certificates of Reoccupation, evidence of correct waste disposal to the Project Coordinator within 10 working days of the completion of the work.
9. **Contractors must ensure that Asbestos sub-contractors are approved by the Association before any order is placed or contract awarded.**

5.8 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 practices 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 Project Coordinator.
5. Attending site meetings as may be required, providing a written Method Statement and Risk Assessment (Plan of Work (POW)) to the Contract Manager 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, and where licensed contractors are required to carry out asbestos works, the following

documentation will be requested from the contractor prior to commissioning, and copies kept in the job file:

- a. current asbestos licence check against HSE website
 - b. insurance certificate indicating the insured is covered for asbestos work
 - c. a representative sample of medical examination certificates (conducted by an Employment Medical Advisory Service registered doctor) for personnel who will work on the job
 - d. a representative sample of training records for all personnel who will work on the job (asbestos management and handling courses), provided by a United Kingdom Asbestos Training Association (UKATA) member or equivalent
 - e. where applicable, evidence of notification of the job to the HSE 14 days prior to commencement (see point 6 below)
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, by agreement with the Contract Manager or AC, applying for a waiver against the minimum notice period. Copies of all such notices must be submitted to the Contract Manager 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 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 to the Contract Manager 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 Project Coordinator 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 Project Coordinator (or Project Manager) within 10 working days.

5.9 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 Contract Manager and/or the AC as may be required.
4. Reviewing and commenting on, when requested by the Project Coordinator 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 the Project Coordinator 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 Project Coordinator 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 Management Plan. Where senior organisation colleagues 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 Project Coordinator 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 as may be required by the Contract Manager or the AC, or as identified in the POW.
9. Reporting to the Contract Manager or the AC any aspects of asbestos management encountered on site which could give rise to health risks e.g., breaches of the Asbestos Management Plan, suspect or damaged asbestos.
10. Issuing formal reports, including Certificates of re-occupation, to the Contract Manager or the AC on completion of any site works.

5.10 Asbestos Remediation Project Managers Consultants

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 the Contract Manager 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 for 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.

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	CE	ARP	AC	Works Duty Holders	All of Housing & Maintenance Departments
Asbestos Awareness (Category A)	ü	ü	ü	ü	ü
Training on the Asbestos Management Plan (Internal)	ü	ü	ü	ü	
Training on Specific Roles & Responsibilities (Internal)	ü	ü	ü	ü	ü
Asbestos for Managers and Duty Holders (e.g Managing Asbestos in Buildings)	ü	ü	ü		
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. Qualifying Criteria for any Asbestos Contractors and Consultants
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 24 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.
- 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 report will be made available to the H&S Advisory Group and Board by the ARP. Any actions will be added to the Compliance Action Plan and will be reported to Operations 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 Management Plan 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 PROCEDURES

