



**Bield Housing and Care**

**POLICY, PROCEDURES**

**and**

**MANAGEMENT PLAN**

**for**

**ASBESTOS CONTAINING MATERIALS**

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By Health & Safety Management Group  
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28/6/17	ACS Physical Risk Control Limited	28/6/20

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This Document sets out the Policy, Procedures and Management Plan for Bield Housing and Care for managing and dealing with asbestos containing materials in all of its buildings. The Policy was approved by The Health and Safety Management Group in July 2017 .

## **1. INTRODUCTION**

- 1.1** Bield Housing and Care is responsible for organising and carrying out repairs/refurbishment in housing and communal properties that it owns and manages. Some of these buildings were built, or previously refurbished, at a time when the use of asbestos containing materials in their construction was common. During work<sup>1</sup> it is possible that personnel could encounter asbestos.
- 1.2** 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. The purpose of this document is to reduce this risk to a minimum by establishing an Asbestos Management System to inform tradesmen of the presence of asbestos before they start work and to ensure that safe working systems are employed.
- 1.3** Working with, and managing, asbestos materials is now very tightly controlled by a number of different Legislative Acts. These are summarised in Appendix 1.

<sup>1</sup> *Work for the purposes of this document is deemed to include any activity that interferes with or disturbs the fabric of the building.*

## **2. ASBESTOS POLICY**

### **2.1 Statement of Intent**

It is the policy of Bield Housing and Care 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.

### **2.2 Policy Statement**

This Asbestos Policy conforms with the Health and Safety at Work Act 1974, and the Control of Asbestos Regulations 2012. The Policy and Procedures will apply to all buildings and all individuals employed and/or engaged by Bield Housing and Care **without exception.**

### **2.3 Bield Housing and Care's Policy on asbestos is to:**

- i) ensure the prevention of exposure to risks associated with asbestos containing materials.
- ii) ensure that any asbestos containing materials that may be present in any of its buildings are maintained in a condition so as to minimise the possibility of any harm to health occurring.
- iii) promote awareness of the risks from asbestos containing materials and Bield's Management Procedures through training and induction of relevant staff.
- iv) provide adequate resources to ensure the provision of appropriate information, instructions and training.
- v) 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.
- vi) ensure that representative samples of all properties built before 2000 are subject to an Asbestos Management Survey programme to identify any asbestos containing materials that may present a risk from normal occupancy of the premises and to prepare and maintain an Asbestos Register for these buildings. This Register will undergo regular reviews and will be updated after any treatment and/or removal works have been undertaken. The Register will also be updated through regular 're-inspections' of all identified asbestos containing materials. Such re-inspections will be undertaken on an annual basis.
- vii) ensure that an appropriate Asbestos Refurbishment or Demolition Survey strategy is in place in accordance with current legislation.
- viii) implement an effective asbestos management strategy in order that appropriate measures such as encapsulation, inspection, working with, or removal of, the material can be undertaken.

- ix) ensure that all Contractors engaged to carry out work on any of Bield's buildings are provided with a summary, listing all relevant premises that may contain asbestos which may be disturbed by their works. Where an Asbestos Refurbishment or Demolition has not been carried out, such a survey will be commissioned and the findings reviewed internally and with the contractor PRIOR to any works being carried out on premises constructed before 2000.
- x) ensure that information regarding the presence of asbestos is contained in tender documentation for construction, maintenance, repair and demolition works, as may be appropriate, and that Contractors and Sub Contractors have in place Risk Assessments, Method Statements, etc. for its removal and/or management as appropriate .
- xi) ensure Contractors and Sub Contractors shall not commence works without prior submission of their method statement to, and subsequent approval by, the Asbestos Coordinator or his designated representative.
- xii) ensure only HSE Licensed Asbestos Contractors and/or Sub Contractors carry out ALL major asbestos works (see Section 3.6), in accordance with HSE recommendations.
- xiii) regularly review the Asbestos Management Policy and Procedures.

