

Daventry District Council

Asbestos Management Policy and Procedures

DECEMBER 2015

Comprehensive review of earlier documents



Asbestos Management Policy and Procedures

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1. Introduction

Asbestos is the generic term for naturally occurring fibrous silicates found in rocks all over the world which are hazardous to humans and which can cause benign illnesses such as asbestosis and pleural plaques to malignant and life threatening ones such as mesothelioma and lung cancer. Whilst asbestos poses risks to all people, smokers who have been exposed to asbestos have a significantly increased risk of disease development.

Studies have linked more than a dozen different diseases to asbestos exposure. Many of the diseases, such as mesothelioma and lung cancer, have a confirmed relationship with the toxic mineral. Others, such as COPD (chronic obstructive pulmonary disease) and kidney cancer, are not directly caused by asbestos, but researchers suspect that exposure can increase a person's risk for developing them.

Malignant diseases tend to be less common than the benign conditions yet those benign conditions can be just as serious as cancer. Not everyone who is exposed to asbestos will get one of these diseases. However, exposure does increase a person's lifelong risk of developing one or more of the conditions. This elevated risk lasts for decades following exposure.

Asbestos fibres were until as recently as 1999 incorporated into a wide range of products designed to maximise their performance by use of the fibres properties such as its strength, flexibility, stability and fire proofing qualities. The presence of asbestos-containing materials (ACMs) is not itself dangerous unless they are disturbed or damaged. Anyone who becomes exposed to and inhales the respirable fibres released from ACMs is at risk of developing the related lung diseases. Symptoms are not generally immediately apparent due to the latency period between first exposure and any manifestation of symptoms. It is not unheard of for mesothelioma in particular to be triggered by relatively low exposure with the victim being unaware that they inhaled fibres, followed by a 40 to 50 year latency during which time there are no disease symptoms but the period from onset to mortality can be 6 to 18 months.

Whilst in the UK there are known to be three most prevalent types of asbestos used in all manner of materials and components. These are crocidolite (blue asbestos), amosite (brown asbestos), and chrysotile (white asbestos). Despite the names they cannot be identified by their colour alone. Other less well-known types of asbestos have also been used in the UK. These are fibrous anthophyllite, tremolite and actinolite.

For the purpose of this document all the above mentioned types of asbestos and any material containing a mix of the above will be treated the same and will be defined generally as 'asbestos'.

In order to control every aspect of work with or related to asbestos there is readily available a comprehensive set of regulations and supporting legislation which primarily includes a specific duty to manage asbestos in non-domestic premises such as commercial premises whether they be Council run or part of a rental property portfolio.

2. Statement of Intent

2.1 Policy

On 10th December 2015 Daventry District Council adopted the following policy.

Asbestos Management Policy

It is the policy of Daventry District Council to ensure that as far as is reasonably practicable:

- No persons are exposed to risks to their health due to the exposure to any asbestos containing materials (ACMs) that may be present in any of the properties DDC is responsible for or occupies.
- The safe management of ACMs within any building that is part of the commercial property portfolio and/or where its employees may be required to work, where it has responsibility as a duty holder.
- Where the building is under the control of another party, such as those tenanted buildings under a maintaining lease, DDC will ensure that relevant persons are aware of the presence of asbestos known to DDC and of their duties.

Daventry District Council recognizes and accepts its responsibilities under the Health and Safety at Work Act 1974 (as amended) and Control of Asbestos Regulations 2012. It accepts that relevant approved Codes of Practice are the acceptable standard.

2.2 Purpose and use of this document

The purpose of this document is to provide advice and guidance in safe systems of work for all persons involved in work with asbestos containing material (ACMs) for and in connection with Daventry District Council owned properties. Asbestos is only dangerous when disturbed. If it is safely managed and contained, it does not present a health hazard. This management plan aims to advise and guide on expected best practice for preventing risk from asbestos. It sets out clear responsibilities for the duty to manage element of the Control of Asbestos Regulations 2012, as well as direction on compliance with the rest of the regulations.

The Council will make use of information gathered from ongoing surveys and update surveys of all property types, identifying the location, form and condition of ACMs. The information is recorded in a unit specific report that is relayed to Council employees, contractors and occupiers as necessary to ensure the health, safety and welfare of all persons who may be affected by work, which may present a risk of asbestos fibre release.