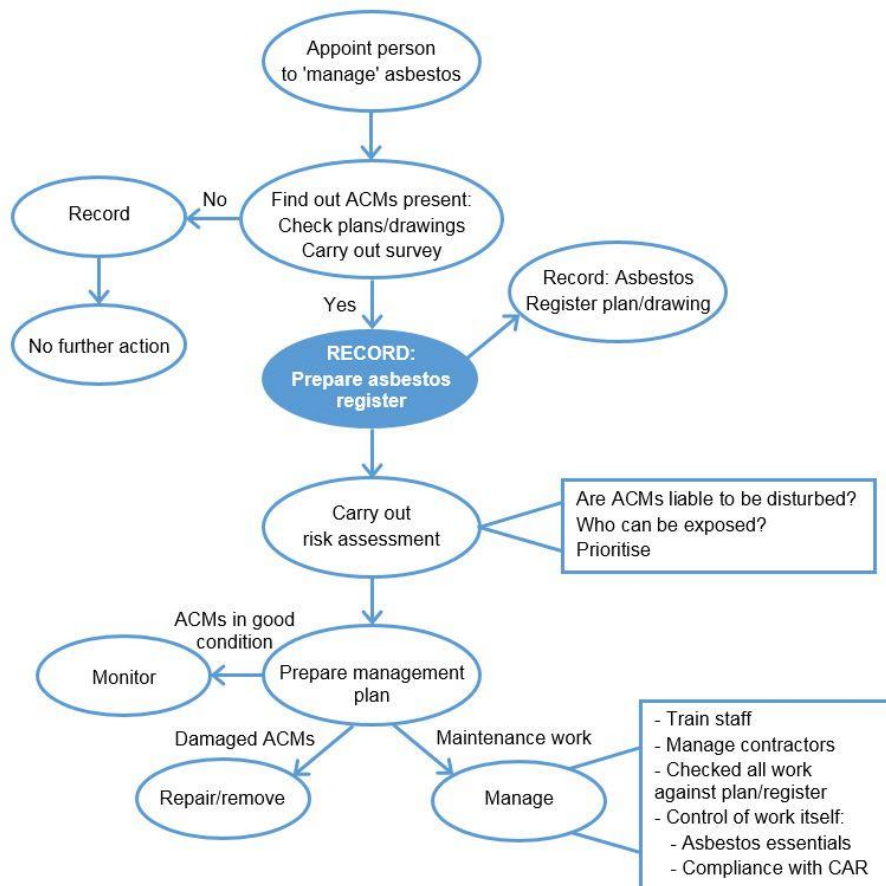
The following procedures have been prepared to ensure compliance with the organisation's Asbestos Policy and the defined Roles and Responsibilities of key personnel.

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 CEO.

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
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AP7	Purchasing Housing Stock

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 Management Plan 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:

- An Asbestos Register for 'normal occupancy' purposes (which may include a plan of action for remediation work or reinspection's)
- 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 colleagues will be permitted to handle or work on asbestos containing materials (ACM's).

AP1.2 In the event that the organisation opts to handle ACM's (e.g. for the purposes of sampling), appropriate training will be provided, insurances obtained and these procedures updated to reflect the acceptable process.

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

AP2.1 It is the responsibility of all staff to report to the AC 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, this would 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 a competent 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 will arrange for isolation of the area pending an investigation. S/he will arrange for air monitoring tests (measurement of airborne fibre concentrations) to be carried out and sampling and analysis will 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 air 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**. The nature of the remedial work must be agreed with the ARP.

AP2.7 When remedial action becomes necessary after exposure, 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 may be sought from a competent Asbestos Consultant to determine whether the incident is in fact RIDDOR reportable.)

AP3 - Asbestos Register and Survey Strategy

AP3.1 Survey Strategy

3.1.1 Where BHA's premises and common areas of housing stock were built or renovated prior to 2000, an Asbestos Management Survey programme will be carried out by a competent UKAS accredited asbestos management consultancy. (HSE expects that no asbestos containing materials would be in use from 2000.) The surveyor 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.

3.2.2 Note that current legislation does not subject 'domestic dwellings' to the requirement for Asbestos Management Surveys (although Refurbishment and Demolition Surveys are required – see AP4). However, BHA recognises the increasingly common stance of undertaking Management Surveys to domestic dwellings.

3.2.3 Taking account of the above, of AP4 and of AP6, BHA's asbestos surveying strategy may be summarised as follows:

Premises Status	Survey Type (1)	Surveying Policy
Organisation offices	M	Survey and re-inspect
	R / D	Survey prior to works
Common areas of housing stock	M	Survey and re-inspect
	R / D	Survey prior to works
Within dwellings of housing stock	M	Not required
	R	i) Survey prior to works organised by the Organisation

		ii) Consider situation on own merits for works requested by tenant (see AP6)
		iii) the organisation may consider to conduct full refurbishment surveys on void properties.
	D	Survey prior to works
Commercial lets	M / R / D	Dependent upon commercial lease arrangements
Mixed tenure	M / R / D	As per above (BHA retains its duty as an Employer and Landlord)
Factored buildings	M / R / D	i) Where BHA is also a Landlord, as per above ii) Where BHA is not a Landlord, dependent upon Written Statement of Services

(1) M = Management / R = Refurbishment / D = Demolition

- 3.2.4 Note that it may be appropriate to include Refurbishment and Demolition Surveys within works 'packages' but the Organisation will retain the overall responsibility for ensuring that the appropriate type of survey is carried out by a competent body.