### 3. RESPONSIBILITIES

#### General

- a) Bield Housing and Care has responsibility for compliance with The Health and Safety at Work etc. Act. (1974) and all associated legislation. This includes specific legislation relating to asbestos, as set out in Appendix 1.
- b) All Directors, Managers and any other Bield employee undertaking or organising any work which might interfere with the fabric of any of Bield's premises will be responsible for ensuring that the procedures described in this document are strictly adhered to.
- c) Senior Managers will ensure that all of their staff are familiar with the contents of this Policy and Procedures document, insofar as it is relevant to their roles and responsibilities.
- d) Responsibility for the implementation of this Policy and Procedures document, along with the management of asbestos containing materials in premises will rest with the **Director of Asset Management**.

#### 3.1 The Asbestos Register

- a) Bield Housing and Care uses the CTX computerized system for Facilities Management and, in particular, as a tool for generating job requisitions/orders. A system has been developed to enable a warning to be displayed in the CTX system regarding the presence of asbestos. This warning will direct the individual to consult the asbestos register on the Pandora and Keystone databases for that particular development.
- b) An Asbestos Refurbishment / Demolition Survey is instructed prior to Capital Works being carried out and in advance of other intrusive works, alerting the user to the possible need for such a survey prior to the works commencing. A copy of the survey report will be held on Bield Housing and Care's Pandora and Keystone databases and the asbestos register updated as required.
- c) The Asbestos Register is held on the Pandora and Keystone databases with a copy of the register displayed at the entrance to each development. The Asbestos Register is reviewed on a regular basis and will be updated after any removal works have been undertaken.

### **3.2 Director of Asset Management**

will be responsible for: -

- a) the implementation of this Policy and Procedures Document, along with the management of asbestos containing materials.
- b) ensuring that Asbestos Management Surveys are carried out in the common areas of all properties and that appropriate actions are taken to effectively manage any ACM's identified.
- c) ensuring that asbestos surveys are carried out in at least 10% of each house type constructed before 2000. The results of these surveys will be used in conjunction with visual surveys to make assumptions as to the presence of asbestos in non sampled properties (i.e. using the technique of 'cloning' survey findings for representative properties of the same archetype).
- d) ensuring that reasonable enquires are made as to the presence of Asbestos Containing Materials (ACM's) in any leased or factored properties. Where necessary, Bield Housing and Care will arrange for a survey for the presence of ACM's, with any remedial works being carried out in accordance with landlord's arrangements.
- e) acting as Lead Officer, and working in conjunction with the Asbestos Co-ordinator and the Health and Safety Manager, to investigate and report on any alleged incident of accidental asbestos exposure and also to supply necessary information to ensure correct reporting of incidents under RIDDOR, where appropriate.
- f) providing the Health and Safety Executive, Local Authority and Scottish Environment Protection Agency with details of asbestos management systems and procedures if/when requested.
- g) promoting awareness of the hazards of asbestos containing materials and the Bield's Asbestos Management Procedures by advising on appropriate training and induction, in liaison with Administrative, Technical and Management staff.
- h) monitoring to ensure that Staff, Project Managers and Premises Managers are aware of their responsibilities under this policy.

### **3.3 Asbestos Co-ordinator Post holder - Service Contracts Officer**

**3.3.1** Reporting to the Assistant Director of Property Services and the Property Operations Manager, he/she will be responsible for: -

- a) arranging samples to be taken of any suspected materials, in accordance with prescribed procedures, and arranging for the analysis of the samples by a test house with the appropriate UKAS (United Kingdom Accreditation Service) accreditation.

- b) programming surveys in Bield premises to identify any asbestos containing materials that may be present.
- c) preparing an Asbestos Register.
- d) organising regular audits of the Asbestos Register.
- e) organising periodic re-inspections of asbestos materials found in the original surveys at least every 24 months