The asbestos surveys shall only be carried out by persons who have received appropriate instruction and training including the BOHS P402-Building Surveys and Bulk Sampling for Asbestos qualification. Only persons who have received adequate information, training and instruction, and when required fully licensed, will be authorized to carry out encapsulation and removal works involving ACMs.

3. Objectives

The objectives of the Procedures are to fulfil the Policy and to:

- Promote awareness of the hazards of asbestos containing materials (ACMs) and the Council's policy and procedures through adequate training of staff.
- Ensure the prevention of exposure to hazards associated with asbestos containing materials.
- Ensure that any asbestos containing materials that may be present in any of the Council's property portfolio are appropriately managed and maintained in a safe condition so as to prevent the possibility of fibre release and any harm to health occurring.
- Ensure a commitment to comply with all relevant Asbestos legislation, Approved Codes of Practice and Health and Safety Executive guidance notes and to commit to safe disposal of any asbestos waste in accordance with the appropriate legislation.
- Provide an up to date record (register) of the location and condition of asbestos and presumed ACMs.
- Keep any material known or presumed to contain asbestos in a good state of repair.
- Provide adequate resources to ensure the provision of timely and appropriate information, instruction and training is given to relevant DDC officers and representatives.

4. Responsibilities

4.1 Introduction

The Council acknowledge the health hazards arising from any exposure to asbestos. The Policy and Procedures apply to all buildings and all individuals employed and/or engaged by the Council without exception.

Daventry District Council and its elected Members have ultimate responsibility for compliance with the Health and Safety at Work etc. Act 1974 and all associated legislation. This includes specific legislation relating to asbestos.

4.2 Chief Executive

The Chief Executive of the Council has overall authority for ensuring compliance with the Health and Safety at Work Act 1974 and the Control of Asbestos Regulations 2012. The Chief Executive will refer to the Business Team Manager to ensure compliance with these requirements.

4.3 Business Team Manager (Duty Holder)

The Business Team Manager is responsible for all strategic aspects of the Council's property portfolio including strategic consideration of asbestos issues.

The Duty Holder has assembled a suitably qualified Asbestos Management Team and will ensure it is maintained. This consists of, at least, the Property Services Manager, Construction & Development Manager and a suitably qualified Asbestos Surveyor (probably linked to another role). In maintaining the team, the Duty Holder will ensure the team has adequate time and resources to enable them to fulfil their responsibilities. In particular, he shall:

- Be responsible for all non-operational buildings (the commercial property portfolio) and operational buildings in relation to all work involving ACMs unless stated otherwise in leases or agreements to occupy buildings. The responsibility for maintenance of the asbestos register for these properties will be a Council Officer nominated by the Duty Holder from within the Business Team.
- Direct the implementation of the Asbestos Policy and Procedure, and ensure that a three-yearly review is carried out.
- Assess recommendations put forward by the Property Services Manager following reviews.
- Initiate an investigation into any incident that involves an uncontrolled release of asbestos fibres that result in person being exposed to asbestos fibres, and ensure that the report findings and any recommendations are forwarded to the Council's lead Health and Safety Officer.

4.4 Property Services Manager

The Property Services Manager is responsible for all operational aspects of the Council's property portfolio including ensuring the Asbestos Policy and Procedures are carried into operational effect. In particular, he shall:

- Deputise for the Business Team Manager in regard to asbestos related matters.
- Ensure all Officers likely to be carrying out or project-managing work on any Council owned building, along with contractors and consultants, are fully aware of the asbestos management and reporting procedure.
- Ensure that all relevant Officers have received asbestos awareness training as a minimum level.
- Ensure that any additions to the property portfolio that are older than 1999 are surveyed and the results placed on the asbestos database and incorporated into the asbestos management arrangements set out in this document. Buildings should still be surveyed even if their previous owners supply relevant asbestos survey reports or an asbestos register.
- Ensure the asbestos surveys and register are kept up to date and that they provide a record of the location, condition, maintenance and removal of all ACMs from the Council's property portfolio.
- Ensure that up to date information is available and issued to those who may come into contact with or disturb ACMs.
- Monitor and review arrangements for asbestos management on premises during visits in the course of his work.