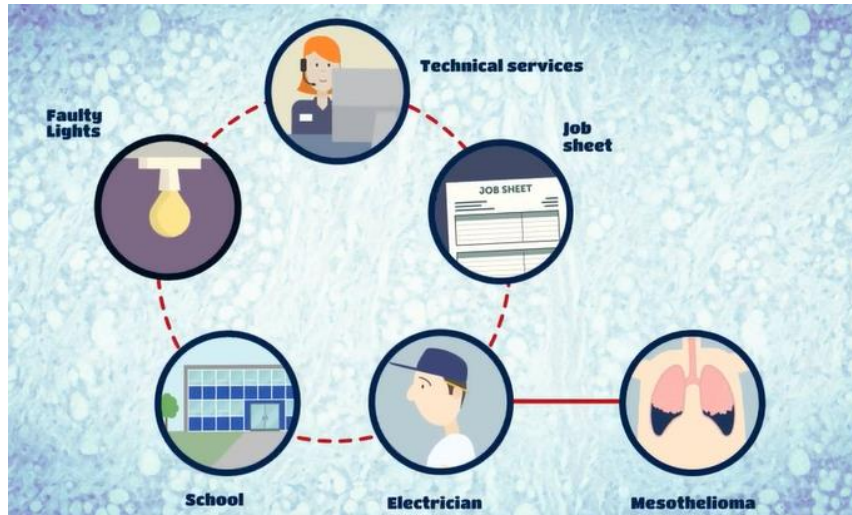
AP3.2 Asbestos Register

- 3.2.1 The findings of all surveys undertaken will be used to prepare a Register of asbestos containing materials (including their location and condition along with details on how best to manage / remediate the material) in all relevant premises.
- 3.2.2 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 refurbishment work.
- 3.2.3 The Register will be maintained by the AC who will be responsible for ensuring reinspections, removals, treatments and any other changes to the recorded status are incorporated into the Register.
- 3.2.4 Register details:

Format	Excel workbook
Storage location	Shared folder on BHA server
Persons with access	Everyone
Updating arrangements	AC and Data MGT Advisor update as required
Other details	N/A

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 and the findings interrogated, then tradespersons may be inadvertently exposed to asbestos.



*If the correct type of asbestos survey **is** carried out and asbestos is found, then properly trained tradespersons can be used with controlled work procedures.*

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

- 4.2.1 Prior to any work being carried out on the fabric of (pre-2000) buildings, the asbestos register 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 should 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.

[Note that it may be appropriate to include Refurbishment and Demolition Surveys within works 'packages' but the organisation will retain the overall responsibility for ensuring that the appropriate type of survey is carried out by a competent body.]

- 4.2.3 **Prior to any works starting**, the information obtained from the Register or Refurbishment / Demolition Survey will be discussed with the proposed works contractor (or internal direct works staff) 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 works) – 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 (United Kingdom Accreditation Service) accreditation.
- 4.2.6 Records of all surveys 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

AP4.3 Reactive Repair Specific Procedure

- 4.3.1 Duty Holder(s) and key responsibilities: (Repairs Manager, Technical Officers, Customer Experience Team, Neighbourhood Managers)
- 4.3.2 Defined procedures: The address of each repair request is to be checked against the asbestos register for any identified ACMs before raising a job line.
 - (i) If ACMs are recorded on the register for the particular property, the Housing Assistant/SBS operative is to escalate the job to the Repairs Lead who will liaise with the contractor as per AP4.2.3
 - (ii) If there is no information on the register for the particular address, and there is a concern that there is asbestos, the job is to be escalated

to the Repairs Lead, who will arrange for an asbestos survey or bulk sampling as per AP4.2.1.

iii) If the asbestos information is not based on an Asbestos **Refurbishment** Survey including the **specific areas** to be worked upon, then the job is to be escalated to the Repairs Lead, who will arrange for an asbestos survey or bulk sampling as per AP4.2.1.

iv) A Technical Officer will visit site to assess repair requirements for more complicated repairs and escalate to the Repairs Lead if suspicious materials observed during the site visit.