**3.3.2** He/she will also be responsible for : -.

- a) ensuring that all proposed asbestos major works (Section 3.7) are discussed with a competent consultant, to determine the most relevant and cost effective method of remediation, prior to generating tenders/instructions.
- b) ensuring, with the assistance of the consultant, that all contractors and sub-contractors used in asbestos major works have in place an asbestos licence, insurance and appropriate asbestos training.
- c) ensuring copies of consignment notes (where applicable), details of the haulier's registration and details of landfill site licence are obtained on completion of jobs..
- d) ensuring that the Asbestos Register is updated on completion of any remedial works on asbestos containing materials.
- e) reporting any incident of alleged asbestos exposure to Bield's Health and Safety Manager and assisting with any investigation.
- f) assisting the Health and Safety Manager in providing the Health and Safety Executive or the Environmental Health Department (as appropriate) with details of asbestos management procedures if/when requested.
- g) disseminating information from the register to relevant persons.
- h) ensuring the vetting of all contractors.
- i) collating paperwork at the completion of any asbestos remedial work.
- j) the quarterly interrogation of Bield's database and repair records to determine all jobs where asbestos materials have been remediated.
- k) ensuring that the asbestos register has been updated after each identified remediation job.

### **3.5 Property Officers**

**(This section only applies to properties constructed up to and including 2000)**

He/she will have a duty in respect of those premises to ensure that: -

- a) all staff, service users, visitors and others who are likely to interfere with the fabric of the building are given the necessary information regarding

this Asbestos Management Policy and Procedures to ensure that they are not put at risk of exposure to asbestos containing materials.

- b) the Asbestos Co-ordinator or his representative is alerted when any asbestos is found, or suspected, in order that an assessment can be made and appropriate action taken.
- c) any measures deemed necessary by the Asbestos Co-ordinator or his representative are implemented.
- d) the asbestos register is interrogated before raising a job request.
- e) If asbestos is identified then the relevant information **must** be passed on to the contractor.
- f) Property Officers should carry out regular visual checks for damage to asbestos containing materials and record such inspections. If the condition has deteriorated the Asbestos co-ordinator must be advised.

### 3.6 Bield Employees

All persons employed by Bield Housing and Care will be responsible for:-

- a) reporting to the Asbestos Co-ordinator any materials suspected of containing asbestos where the material has become disturbed and/or damaged or where tenants, staff, Contractors and/or Sub Contractors are likely to undertake work, which may affect that material.

### 3.7 Asbestos Works

- a) The type of contractor who can work with asbestos materials is strictly controlled by legislation and depends on the “classification” of the material. The most important classifications are:

Asbestos Insulation (AI)                      e.g. boiler lagging, pipe lagging

Asbestos Insulating Board (AIB)            e.g. ceiling tiles, wall partitions, linings  
to heating cupboards

Asbestos Cement (AC)                      e.g. corrugated roofs, flue pipes

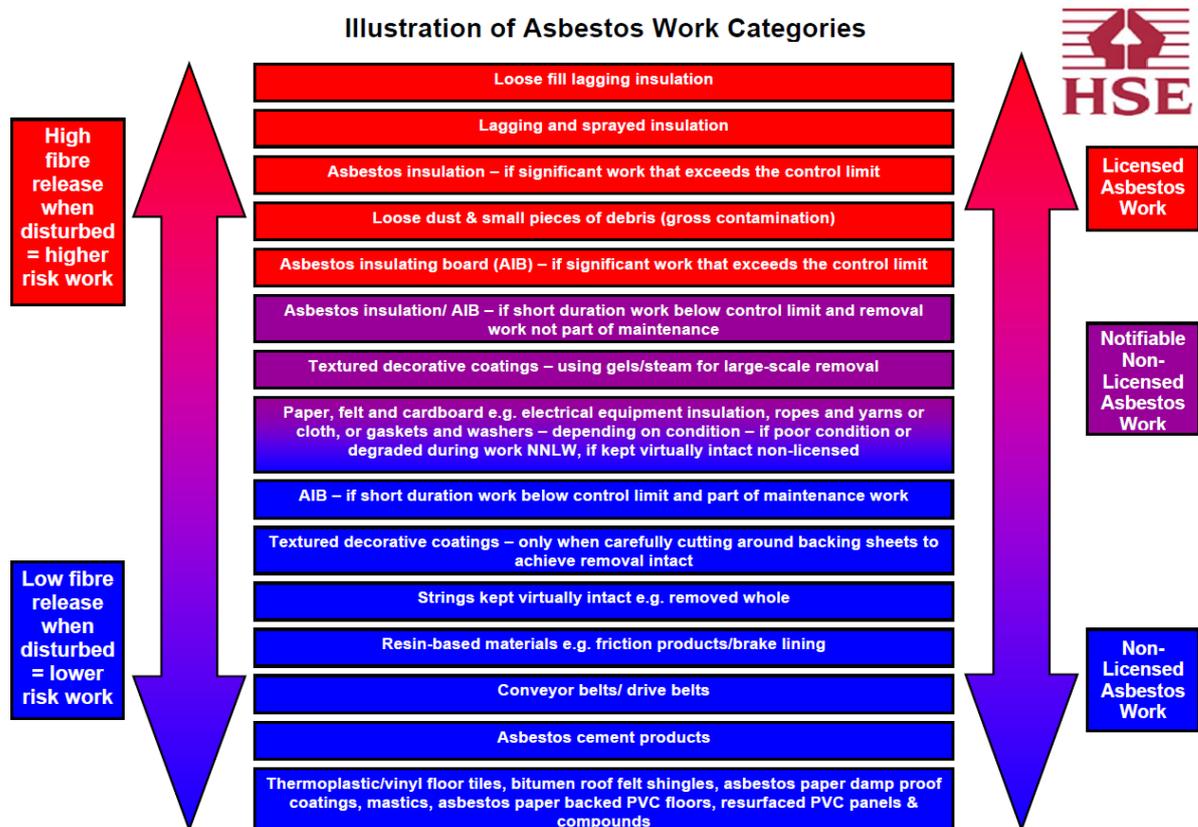
Asbestos Vinyl Tile (AVT)                  e.g. floor tiles

