

# OPS008 - Asbestos Safety Policy

<b>MONITORING FORM</b>	
Department	Operations
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This policy is applicable to	Asbestos Safety
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Internal /external consultees (if required).	<u>Internal</u> Landlord Compliance Working Group Transformation Plan Strategy Group <u>External</u> Tenant Representative

## **1. INTRODUCTION**

Weslo Housing Management (WHM) has a responsibility to identify and manage asbestos containing materials (ACM) within its housing stock, offices, shops and other commercial property owned by WHM and to reduce the risk of possible exposure to asbestos fibres. This policy explains how WHM's asbestos safety responsibilities will be met and will be supported by an Asbestos Safety Management Plan providing detailed guidance, procedures and process maps.

## **2. TENANT CONSULTATION**

This policy is based on legislative and regulatory requirements. There has been consultation with internal teams within WHM and tenant representatives.

## **3. SCOPE**

For the purposes of this policy it is deemed to include WHM housing stock , offices, shops, other commercial premises built or refurbished prior to the year 2000. 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. The policy also applies to all employees (permanent, temporary or contracted), tenants and other stakeholders.

## **4. OBJECTIVES**

The key objective of this policy is to describe how WHM will meet their statutory and regulatory requirements in relation to asbestos safety. The policy will also cover how the WHM Board of Directors, as Duty Holder, will receive assurance of compliance. WHM will comply with all current and relevant legislation and specifically as detailed in the following;

- Control of Asbestos Regulations (CAR 2012)

Delivery of the commitments within this policy will ensure that the requirements of other legislation, e.g. the Health and Safety at Work etc. Act 1974 will also be met.

As a Registered Social Landlord WHM must meet the requirements of the Scottish Housing Regulator's Scottish Social Housing Charter and the Scottish Housing Quality Standard (SHQS).

Failure by WHM to properly discharge their legal responsibilities may also result in:

- Prosecution by the Health and Safety Executive under Health and Safety at Work Act 1974.
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007.
- SHR's serious detriment judgement.
- Reputational damage.
- Loss of confidence by stakeholders in the organisation.

In order to comply with regulatory standards and legal obligations, and to ensure the safety of its customers, staff, contractors and other visitors to their properties, WHM will:

#### **4.1 Process**

- a. Provide clear lines of responsibilities for the management of asbestos safety, supported by written guidance in the Asbestos Safety Management Plan.
- b. 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 subsequent remedial works, which shall include legal action if required.
- c. Proactively assess available information about customers to help gain access e.g. disability, vulnerability, local connections etc.
- d. 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 WHM property.
- e. Prepare and implement an Asbestos Safety Management Plan to manage the risk.
- f. Set out an emergency approach in the case of an unplanned incident, such as accidental damage of an ACM or uncontrolled release of fibres. This will be detailed in the Asbestos Safety Management Plan.

#### **4.2 Delivery**

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

- a. 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.
- b. Aim to survey 100% of its domestic stock (constructed pre 2000) by delivering a programme to undertake management surveys of the domestic stock, that WHM does not currently have surveys for, by 31 March 2021.
- c. 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.

- d. Re-inspection of ACMs within the non-domestic stock annually or sooner at a frequency recommended by the competent person.
- e. 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:

- a. Presume materials contain asbestos unless it is confirmed that they do not.
- b. Training those liable to disturb ACMs in accordance with this policy and the Asbestos Safety Management Plan
- c. 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.
- d. Providing asbestos safety information to customers in accordance with the policy (see section on Communication)
- f. 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 ACM materials to those liable to work on or disturb them.
- g. Carrying out a Material Risk Assessment (MRA) considering the material, product type, asbestos type and asbestos fibre content, location, and 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.
- h. 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.
- i. 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.
- j. Label ACMs as detailed within the Asbestos Safety Management Plan.

#### **4.3 Additional Safety Measures**

- a. Require that tenant alterations that may have an implication regarding asbestos safety should be subject to prior agreement before they are undertaken. Approval will not be unreasonably withheld and will be given 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.

- b. Any work carried out by tenants that is deemed to be unsafe will be rectified at the tenant's own cost and by WHM's appointed contractor.

