

Asbestos Policy

Date Reviewed	02/02/2022	Next Review Date	01/02/2025
Consultation	Health & Safety Panel	Reviewed by	Head of Assets & Investment
EIA		Responsible Officer	Deputy Chief Executive
DPIA		Approval by	Executive Team

1. POLICY STATEMENT

Black Country Housing Group (the Group) acknowledges the risks to health arising from exposure to asbestos. The activities of the Group have the potential to expose employees and others to asbestos fibres. Everything that is reasonably practicable will be done by the Group to protect staff, contractors, customers and all other third parties from risks to their health from exposure to asbestos. This Asbestos Policy is the umbrella policy setting out the over-riding aims and objectives of asbestos management procedures in non-domestic and domestic properties owned, managed or occupied by organisations within the Group.

The Group recognise and accept their responsibilities under the Health and Safety at Work Act 1974 (HASWA 1974), the Control of Asbestos Regulations 2012 (CAR 2012) and all other statutory provisions relating to the control of risks from asbestos. It will comply with all relevant Approved Codes of Practice (ACOP's) and guidance notes issued by the Health and Safety Executive (HSE) in respect of controlling the risk of exposure to asbestos by their employees and anyone else that may be affected by their undertakings.

No employee of the Group or its subsidiaries shall carry out direct work on Asbestos Containing Materials (ACM's). All such work shall be conducted by competent third parties and in the case of work requiring a license, by approved licensed contractors. Steps will be taken as far as is reasonably practicable, to reduce the exposure or likely exposure of contractors, residents and any affected third parties to asbestos.

All premises owned or not owned by the Group will be presumed to contain asbestos unless there is evidence to the contrary. Suitable evidence includes that derived from a suitable and sufficient survey inspection completed by or 'as-built drawings' or files produced in accordance with the Construction (Design & Management) Regulations 2015 (CDM 2015) which stipulate the absence of asbestos in the premises construction and/or subsequent maintenance.

2. GENERAL POLICY PRINCIPLES FOR MANAGEMENT OF ASBESTOS RISKS

Where ACMs are identified which are in good condition and in a position which is not vulnerable to damage these may be left undisturbed, assuming that persons potentially at risk are made aware of its presence. The materials in non-domestic premises are to be re-inspected at regular intervals to ensure that their condition has not changed.

ACM's that are damaged, deteriorating or are inadequately sealed, shall either be removed or encapsulated. All remedial work shall be appropriately managed, specified, supervised and monitored by approved UKATA Consultants. Asbestos removed shall be disposed of as hazardous waste in accordance with the Hazardous Waste (England & Wales) Regulations 2005.

All persons at risk of exposure due to potentially working on asbestos, including contractors, employees, and other authorised persons shall be provided with the relevant information to avoid inadvertent exposure when working the fabric of the building.

Where any properties are to be acquired by the Group, a copy of the asbestos report shall be requested. If this is not available, the Group shall arrange for a survey to be conducted prior to the purchase in order to ascertain any asbestos risks and potential implications.

Adequate standards of training and instruction shall be provided to employees and regularly reviewed to effect continuing improvement. Any employees and contractors working on BCHG sites shall be required to have received asbestos awareness training, if there are significant asbestos exposure risks associated with their work.

Not all ACMs are easily recognisable or visible without undertaking dismantling works. Consequently, refurbishment or demolition asbestos surveys will be carried out where demolition, major repair works, planned maintenance projects, cyclical painting or major void works are planned.

The information gathered is entered on both contract documentation and the asbestos register held on the Group's database. Consultants used to undertake surveys will be responsible for undertaking their own risk assessments. They shall inform the Asset & Building Safety Manager within BCHG if the process of carrying out the survey may affect the health and safety of employees, residents or others.

3. RESPONSIBILITIES

BCHG will be the corporate duty holder under the CAR 2012 in respect of employees of the Group and the Group's owned, managed and leased properties. The responsibility for exercising this duty is delegated to the Director responsible for Health and Safety at BCHG.

Executive Team:

- Approve the Policy.
- Receive and agree reviews of the Asbestos Policy.
- Review and approve regular reports on compliance.