Textured Coatings (TC)                    e.g. artex covered ceilings or walls

- b) Work with AI, or Work with AIB which lasts for a total of longer than 1 hour in any seven consecutive days, can **ONLY** be carried out by a contractor holding an asbestos licence issued by the Health and Safety Executive. This work must be notified to the HSE at least 14 days in advance of the proposed work start date. This is termed **Asbestos Major Works**.

- c) Work with AIB which can be completed in less than 1 hour in any seven consecutive days e.g. an electrician drilling a hole in an asbestos ceiling tile to run a cable, can be carried out by a normal (unlicensed) contractor. This work does not require notification however workers must be appropriately trained and the contractor must have adequate insurance cover for carrying out asbestos minor works. This is termed **Asbestos Minor Works**. Notifiable Non-Licensed Asbestos Works, which are for the 'middle risk' works, do not require a 14 day standstill period. Whether a type of asbestos work is either licensable, Notifiable Non-Licensed Asbestos Work or non-licensed work has to be determined in each case and will depend on the type of work being carried out, the type of material being worked on and its condition.
- d) Work with Asbestos Cement, Asbestos Vinyl Tile and Textured Coatings can be carried out by a normal (unlicensed) contractor. The work does not require notification and there are no limitations on work time, however workers must be appropriately trained and the contractor must have adequate insurance cover for carrying out asbestos minor works. . This is also termed **Asbestos Minor Works**.

See below for HSE Chart on Asbestos Work Categories:



### 3.8 Technical Officers and persons responsible for commissioning work and project management

**(This section only applies to properties constructed up to and including 2000)**

will be responsible for:-

- a) ensuring that before any feasibility work is started on any project that the Asbestos Coordinator is consulted and information obtained on any asbestos containing materials within the premises. The Technical Officer or his representative must provide the detailed scope of the proposed scheme along with copies of relevant documents. A minimum of 6 weeks must be allowed to enable surveys, sampling, analysis and reporting to take place.
- b) **ensuring that before any work is started on Bield premises that the Asbestos Register has been consulted.** If no asbestos is identified then the works can proceed with caution, bearing in mind the possible presence of asbestos containing materials not identified in the Asbestos Register and the possible need for an Asbestos Refurbishment or Demolition Survey.
- c) halting any works and informing staff if suspected materials are discovered during the course of the works and immediately seeking advice from the Asbestos Coordinator.
- d) ensuring that if asbestos is identified then the asbestos component of the work is carried out by an asbestos licensed contractor approved by Bield, if required (See 3.7).
- e) ensuring that relevant information is provided to Contractors and Sub Contractors on any asbestos containing materials within those premises.
- f) ensuring that separate contracts are issued for asbestos remediation works and any subsequent asbestos testing/monitoring.
- g) informing all relevant staff, Contractors and Sub Contractors of the presence of any known asbestos, which may affect the works. Additionally, contractors are to be instructed to consult the Asbestos Register in order to familiarize themselves with the location of any known asbestos, non-accessible areas, or restricted areas in the premises. A suitable record, noting the exchange of information regarding any known asbestos, will be kept on file for all relevant works.
- h) ensuring that all Risk Assessments, Method Statements and Notices (as may be required under the Control of Asbestos Regulations 2012) are in place **before any work is allowed to start on site.** Copies of all such documentation must be available for inspection on site at all times for the duration of any asbestos related works.
- i) permitting the works to start after the appointment of a Principal Designer and Principal Contractor in accordance with the Construction (Design and Management) Regulations 2015 (CDM 2015).
- j) where applicable, not permitting the work to start or continue in the event of

the Construction Phase Plan and Health and Safety File being unsatisfactory, until the Principal Designer is satisfied with the modified documentation.

- k) advising the Asbestos Co-ordinator of the completion of remedial works to asbestos containing materials and providing such information as may be required in order that the Asbestos Register may be updated.

### **3.9 General Contractors and Sub-Contractors**

will be required to :-

- a) ensure that they are fully familiar with current legislation relating to the management of Asbestos Containing Materials.
- b) ensure that they have a clear understanding of Bield's Asbestos Policy and Procedures.
- c) ensure that all staff employed by them have received an appropriate level of UKATA approved asbestos awareness training.
- d) consult with any relevant asbestos registers that may be available for establishments before work progresses.
- e) ensure that where work involves asbestos containing materials, and is classified as ASBESTOS MAJOR WORKS, that an approved licensed sub-contractor is engaged (unless the contractor himself is licensed) to carry out the work.
- f) ensure that for ASBESTOS MINOR WORKS safe working procedures are adopted.
- g) produce relevant risk assessments and method statements before any type of work commences.
- h) to progress all works diligently but, if any suspect materials is encountered, to immediately suspend operations and to contact the Asbestos Co-ordinator for further instruction.
- i) provide copies of all test certificates, Certificates of Reoccupation, evidence of correct waste disposal to the Technical Officer.
- j) Asbestos Contractors must be chosen from the list approved by Bield Housing and Care.

### **3.10 Asbestos Remediation Contractors & Sub-Contractors**

will be responsible for:-

- a) ensuring that they have a current licence from the HSE to work with the type of asbestos indicated.

- b) ensuring that they have current and adequate insurance cover for the asbestos works to be undertaken.
- c) ensuring working practises are in compliance with current legislation and all associated Approved Codes of Practice and Guidance Notes.
- d) attending site to assess and prepare quotations against asbestos work specifications. The contractor or sub contractor must raise any issues relating to health and safety, or potential additional costs, on the project to the Technical Officer.
- e) attending site meetings as may be required.
- f) providing a written Method Statement and Risk Assessments to the Technical Officer. The Risk Assessments and Method Statement must indicate the resources and timetable allocated to the project in accordance with the Control of Asbestos Regulations 2012.
- g) providing statutory notice (i.e. Notification) to the HSE or Environmental Health Department (as appropriate) as may be required prior to the commencement of any asbestos related works or, by agreement with the Technical Officer, applying for a waiver against the minimum notice period. Copies of all such notices must be submitted to the Technical Officer before work commences.
- h) 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.
- i) arranging transport and disposal of asbestos waste materials in accordance with legislative requirements and providing copies of all Consignment Notes to the Asbestos Co-ordinator.
- j) carrying out regular inspections of the work environment. Any defects found, or any reported, must be immediately rectified.
- k) identifying to the Technical Officer, or his/her appointed representative, any additional elements of work which are to be agreed. The Method Statement must be updated accordingly.
- l) liaising with the appointed UKAS accredited asbestos testing organisation to ensure the satisfactory progress of the works. On larger contracts an Asbestos Project Manager may be appointed on behalf of Bield and the contractor will be required to provide full co-operation with the Technical Officer
- m) providing copies of all test certificates, Certificates of Reoccupation, evidence of correct waste disposal to the Asbestos Co-ordinator.