#### **4.4 Contractors Competency**

Ensure that contractors are competent and the following controls will operate to ensure competence can be demonstrated:

- a. Asbestos management surveys required under CAR and pre-works refurbishment and demolition surveys will be undertaken by UKAS Consultants accredited to **ISO 17020**
- b. 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.
- c. All non-licensed work involving ACMs will be carried out with the appropriate method statements and controls in place.
- d. Maintenance work will only be awarded to/conducted by those contractors held on WHM's list of Approved Contractors for asbestos related works.
- e. Contractors appointed to undertake remedial work or removal of ACMs shall be competent and listed on WHM's list of Approved Contractors. They shall hold a Licence issued by the Health and Safety Executive 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).
- f. All contractor competencies will be subject to annual assessment or at change of contract /contractor, as detailed within the Asbestos Safety Management Plan.

#### **4.5 Internal Competency**

- a. Maintain a skills/training matrix to ensure that all staff undertaking key roles within the scope of this policy have appropriate training.
- b. Operate a detailed competence framework including regular appraisals as part of the Asbestos Safety Management Plan

#### **4.6 Data**

- a. Maintain a Master Database of all properties indicating if they do or do not have a requirement for an asbestos survey and the associated responsibility.
- b. Maintain up-to-date electronic records of the type, location and condition of the ACM's (or presumed ACMs) within QL which will be the asbestos register.

- c. Maintain detailed information on re-inspection frequencies and remedial works required. These will be prioritised according to risk by a competent person. Include due dates and most recent status date in the Master Database (with detailed evidence supporting the current status).
- d. Provide details relating to the accessibility of all asbestos data/information in the Asbestos Safety Management Plan.

#### **4.7 Assurance**

- a. Ensure that all persons involved with asbestos safety are properly trained and accredited in accordance with this policy.
- b. Carry out works-based assurance activity including checks on asbestos surveys, post-inspection of onsite 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 party.
- c. Set a timetable for the review of the Asbestos Safety Policy and the associated Management Plan.

#### **4.8 Communication**

Encourage customers, through the provision of publicity information on the importance of asbestos safety, to allow access to carry out checks and maintenance works

#### **4.9 Monitoring Performance**

- a. The following KPIs will be reported:
  - % of block/communal/commercial units requiring with an asbestos survey and all re-inspection activity within target
  - Asbestos Management Surveys completed /% coverage (domestic properties)
  - Asbestos remedial works completed within target
- b. 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.
- c. To provide 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.
- d. A detailed PI suite will be defined within the Asbestos Safety Management Plan.
- e. The following assurance activity will be undertaken and reported in line with the Asbestos Safety Management Plan:
  - Internal audit
  - Strategic review

- 3<sup>rd</sup> Party Assurance

#### **4.10 Scheme of Delegation**

- a. The **responsible authority** for approving this policy is **The Board of Directors**.
- b. **The Operations Director** is responsible for ensuring the effective implementation of this policy.
- c. **The Responsible Person** for formulating this policy, reviewing and monitoring its implementation and managing performance against this policy is the **Technical Manager**.

#### **5. EQUALITY & DIVERSITY**

This Policy will always be carried out in accordance with WHM's Policy of Equality & Diversity which aims to promote diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures.

An Equality Impact Assessment has been carried out and actions identified are incorporated into the Gas and Carbon Monoxide Safety Management Plan.

#### **6. PUBLICISING AND AVAILABILITY**

This policy is available on the WHM website, to Board of Directors and staff members and any other key stakeholders. Copies are available free of charge. A summary of this policy can be made available in other formats and languages.

#### **7. MONITORING & REPORTING**

This policy will be reviewed regularly to ensure compliance with applicable legislative changes, changes within the organisation and best practice

#### **8. COMPLAINTS**

Anyone wishing to make a **formal** complaint about the services provided by the organisation should do so as per our complaints procedure.

#### **9. OTHER RELEVANT POLICIES AND PROCEDURES**

This Policy relates to:

- a. Landlord Compliance Strategy
- b. Asbestos Safety Management Plan

And these must be read in conjunction with this Policy.