AP4.4 Planned Maintenance Specific Procedure

4.4.1 Duty Holder(s) and key responsibilities: (Head of Assets & Sustainability, Assets Manager)

4.4.2 Defined procedures:

(i) The project address list will be checked against the asbestos register. If maintenance work is required within any rooms or areas containing any identified ACMs, then an initial assessment would be required to predict any disturbance of the existing ACMs. See section 4.2 above for use of survey data. If ACMs are likely to be disturbed, then an additional risk assessment would be required in compliance with The Control of Asbestos Regulations 2012 and this should be undertaken by a competent person.

(ii) All repairs' colleagues visiting any room(s) or area(s) should be made aware of the locations of ACMs present regardless of the activities that they may be performing.

(iii) If maintenance or refurbishment work is required that will be of an intrusive nature, and if the available asbestos information is not based on an Asbestos **Refurbishment** Survey including the **specific areas** to be worked upon, then a further Refurbishment asbestos survey of those areas to be worked upon must be carried out. This should be by a UKAS accredited inspection body prior to this work activity being carried out.

AP4.5 Capital Works / Project Work Specific Procedure

4.5.1 Duty Holder(s) and key responsibilities: (Head of Assets & Sustainability, Assets Manager)

4.5.2 Defined procedures: as AP4.4

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

4.6.1 Duty Holder(s) and key responsibilities: (Repairs Manager, Technical Officers, Customer Experience Team, Neighbourhood Managers)

4.6.2 Defined procedures:

- (i) Assess the “Alterations Request” form for the work proposed and interrogate the asbestos register for any identified ACMs (noting whether an appropriate type and extent of survey has been carried out – see 4.2 above). Escalate request to the Reactive Repairs Manager if asbestos present, who will decide if alteration can be done.
- (ii) 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 required, then follow AP4.4

AP4.7 Asbestos Works

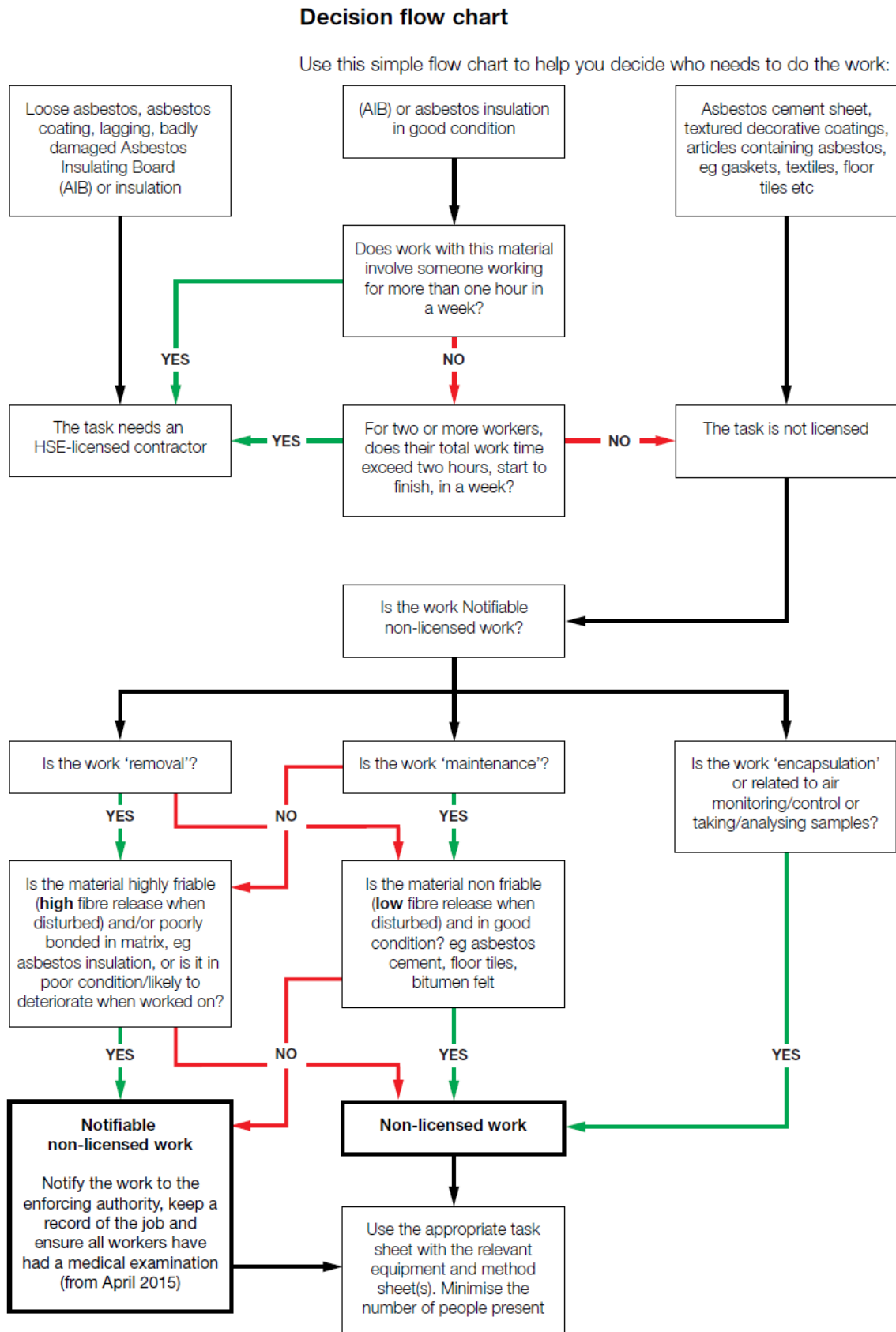
- 4.7.1 Duty Holder(s) and key responsibilities: (Head of Assets & Sustainability, Repairs Manager, Technical Officer, Asset Manager,. Neighbourhood Manager)
- 4.7.2 Defined procedures: See AP5.