### 3.11 Asbestos Analysts and Surveyors

will be responsible for: -

- a) maintaining, and demonstrating UKAS accreditation relevant to the requested task.
- b) maintaining adequate insurance cover for the tasks to be undertaken.
- c) providing support to the Technical Officer and/or Asbestos Coordinator as may be required.
- d) reviewing and commenting, when requested by the Technical Officer or Asbestos Co-ordinator, on asbestos works such as: Specifications, Contractor's and/or Sub Contractor's Method Statement, Work Procedures, etc. This may lead to the appointment of the organisation as Asbestos Project Manager on larger contracts.
- e) carrying out analytical works and inspections as agreed with the Asbestos Co-ordinator or Technical Officer 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.
- f) reporting to the Asbestos Co-ordinator or Technical Officer, or their representative, 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 this Asbestos Policy and Procedures Document. Where the Asbestos Co-ordinator is 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 Asbestos Co-ordinator or Technical Officer as soon as reasonably practicable.
- g) checking areas on completion of asbestos remedial works to ensure that the contractor has completed his scope of works and all affected areas have been left in a satisfactory condition.
- h) carrying out air monitoring tests as may be required by the Asbestos Co-ordinator or Technical Officer or as identified in the Risk Assessment.
- i) reporting to the Asbestos Co-ordinator or Technical Officer, or others as may be appropriate, any aspects of asbestos management encountered on site which could give rise to health risks e.g. breaches of the Asbestos Policy and Procedures, suspect or damaged asbestos.
- j) issuing formal reports, including Certificates of Re-occupation, to the Assistant Asbestos Co-ordinator on completion of any site works.

#### **4. WORKING PROCEDURES**

**(This section only applies to properties constructed up to and including 2000)**

##### **4.1 Investment Programme (e.g. roof replacement, re-wiring, etc)**

**(Including Planned Maintenance and Empty Homes)**

###### **4.1.1 Demolition and/or Major Refurbishment**

- a) An appropriate Asbestos Refurbishment or Demolition Survey will be carried out on properties prior to the appointment of contractor(s). Where works are to be confined to certain areas, the survey is permitted to be 'Localised' to the area of work.
- b) if asbestos is identified then the relevant information must be given to the contractors at the job tender stage.

###### **4.1.2 Occupied Properties**

**(This section only applies to properties constructed up to and including 2000)**

- a) before any work starts the asbestos register must be consulted by the person commissioning the work and information obtained on any asbestos containing materials within the premises which would be affected by the works.
- b) if no appropriate asbestos data exists, the person commissioning the work should contact the Asbestos Co-ordinator and request that samples be taken of any materials which would be affected by the works. The information captured by the asbestos sampling exercise will be used to determine whether asbestos remediation works will have to be carried out as part of the works.
- c) if asbestos is identified, is likely to be disturbed by the works and the works would be classified as Asbestos Major Works (see Section 3.7) then the asbestos component of the job must be carried out by an Asbestos Licensed Contractor. Only contractors approved by Bield may be employed.
- d) if asbestos is identified, is likely to be disturbed by the works and the works would be classified as Asbestos Minor Works (see table in Section 3.7) then the asbestos component of the works may be carried out by an unlicensed contractor. Only contractors approved by Bield for this type of work may be employed.

