



ASBESTOS SAFETY POLICY

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Homes in Somerset – Asbestos Safety Policy

1. Introduction

Homes in Somerset (HiS) manages in the region of 4000 properties on behalf of Somerset Council (SC). A proportion of these properties are flats, a majority of which have communal/common areas.

HiS has a responsibility to identify and manage Asbestos Containing Materials (ACMs) within its stock and to reduce the risk of possible exposure to asbestos fibres.

This Policy explains how HiS' Asbestos Safety responsibilities will be met. It will be supported by an Asbestos Safety Management Plan providing more detailed guidance and procedures. Large amounts of asbestos were used in new and refurbished buildings before Year 2000. Blue (crocidolite) and brown (amosite) asbestos were banned by law in 1985. Manufacture and supply of all asbestos was banned by the end of 1999.

Many older premises and older plant and equipment still contain some asbestos. Workers most likely to encounter ACMs are those in the construction, maintenance, refurbishment, and related trades. Tenants may also come into contact, particularly when undertaking DIY work.

When ACMs are damaged or disturbed, they may release dangerous fibres which, if breathed in, can cause serious diseases. Failure to correctly manage any of these can result in unsafe situations which could ultimately result in loss of life and consequently it is of primary concern for SC and its managing agent, HiS. Safety is paramount and will remain the primary focus throughout.

2. Responsibilities

The following are those persons/bodies with the responsibility of ensuring this policy is implemented and adhered to. Detailed operational responsibilities will be set out in the Asbestos Safety Management Plan and Operational Guidance which should always be read in conjunction with this policy.

SC

SC will remain the landlord responsible (Duty Holder) for ensuring that the requirements of this policy are adhered to by their managing agents, HiS. This will be achieved by scrutinising the quarterly report provided by HiS via SC's Committee and Board structure.

HiS Board

HiS Board will be responsible for monitoring performance and scrutinising the adherence to policy by HiS, holding the same to account and for achieving the performance standards under the management agreement it has with SC by ensuring:

- Both an effective Policy, supported by a robust management framework is in place to manage Asbestos Safety.
- Individuals charged with the management of Asbestos Safety within HiS are competent and have the necessary resources at their disposal to undertake the work effectively

3. Statement of Intent

The key objective of this Policy is to describe how HiS will meet the required statutory, legislative, and regulatory requirements in relation to Asbestos Safety management. It will also cover how HiS' Board, as Duty Holder, will receive assurance of statutory, legislative, and regulatory compliance.

In summary HiS, will:

- Take reasonable steps to ascertain if asbestos is present
- Record the location, type and condition of any asbestos
- Assess the risk/s of anyone being exposed to the asbestos
- Prepare a plan on how to manage the risk/s
- Put the plan into action, monitor it and keep it up to date
- Provide information to anyone likely to work on, or disturb, ACMs.

This Policy is applicable to all properties built or refurbished before the Year 2000 and all properties constructed before this date will be included within the Asbestos Surveying Programme – and assumed to contain ACMs until a survey has been completed and the presence or absence of asbestos has been confirmed.

HiS will comply with all current and relevant legislation and specifically in the following:

- Control of Asbestos Regulations (CAR) (2012)
- Health & Safety at Work Act (1974)
- Management of Health and Safety at Work Regulations (1999)
- Construction (Design & Management) Regulations (2015)

HiS takes the view that delivery of the commitments within this Policy will ensure that the requirements of other legislation, Landlord Tenant Act 1985, will also be met. In addition, as a

landlord and provider of Social Housing HiS must meet the requirements of the Regulator of Social Housing's (RSH) Home Standard.

It is essential to ensure that customers, contractors, staff, and visitors remain safe in our premises (both domestic and non-domestic). Failure to properly discharge our statutory, legislative, and regulatory responsibilities may also result in:

- Prosecution by the Health and Safety Executive under HASAWA 1974.
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007.
- Regulatory intervention (via scrutiny and potential determination of a breach of the Home Standard and serious detriment having been caused/potentially caused) by the RSH.
- Reputational damage.
- Loss of confidence by stakeholders in the organisation.