AP5 - Work with Asbestos Materials

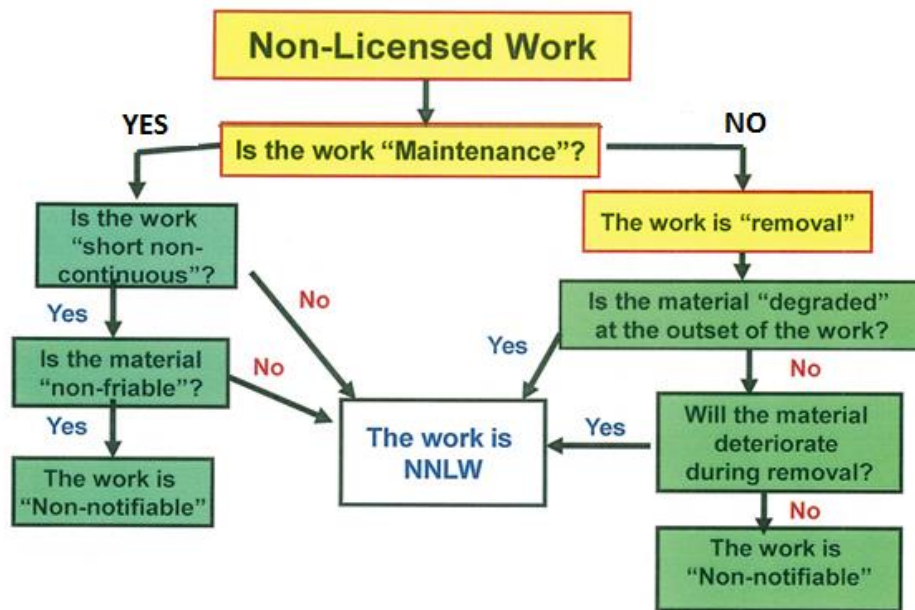
AP5.1 Most work likely to disturb or remove asbestos must be carried out by an HSE licensed asbestos removal contractor and notified to the HSE 14 days prior to commencement. However, the Control of Asbestos Regulations 2012 does allow work with certain lower risk asbestos containing materials (e.g., 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 and licensed contractor (highest risk work)**
- **Minor Works: Notifiable non-licensed works – notification before works start and competent (non-licensed) contractor**
- **Minor Works: Non-notifiable non-licensed works – no notification and competent (non-licensed contractor)**

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



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 a competent UKAS accredited asbestos management consultancy prior to any works being carried out on asbestos containing materials. BHA may also appoint a competent Asbestos Project Management consultancy to scope, specify, tender and project manage asbestos contracts.