- e) relevant information on any asbestos containing materials within the premises **must** be provided to Contractors and Sub Contractors at the 'tender' stage.
- f) contractors and Sub Contractors **must** be informed of the presence of any known asbestos, which might affect the carrying out of the works before they commence. Additionally, contractors are to be instructed to consult the Asbestos Register in order to familiarise themselves with the location of any known asbestos, non-accessible areas, or restricted areas in the premises.
- g) separate contracts must be issued for asbestos remediation works and subsequent asbestos testing/monitoring.
- h) Risk Assessments, Method Statements and Notices (as may be required under the Control of Asbestos at Work Regulations) must be submitted by the contractor to the Technical Officer. These will then be submitted to the Principal Designer appointed in accordance with CDM 2015 for assessment in conjunction with a consultant. Work will be permitted to start if the Principal Designer and the Consultant are satisfied with the quality of the documentation. Work will not be permitted to start, in the event of unsatisfactory initial documentation. In this case, work will only be allowed to start when both the Principal Designer and the Consultant are satisfied with the modified documentation.
- i) a copy of the Method Statement must be available for inspection on site at all times for the duration of the asbestos related works.
- j) if suspected materials are discovered during the course of the works then the work will be immediately halted and staff in the vicinity informed. Advice must be sought immediately from the Asbestos Co-ordinator who may arrange for any necessary analytical work, air-monitoring tests etc. appropriate. The cost of any such action will be charged to the project.
- k) the Asbestos Co-ordinator must be advised of the completion of any works to asbestos containing materials and provided with such information as may be required in order that the Asbestos Register may be updated. This information must be supplied within 10 (ten) working days of the completion of the asbestos works.
- l) On notification of the completed project the Asbestos Co-ordinator will arrange to have the Asbestos Register updated.

## **4.2 Responsive Maintenance/Repairs**

**(This section only applies to properties constructed up to and including 2000)**

### **STATEMENT OF INTENT**

- a) Asbestos surveys have been carried out on representative samples of all building types and an asbestos register has been produced for each property type.
- b) The Asbestos register is held on Bield's Pandora and Keystone databases with a copy of the register displayed at the entrance to each property owned by Bield.
- c) Whenever Bield staff working in the Repair Line department (or any other staff member authorised to raise repairs) type an address into the CTX computerised repairs system, an "asbestos flag" will automatically appear on the screen if asbestos had previously been found in the premises. In this case the operative will interrogate the asbestos register to determine the location of the asbestos. [
- d) Property Services has identified housing schemes where asbestos has been found and have identified the jobs which may interfere with the asbestos. In addition, approved contractors have been identified for each category of work.
- e) Once the location and type of work has been identified by the Repairs Line staff, the job requisition order, complete with details of the asbestos location and category, will be forwarded to the appropriate contractor.
- f) Calls to BR24 regarding out of hours property repairs may be referred to the on call property officer for advice if necessary. Where asbestos is present in a property, out of hours emergency repairs will be undertaken on the basis of make safe, wind and watertight.

**5. PROCEDURES FOR DAMAGED, DISTURBED OR PREVIOUSLY UNIDENTIFIED ASBESTOS**

**(This section only applies to properties constructed up to and including 2000)**

- a) It is the responsibility of all staff and contractors to report to the Asbestos Co-ordinator if they suspect that disturbed or damaged asbestos containing materials may be present in a building owned or occupied by Bield. The Property Operations Manager can be contacted on 0141 270 7240 (Monday to Friday 09.00 am to 17.00 pm). The Asbestos Co-ordinator will then give appropriate advice, with the assistance of a Consultant if necessary.
- b) Where damage to any material known to contain asbestos has taken place, and is likely to give rise to airborne respirable fibre release, a responsible member of staff will arrange to have the area isolated and then report the problem to the Asbestos Co-ordinator. The latter will arrange for air monitoring tests (measurement of airborne fibre concentrations) to be carried out. 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.
- c) Details of air test results will be held by the Asbestos Co-ordinator and will be made available for inspection & record purposes.
- d) Remedial action will only be required when airborne fibre levels exceed 0.010 f/cc. The nature of the remedial work must be agreed with the Asbestos Co-ordinator.
- e) 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). The Health & Safety Manager together with the Asbestos Co-ordinator will advise on and ensure compliance with this requirement. Where damage occurs to materials which have not been confirmed as containing asbestos (prior to the completion of a survey and the issue of a register) but which the Property Officer suspects may contain asbestos, then advice should be obtained from the Asbestos Co-ordinator as soon as possible after the incident.
- f) **If an incident occurs out with normal office hours** the matter should be reported via the BR24 emergency hot line (telephone number 0141 950

1025). BR24 staff will instruct an appropriate contractor to make the area safe, wind and water tight **only**.

