



Asbestos Management Policy

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1. Introduction

ng homes owns properties of mixed types, including but not limited to tenement, 4-in-a-block, deck access, multi-storey, new build flats and commercial premises.

Some buildings owned by the Association 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 encounter asbestos.

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 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 and smoke detectors, and during heating/wiring contracts, kitchen/bathroom replacements and door/window replacements. It is important, therefore, to have in place a management system which minimises the potential for exposure to asbestos.

Working with and managing asbestos materials is now very tightly regulated via a number of different Legislative Acts. The purpose of this document is to ensure that the Association complies with all current Legislation, Regulations and Health and Safety Executive Guidance Notes. The purpose of the document is also to engender best practice within ng homes.

2. Statement of Intent

It is the policy of ng homes to ensure that, as far as is reasonably practicable, no persons are 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 or occupies.

3. Policy Statement

The Housing Association's Asbestos Policy conforms with the Health and Safety at Work Act 1974, and the Control of Asbestos Regulations 2012. The Policy will apply to all buildings and all individuals employed by the Housing Association, and to contractors/sub- contractors engaged by the Association without exception.

4. Aims of the Policy

The Association's Policy on asbestos is to:

- ensure the prevention of exposure to risks associated with asbestos containing materials.
- ensure that any asbestos containing materials that may be present in any of its buildings are maintained in a condition so as to prevent the possibility of any harm to health occurring.
- promote awareness of the risks from asbestos containing materials and the Association's Management Procedures through training and induction of relevant staff.
- provide adequate resources to ensure the provision of appropriate information, instructions and training.
- 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.
- 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.
- ensure that an appropriate Asbestos Refurbishment or Demolition Survey strategy is in place in accordance with current legislation.
- ensure that only UKAS accredited asbestos consultancies are used for asbestos surveying works, asbestos air testing and asbestos analysis work.
- implement an effective asbestos management strategy in order that appropriate measures such as inspection and, where necessary, encapsulation or removal of, the material can be undertaken.
- ensure that an appropriate system is implemented and maintained 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.

- 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.
- ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate.
- ensure licensed contractors and/or sub-contractors carry out all asbestos licensable works and competent contractors carry out all asbestos minor works.
- 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.
- ensure that relevant staff, as identified by a Training Needs Analysis of the Association and its contractors, have appropriate training in this Policy and associated procedures.
- undertake a regular review of the Policy and associated Procedures to ensure they remain up to date.

5. 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.

Environmental Protection Act (EPA) - 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.

6. 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
HSE Guidance HSG248 Asbestos: The Analysts' Guide

7. Training

ng homes will provide appropriate training for relevant staff on this policy and any related processes or procedures.

8. Periodic Audit and Review

Periodic audits shall be conducted to confirm that the policy objectives are being achieved and to implement any changes in the operational procedures that are required.

9. Non-compliance/Escalation Process

All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred or becoming aware of it.

In cases of serious non-compliance, the CEO will advise the Association's Board of the proposed course of action which may be subject to Board approval. The issue will be disclosed to the Scottish Housing Regulator, and any other relevant organisation such as the Health and Safety Executive.

Where the matter is considered to be a notifiable event the Association's Notifiable Events Policy, and the SHR Statutory Guidance on Notifiable Events, will be followed.

10. Conclusion

ng homes is committed to providing its' tenants with safe and healthy homes.

By following this Policy, ng homes aims to prevent any issues with the management of asbestos from occurring within its' properties and to deal with any problems that occur promptly and effectively.

11. Other Related Strategies, Policies and Procedures

- Adaptations Policy
- Asset Management Strategy
- Clerk of Works Procedures
- Complaints Policy
- Customer Care Policy
- Damp and Mould Policy and Procedures
- Data Protection Policy
- Design and Specification Policy
- Development Defects Policy and Procedures
- Development Defects Policy and Procedures
- Development Handover Procedures Policy
- Electrical Safety in Multi-Storey Blocks Policy
- Electrical Safety Policy and Procedures
- Emergency Lighting in Multi-Storey Blocks Policy
- Estate Management Policy
- Fire Safety in Multi-Storey Blocks Policy
- Fire Safety Policy and Procedures
- Gas Safety Policy and Procedures
- No Access Policy
- Notifiable Events Policy
- Repairs and Maintenance Policy
- Risk Management Strategy
- Tenants Right to Repair Policy
- Void Management policy
- Water Systems and Legionella Policy and Procedures

12. UK General Data Protection Regulation 2021 (UK GDPR)

The ng group will treat your personal data in line with our obligations under the UK General Data Protection Regulation 2021 (UK GDPR) and our own Data Protection Policy. Information regarding

how your data will be used and the basis for processing your data is provided in our Fair Processing Notices. The organisation will treat your personal data in line with our obligations under the UK General Data Protection Regulation and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Fair Processing Notices.

13. Equality Impact Assessment

This Policy is equally applicable to all. It is recognised that in applying this Policy any necessary action will be taken where appropriate, including making reasonable adjustments, to ensure that there is no detrimental impact to protected characteristics groups.

14. Review

This Policy will be reviewed every three years or earlier in line with regulatory or legislative guidance/changes or good practice guidelines.