Director responsible for Health and Safety

- Assess and review the content of the Asbestos Policy and associated procedures within agreed timeframes to ensure full compliance with legal requirements and recommendations.
- Provide annual report on Health & Safety compliance.

Health and Safety Panel

- Safety representatives for the group.
- Manage the process for consultation with employees.

Asset & Building Safety Manager / Compliance Manager:

- Establish training needs and prepare training programmes, in compliance with the provisions of the Asbestos Policy and associated procedures.
- Assist with the review on the application of this Asbestos Policy and the associated procedures as well as to amend and update in the light of experience and legislative changes.
- Manage the provision of asbestos information to persons at risk of disturbing asbestos and liaise with and coordinate contractors and consultants.
- Develop and update Asbestos Management Plan (AMP)

Surveying/Sampling Consultants

- Carry out asbestos surveys and reinsertions in accordance with ISO 107020.
- Conduct air and bulk analysis in accordance with ISO 107025.
- Maintain UKAS accreditations and supervisory license.
- Assist with the review of the asbestos management plan.
- Supervise the works of licensed contractors on behalf of the Group.
- Provide suitable & sufficient training in accordance with Regulation 10 of CAR 2012.
- Provide competent advice as required.

Licensed Removal Contractors

- Maintain asbestos removal license.
- Cooperate with BCHG and their appointed consultants.

4. ARRANGEMENTS FOR MANAGING EXPOSURE TO ASBESTOS IN DOMESTIC PREMISES

The Group accept that where either their own directly employed staff or their contractors work in domestic premises, such places are workplaces or the relevant sections of the HASAWA 1974 and other statutory duties apply.

5. ARRANGEMENTS FOR MANAGING ASBESTOS IN NON-DOMESTIC PREMISES

Where the Group occupies non-domestic properties or is the agreed duty holder for premises, all duties under Regulation 4 of CAR 2012 shall be complied with. This includes for conducting survey inspections in the premises establish whether asbestos is or is liable to be present, providing the relevant information to those persons who may be at risk of exposure and monitoring the condition of any identified asbestos at regular intervals.

Where any properties are to be acquired by the Group, surveys shall be conducted prior to the purchase in order to ascertain any asbestos risks and potential implications.

Regulation 4 of CAR 2012 specifically applies to all commercial offices and premises as well as common areas of domestic premises such as stairwells, corridors, lobbies and bin cupboards.

The actions to be taken to prevent exposure to, or release of asbestos fibres to air may include a combination of the following:

- Identification
- Labelling
- Enclosure, encapsulation
- Management
- Training
- Inspection and condition monitoring
- Permit/Controlled Access Procedures.

Action taken will be based on the guidance provided by the consultant appointed to compile the survey. For sealed ACMs in good condition in positions where there is a low-medium risk of damage, the strategy to be adopted will be management with regular inspections to monitor the conditions of the materials.

Where ACMs are identified which are in poor condition and unsealed (posing a risk of fibre release), these shall either be removed or encapsulated, depending upon the location and relevant factors. For poor condition materials, removal is likely to be the most long-term cost-effective option and the only practical solution and badly damaged ACM's may be difficult to treat and encapsulate.

All remedial works, whether encapsulation or removal of all types of ACM shall be conducted by licensed asbestos contractors who are competent to comply with CAR 2012. Timescales for action shall be developed for all ACM's identified on site. ACM's with very high-risk scores (deemed to be posing imminent danger) will be dealt with immediately with interim measures such as isolating the work area being followed. The urgency of dealing with these items may be reduced if the area is infrequently occupied and it is practicable to effectively isolate the affected area, thus avoiding exposure.

Labelling of ACM's may not always be practical some locations but may be used where appropriate, such as to support permit/restricted access zones. Where labelling is used it should be compliant with CAR 2012. Labelling of ACM's is not a prescribed legal requirement and is but a single component of the management plan elements which identify asbestos to those at risk. Labelling alone shall not be relied upon as a control measure. Labels can drop off, be painted over or re-applied incorrectly, necessitating regular inspection and monitoring.