- g) The next working day, BR24 staff will report the incident to the Asbestos Co-ordinator. From this point, Sections 4.2 and 5. will apply.

## **6. PROCEDURES FOR FEASIBILITY STUDIES**

**(This section only applies to properties constructed up to and including 2000)**

- a) Before any feasibility work is started on any project the Asbestos Data Base must be consulted by the design team and information obtained on any asbestos containing materials within the premises.
- b) If no appropriate asbestos data exists, the design team should contact the Asbestos Co-ordinator and request an asbestos survey of the buildings/areas which will be affected.
- c) A minimum of 6 weeks must be allowed to enable surveys, sampling, analysis and reporting to take place.
- d) Once completed, the asbestos survey will be placed on the asbestos data base.
- e) The information captured by the asbestos survey will be used to determine whether asbestos remediation/removal works will have to be carried out as part of the works.

## **7. PROCEDURES REGARDING TENANT PERMISSIONS FOR WORK**

**(This section only applies to properties constructed up to and including 2000)**

- a) Before work is started on any alteration or upgrade projects which will interfere with the fabric and/or services of a property, tenants are already required to seek permission to proceed, in advance, from Bield. Before issuing the permission documentation the Asbestos Data Base must be consulted by the Asbestos Co-ordinator and information obtained on any asbestos containing materials within the premises.
- b) If asbestos is present in a tenant's home the tenant will be advised, on the permission documentation, to ask their contractor to consult the Asbestos Register, displayed on the scheme noticeboard, in advance of any works proceeding.

## APPENDIX 1

### RELEVANT LEGISLATION

**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 Substances Hazardous to Health Regulations 2002** apply to substances that are hazardous to health, including asbestos, and place specific responsibilities on employers, self-employed persons and employees. The regulations require a 'suitable and sufficient' assessment to be made of the risks and measures necessary to control substances hazardous to health arising from work. Employers are also required to maintain the control measures, monitor exposure of the employees to the substances and organise a health surveillance programme.

**Asbestos (Licensing) Regulations 1983** as amended by the **Asbestos (Licensing) (Amendment) Regulations 1998** prohibit work with asbestos insulation or coating by an employer or self-employed person without an asbestos licence issued by the HSE. Short-term repair or maintenance work or work in premises occupied by the employer or self-employed person is allowed under certain circumstances provided advance notice of the work has been given to the enforcing authority.

**Asbestos (Prohibitions) Regulations 1985** prohibit the importation, use in manufacture and marketing of crocidolite and amosite and products containing them, together with the spraying of asbestos and its use in insulation.

**Asbestos (Prohibitions) (Amendment) Regulations 1998** introduce further prohibitions on the supply of products intended for spraying and the supply and the application of paints containing asbestos for use at work.

**Asbestos (Prohibition) Regulations 1992** ban the import, supply and use of all forms of amphibole asbestos (i.e. crocidolite, amosite, actinolite, anthophyllite and tremolite). The regulations also prohibit the supply or use of certain products, which contain chrysotile. A complete ban on the import, supply and use of chrysotile came into effect in November 1999 under the **Asbestos (Prohibition) (Amendment) Regulations 1999**.

**Asbestos Products (Safety) Regulations 1985** require the labelling of products containing asbestos and bans the supply of crocidolite, amosite and products containing them.

**Asbestos Products (Safety) (Amendment) Regulations 1987** ban the retail supply of six types of asbestos products: toys, products for spraying, products in powder form, items used in smoking, catalytic gas heaters and paints/varnishes.

**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 declassification 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.

**Control of Asbestos in the Air Regulations 1990** sets emission limits for asbestos in the air from industrial installations, along with pollution controls in respect of activities involving the working of products containing asbestos, and the demolition and removal of materials containing asbestos.

**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 Environmental Protection Act 1990 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 Guidance INDG223 A Short Guide to Managing Asbestos in Premises

HSE Guidance HSG264 Asbestos: A Survey Guide

HSE Guidance HSG227 Managing Asbestos in Premises