4. Policy

To comply with statutory, legislative, and regulatory standards, and to ensure the safety of our customers, staff, contractors and visitors to our properties, HiS will:

- Provide clear lines of responsibilities for the management of Asbestos Safety, supported by written guidance in the Asbestos Safety Management Plan.
- Ensure that a clear and consistent process including front-line engagement and enforcement is in place to obtain access to properties to conduct the Asbestos Survey and any subsequent remedial works, which shall include legal action when required.
- Proactively assess available data for relevant information about the customer to help gain access (disability, vulnerability, local connections, etc.).
- Develop a framework to prevent or minimise the exposure to asbestos fibres to the lowest level reasonably practicable to protect customers, colleagues, contractors, and visitors on HiS property.
- Prepare an Asbestos Safety Management Plan to manage the risk and implement the plan.
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- Set out its emergency approach in the case of an unplanned incident, such as accidental damage to ACMs and/or uncontrolled release of fibres. This will be detailed in the Asbestos Safety Management Plan.

5. Delivery

Take reasonable steps to assess if there are ACMs in the premises and, if so, determine the type/amount, location and condition of the asbestos through the following activities:

- Hold up to date Management Surveys of all non-domestic properties constructed prior to 2000 in accordance with recommended Health and Safety Executive (HSE) Guidance – HSG264 and HSG227.
- 100% of HiS domestic stock (constructed prior to 2000) has now been surveyed and by delivering a programme to undertake management surveys of the domestic stock, on a five yearly cycle, HiS can manage and monitor all ACMs within this stock.
- Undertake Asbestos Surveys prior to any planned maintenance activity where there is the potential to disturb asbestos or where work is planned for previously un-surveyed areas. This will include a Refurbishment and Demolition Survey localised to the area of work and a Management Survey to the rest of the property in accordance with recommended Health and Safety Executive (HSE) Guidance – HSG264 and HSG227.
- Re-inspection of ACMs within the non-domestic stock annually or sooner at a frequency recommended by the Competent Person.
- Re-inspection of ACMs in domestic properties at void stage as required, depending on the void works to be carried out.

Assess and manage the risk posed by ACMs by doing the following:

- Presume materials contain asbestos unless it is confirmed that they do not.
- Training those liable to disturb ACMs in accordance with this Policy and the Asbestos Safety Management Plan
- Ensuring that those liable to work on ACMs are competent in accordance with this Policy and the Asbestos Safety Management Plan and that work is notified where required i.e. HSE notification.
- Providing asbestos safety information to customers in accordance with the Policy (see section on Communication)

Providing site-specific advice (including being clear where ACM is presumed or if a survey has not been undertaken one is to be carried out prior to any works commencing) and information on the location and condition of the ACMs to those liable to work on or disturb them.

Carrying out a Material Risk Assessment (MRA) considering the (i) Material, (ii) Product Type, (iii) Asbestos Type and (iv) Asbestos Fibre Content, (v) Location, and (vi) Condition together with an assessment of the likelihood of disturbance based on accessibility and the activities carried out in the area around the ACM. Based on this assessment a Risk Score will be calculated.

- Re-inspection surveys will be undertaken to all ACMs within communal (non-domestic) areas annually, or on such an earlier date which will be determined by the location, condition and risk of disturbance.
- Undertaking remedial action, in accordance with the Asbestos Safety Management Plan and recommendation of the Competent Person, where the risk identified by the MRA requires it.
- Label ACMs as detailed within the Asbestos Safety Management Plan.

6. Additional Safety Measures

HiS will:

- Require that tenant alterations that may have an implication regarding Asbestos Safety should be subject to prior notification, agreement, and appropriate landlord's permission from HiS to proceed before they are undertaken – as is required by the Tenancy Agreement. Permission will not be unreasonably withheld and when given will be on the proviso that certain requirements are met e.g. the tenant arranges for relevant risk assessments to be undertaken and that work is undertaken by suitably qualified contractors.
- Any work carried out by tenants that is deemed unsafe will be rectified at the tenant's own cost and by HiS's appointed contractor.

7. Contractors Competency

It is not possible to succinctly define competence requirements for all roles and activities outlined in this Policy. In many areas, competence will be assessed based on skills, knowledge and experience as opposed to a single qualification or standard. As defined above, HiS, has a system of evaluating competence within their areas of responsibility and Competent Person(s) are required to highlight the limits of the competence.