During any asbestos removal / remediation work in occupied sites, an independent UKAS accredited laboratory shall be appointed directly by the Group (to avoid conflict of interests). The analyst shall be required to conduct smoke testing, background, personal, leak testing to ensure areas occupied by employees and or contractors are suitable for occupation during the works. Any site re-occupation testing shall also be conducted by the nominated accredited consultant. All licensed asbestos removal work shall be supervised and constantly monitored by the nominated consultant.

Suitable records of the monitoring should be kept for a minimum period of 40 years from the date of issue. If the Group ceases to trade / function, these records shall be submitted to the local HSE office.

6. THE ASBESTOS REGISTER

The Register is held on the Group's Pimss Compliance IT System and is updated as further asbestos surveys are completed.

Where asbestos surveys have not been conducted, then the presence of asbestos shall be presumed when arranging work upon the fabric of the building unless there is strong evidence to suppose otherwise.

The Asbestos Register information is available via SharePoint recorded against each property and block, in addition to being available to colleagues and contractors via the Pimss cloud based asbestos portal.

For all relevant building and maintenance works, asbestos information is detailed on the contractors purchase orders and the Homeforce operatives tablet devices for each job. The Asbestos Register must be inspected by all contractors prior to carrying out any works that may potentially disturb asbestos containing materials and/or such suspect materials.

The records identifying the location of retained asbestos are to be updated as necessary. This shall be conducted by the nominated consultants following the removal of asbestos and updated copies sent to the Group.

In the event of a property becoming 'void' where an inspection has not been completed arrangements will be made as soon as possible to survey for asbestos. Upon the presence of asbestos being identified, a decision will be made regarding whether it shall be removed to avoid the need to remove asbestos from the property in the future once it has become occupied.

Where contract specifications are produced for works upon BCHG assets, all relevant asbestos register information (and any assumptions made) shall be included with this information.

7. RISK ASSESSMENT REPORTS

Basic Principles - Asbestos that is found to be present does not necessarily create an unacceptable risk. Asbestos is the hazard; the risk can only be defined when the hazard is assessed within the environment in which it is found. This assessment must consider the activities carried out near or on the asbestos for the assessment to be able to present viable recommendations.

Hazard Assessment - HSG264 guidance - The survey guide

The consultants' reports shall provide a calculated risk assessment scored based on assessing the following parameters in accordance with current guidance HSG264;

- Product type
- Asbestos fibre type
- Condition

- Surface treatment

This provides a score for all identified and presumed ACM's of between 2 (lowest) hazard and 12 (highest hazard).

Priority Ratings

Identified asbestos shall also be assessed using the priority ratings supplied by the surveying company in terms of:

- Priority 1 - High risk (e.g. removal required).
Priority 2 - Medium risk (e.g. minor sealing, protection or encapsulation required)
Priority 3 - Low risk (e.g. removal is not required. Manage and monitor its condition in accordance with the policy).

The above priority ratings shall be used in the compilation of action plans.

8. COMPETENCY

BCHG Responsible Officers - Persons charged with ownership of the policy should update themselves appropriately regarding asbestos legislation changes as well basic awareness training that will be provided on an annual basis. They should be familiar with the HSG264 guidance - Asbestos - The survey guide.

BCHG Employees - All persons whose work could involve dealing with or coordinating asbestos should receive asbestos awareness training conducted by a United Kingdom Asbestos Training Association (UKATA) audited asbestos trainer (or other party who can demonstrate relevant compliance with Regulation 10 of CAR 2012).

Contractors - As a minimum any contractor working on the Group's properties should have received awareness training conducted by a UKATA audited asbestos trainer (or other party who can demonstrate relevant compliance with Regulation 10 of CAR 2012).

This is to ensure that operatives are aware of:

- The risks associated with asbestos
- How to interpret asbestos reports
- Types of ACM existing in the group's properties
- Action in the event of discovering suspect ACM's which are not listed in the existing asbestos report.

Contractors will be required to provide proof of compliance and facilitate the attendance of operatives/site supervisors at any asbestos awareness training sessions which may be jointly provided with BCHG and specifically relating to ACM's present/ potentially present at BCHG properties.