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 method statements and risk assessments for such work will be screened by a competent person prior to work commencing.

AP5.4 Where licensed contractors are required to carry out asbestos works, the following documentation will be requested from the contractor 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
- a representative sample of medical examination certificates (conducted by an EMAS registered doctor) for personnel who will work on the job
- a representative sample of training records by a United Kingdom Asbestos Training Association (UKATA) member or equivalent
- where applicable, notification of the job to the HSE 14 days prior to commencement
- method statement and risk assessment for the job (Plan of Work)

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 'non licensed non notifiable' work) a representative sample of medical examination certificates (conducted by an Employment Medical Advisory Service registered doctor) for personnel who will work on the job
- a representative sample of 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 'non licensed non notifiable' 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.

AP5.7 At the conclusion of all asbestos works 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.

AP6 - Customer Information and Work Procedures

AP6.1 The following details BHA's policy on informing tenants of the possibility of ACM's being present in pre-2000 housing and on the requirements for undertaking work on their dwellings. Any such information will be subject to a formal distribution procedure.

BHA policy on what information to provide to customers	<p>BHA has an existing policy preventing tenants from undertaking any maintenance activities on any of their properties without prior approval of the Housing Association. Therefore, inadvertent disturbance of ACMs should be prevented.</p> <p>BHA will explain the requirements for asbestos surveys before survey</p>
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	programmes and provide general asbestos information via the BHA newsletter.
Format of information provision	Programmed Works Information letters, tenancy agreement, newsletter
Reference to documentation	N/A

AP6.2 Prior to a customer starting work which will interfere with the fabric and/or services of a property, customers will be required to seek advance permission from BHA. Before issuing permission, the Asbestos Register will be consulted and, where ACM's are identified within the proposed work zone the Maintenance Team will liaise with the customer to ensure all appropriate actions are taken. Where the asbestos data is inconclusive (e.g. where a Refurbishment Survey has not been carried out, the organisation will review the request and decide whether to refuse permission or to arrange for a Refurbishment Survey to be carried out.

AP6.3 In the event that tenants' works are liable to disturb ACM's, BHA will make a decision on the appropriate course of action, ensuring that all asbestos works are subject to the normal asbestos work procedures of the organisation.

AP6.4 See AP3 for the survey strategy relating to Management Surveys and works arranged by BHA within dwellings.

AP7 – Purchasing Housing Stock

AP7.1 At the negotiation stage of all new stock purchasing, BHA 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 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 will be recognised that 'Management' survey data does not provide information on the presence of ACM's 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, advice will be taken from a competent asbestos consultancy and the undertaking of a sample of additional asbestos surveys (e.g. pre-purchase surveys) may be discussed with the vendor.

APPENDIX 1

LEGISLATION AND GUIDANCE

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

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

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

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

Disposal of Asbestos Waste

Part II of the EPA sets out waste management and disposal requirements that affect all companies producing controlled waste as defined in section 75(4) of the EPA. Section 34 of the EPA introduces a statutory "Duty of Care" for all those producing or dealing with waste. All waste producers must

follow the Duty of Care and have a statutory obligation to ensure the appropriate and correct handling, transportation, and ultimate disposal / treatment of the waste they produce. This is especially important if the material is classed as a 'Special Waste' under the *Special Waste Regulations 1996, as amended*, which denotes the waste as being of a hazardous nature and requiring specific transportation and disposal procedures to be followed. The waste must also be assigned a waste code under the European Waste Catalogue and meet specific Waste Acceptance Criteria. Waste material containing asbestos will be classed as Special Waste if it meets the hazardous waste criteria.

Useful Guidance:

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