HiS will ensure that contractors are competent, with the following controls operated to ensure competence can be demonstrated:

- Asbestos Management Surveys required under CAR and pre-works Refurbishment and Demolition Surveys will be undertaken by UKAS accredited Consultants to ISO/IEC 17020 Standard.
- Persons appointed to measure the concentration of asbestos fibres will be ISO:17025 accredited.
- All ACM samples will be tested by a UKAS accredited laboratory.
- All non-licensed work involving ACMs will be carried out with the appropriate Method Statements and Controls in place.
- Maintenance work will only be awarded to/conducted by those contractors held on HiS's list of Approved Contractors for Asbestos Related Works.
- Contractors appointed to undertake remedial work or removal of ACMs shall be competent and listed on HiS's list of Approved Contractors. They shall hold a Licence issued by the Health and Safety Executive (HSE) and be members of an appropriate trade association such as the Asbestos Removal Contractors Association (ARCA) or the Thermal Insulation Contractors Association (TICA) (where appropriate).
- All contractor competencies will be subject to annual assessment or at change of contract/contractor, as detailed within the Asbestos Safety Management Plan.

8. Data

HiS will maintain a master database of all properties indicating if they do and do not have a requirement for an Asbestos Survey and the associated responsibility.

Maintain up-to-date electronic records of the type, location and condition of the ACMs (or presumed ACMs) within the Asbestos Register.

Hold Asbestos Safety Maintenance records electronically in the master database, by the relevant operational department (to be specifically identified in the Asbestos Safety Management Plan), with other Landlord Compliance records. There may be instances where a hard copy is kept on site, and these will be detailed again in the Asbestos Safety Management Plan.

Maintain detailed information on re-inspection frequencies and of any remedial works required. These will be prioritised according to risk in the view of a Competent Person and include due dates and most recent status date in the master database (with detailed evidence supporting the status).

Provide details relating to the accessibility of all Asbestos Data/Information in the Asbestos Safety Management Plan.

9. Assurance

HiS will ensure that all persons involved with Asbestos Safety are professionally trained and accredited in accordance with this Policy.

Carry out works-based Quality Assurance/Quality Control (QA/QC) activity including checks on Asbestos Surveys, post-inspection of on-site works, and certification checks to the level stated within the Asbestos Safety Management Plan. A proportion of such checks will be carried out by an independent 3rd party.

Set a timetable for the review of the Asbestos Safety Policy and the associated Asbestos Safety Management Plan.

10. Communication

HiS will encourage customers, through the provision of publicity information on the importance of Asbestos Safety and of allowing access to carry out surveys and undertake works.

HiS will provide new tenants with information on the location of ACMs within their home.

11. Implementation

This Policy will be effective from 30th March 2024 following HiS Board approval.

Staff will be made aware of the Policy at priority training and a copy will be available on the Intranet. The Policy will also be uploaded to the HiS website.

This Policy should also be read in conjunction with the Asbestos Safety Management Plan.

Appropriate training will be provided for all those staff involved with the operational delivery and implementation of the Landlord Compliance requirements and obligations in respect to Asbestos Safety detailed within this Policy.

12. Consultation

This Policy is based on statutory, legislative, and regulatory requirements and, as such, consultation with customers has not taken place. There has been consultation with internal teams within HiS.

13. Equality & Diversity

HiS believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage

and civil partnership, pregnancy and maternity, race (including, nationality, ethnic or national origins), religion, belief or non-belief, sex, or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.

14. Monitoring Performance

The following Key Performance Indicators (KPIs) will be reported:

- % of Block/Communal/Commercial Units (against the stated Total Landlord Requirement) requiring an Asbestos Survey and all re-inspection activity within target
- Asbestos Management Surveys completed % (against the stated Total Landlord Requirement) coverage (domestic properties)
- Asbestos remedial works completed within target

Commentary will be provided for any properties out of date to include the date they became overdue, days overdue and the action proposed to bring them back into a compliant position. Commentary will also be provided if any properties have outstanding overdue actions. Additional context commentary will also include information on the proportion of activities within the reporting period that were undertaken before and after their due date.

A detailed PI suite will be defined within the Asbestos Safety Management Plan.

The following Quality Assurance activity will be undertaken and reported in line with the Asbestos Safety Management Plan:

- Internal Audit.
- Strategic Review.
- 3rd Party Assurance.

15. Policy review

This Policy will be reviewed every 36 months or earlier if deemed necessary through the Performance Monitoring process, changes in legislation, guidance or best practice or the outcome of any incident investigation. .