Asbestos consultants - In accordance with HSG264 consultants acting on behalf of the Group shall hold:

- Professional Indemnity insurance for asbestos works
- UKAS accreditation to ISO 17020 (surveying)

- UKAS accreditation to ISO 17025 (air monitoring and analysis)
- Training and quality systems in accordance with the above accreditations.

9. ACM RE-INSPECTION PROCEDURES

All identified asbestos containing materials in non-domestic areas (i.e. Communal Spaces within Blocks: Corridors/Stairwells and the like) shall be inspected periodically to ensure that their condition has not deteriorated over time. The monitoring frequency adopted shall be on a hierarchical basis such that the period of re-inspection of each ACM is dependent upon the risk the ACM poses to occupants, public, etc.

The inspection frequency shall generally be at least once every 12 months or more frequently if the risk of damage is significant.

The re-inspection shall be conducted by persons with training and experience sufficient to ensure that risk assessments are in accordance with the HSE guidance HSG264 Asbestos: The survey guide'. This information shall be transmitted to the electronic data so that only one true updated copy of the register is used as a point of reference.

10. INCIDENCE OF DISCOVERING DAMAGE TO A KNOWN ACM

If the suspect material has been badly damaged and poses a risk of asbestos exposure, then the area containing the material shall be isolated by closing all doors and windows in the immediate vicinity.

The area shall have restricted access for all but the most essential of works, and then only if the operative(s) are equipped with suitable disposable overalls and Respiratory Protective Equipment (RPE) of at least P3 protection factor.

If internal, the area should be locked or sealed, and warning notices applied if the person attending must leave site. If external, the area should be cordoned off the area with barrier tape.

The asbestos consultant should be contacted and arrange the mobile laboratory service to attend site, carry out the necessary testing and provide advice and assistance in further managing the incident in the event of the material being positively identified as asbestos.

All findings and results shall be relayed to the appropriate person so that the incident is investigated, considered and reported the Health and Safety Sub Committee.

11. INCIDENCE OF ENCOUNTERING AN UNDAMAGED SUSPECTED ACM

If materials are encountered that the employee/contractor suspects may contain asbestos, work should immediately stop, any potential disturbance of the material avoided in the interim period and the presence of asbestos within the suspect material confirmed or disproved via sampling and testing by the consultant. Work shall only resume once the material has been officially confirmed not to contain asbestos.

If the material is found to contain asbestos, it is likely that recourse will need to be made to specialist removal contractors prior to the continuation of building works. When planning works, the requirement for 14-day notifiable licensable asbestos works should be taken into account.

12. EXPOSURE MONITORING AND INCIDENT REPORTING

In the event of an employee being inadvertently exposed to accidental exposure to asbestos fibres in the air through a work activity the Group will report this as required under the Reporting of Injuries, Diseases and Dangerous Occurrences 2013 (RIDDOR), The incident will be reported via the online facility at <https://www.hse.gov.uk/riddor/report.htm> by senior manager within BCHG.

The employee or contractor should be advised to discuss the incident with his/her GP and a note made on their private medical file. The incident findings should also be recorded by the Group in the event of potential future civil claims against the organisation.

An investigation should be undertaken by the responsible Director for Health and Safety or nominated deputy and reported to the Health and Safety Sub Committee for review / action.

13. MONITORING AND REVIEW OF PROCEDURES

The Asbestos Management Plan shall be reviewed annually by the Asset and Building Safety Manager. Notwithstanding the annual review process, a review of the plan may automatically be triggered following a major near miss/dangerous occurrence (e.g. uncontrolled work upon the fabric of a site building by an employee or contractor).

Factors which should be considered in the review process include:-

- Audit findings.
- Action planning and targets.
- Incidents and anomalies.
- The effectiveness of risk communication systems.
- ACM monitoring frequency and the meeting of set targets
- Effectiveness of systems to update the asbestos register.
- Damaged ACM/asbestos risk reporting procedures.
- Training and competency target achievement (including employees, contractors and managers)
- Staff & contractor awareness of asbestos management procedures, including emergency procedures and presumption of risk.