4.5 Asbestos Surveyor

The Asbestos Surveyor shall be a P402 Officer within the Business Team. The Asbestos Surveyor shall have a responsibility to:

- Provide specialist support to ensure that the Council meets its statutory obligations with respect to asbestos management.
- Maintain and make regular updates to the Council's asbestos register. This is to include any work done to ACMs, any removals and any updates to earlier non-intrusive survey results due to sampling and testing.
- To produce a suitable format quick access asbestos register highlighting all Asbestos or suspected asbestos within the Council property portfolio that supersedes all previous information.

- To carry out asbestos surveys personally or ensure that suitably qualified and competent consultants are appointed to carry out asbestos surveys when new lease terms are agreed with new tenants occupying Council owned properties.

4.6 Officers Responsible for Buildings

The following requirements apply to any Officer responsible for a building (or part of a building, all referred to as a 'building' in what follows) which the Council owns or occupies. Each such Officer must:

- Comply with the Council's Asbestos Management Policy and Procedures.
- Have attended appropriate initial and updated asbestos awareness training
- Be aware of the presence of ACMs in the building(s) or parts for which the Officer is responsible.
- If at any point it is suspected that asbestos in the building in question has been exposed the Officer shall ensure that any work in the area stops immediately and refer to the Asbestos Surveyor or Property Services Manager to seek advice on course of action. If significant damage has occurred and asbestos fibre release is likely then the area should be cleared and cordoned off and the emergency protocol followed.
- Ensure that any incoming tenant is fully aware of any ACMs in the unit they are occupying by way of copy of the asbestos register and/or survey report provided to them at commencement of leasing process.
- Ensure there are arrangements to inform the Asbestos Surveyor of any changes to any ACM's condition, state of repair or removal against that previously surveyed.

Officers who fall into this category include (without excluding any others):

- Property Services Manager
- Estates Surveyors
- Accommodation and Support Services Officer (Lodge Road)
- Accommodation and Support Services Officer (Abbey)

4.7 Officers Responsible for Construction Works

The following requirements apply to any Officer who commissions or oversees construction works affecting any building or any other place asbestos may be present. Each such Officer must:

- Comply with the Council's Asbestos Management Policy and Procedures.

- Have attended appropriate initial and updated asbestos awareness training
- Ensure that all contractors, subcontractors and consultants are aware of ACMs and are appropriately trained prior to or as part of invitations for quotation and tender submissions being issued.
- Where subject building is part of the Council's property portfolio, obtain and review the asbestos register, and if the register is not up to date then arrange to procure an appropriate survey in agreement with the Asbestos Surveyor.
- Where the subject building is not owned by DDC (for example, where works to homes are procured by Care and Repair Officers) then every effort should be made to ensure that appropriate confirmations are available to clarify the presence of any asbestos or ACMs which may be disturbed by the proposed works. If any such building has an asbestos register or survey, this must be referred to.
- Ensure that any building subject to demolition or major refurbishment proposal has a suitable fully intrusive demolition/refurbishment type asbestos survey conducted prior to any works being carried out on the building or any invitation to quote or tender being issued. The asbestos survey must be undertaken by a P402 qualified and competent asbestos surveyor.
- Include relevant information and/or relevant asbestos survey report in all specifications for all relevant work, **together with a warning that not all asbestos may have been identified.**
- Ensure that any contractor, subcontractor or consultant has provided appropriate risk assessment and method statements (RAMS) which highlight plans of action in ensuring asbestos is not disturbed and people are not exposed to asbestos fibres during the proposed course of work. These RAMS must be approved by appropriate Officers prior to works commencing on site.
- Ensure that any work carried out that may disturb ACMs is compliant with current legislation and of a satisfactory standard via suitable monitoring procedures. This includes any necessary repairs, labelling, sealing or removal of ACMs.
- Consider the level of work to be carried out. If work is of a reasonably minor nature then a management type asbestos survey may be adequate. If, however, the work is a more major nature such as significant refurbishment then the Officer should ensure that a full demolition/refurbishment type asbestos survey has been provided for the building. If a suitable survey report is not available, then the Officer, in agreement with the Asbestos Surveyor, shall ensure a suitable survey is carried out.
- If at any point during works progressing it is suspected that unknown asbestos is exposed the Officer shall ensure that work stops immediately and refer back to

the Asbestos Surveyor to seek advice on course of action. If significant damage has occurred and asbestos fibre release is likely then the area should be cleared and cordoned off and the emergency protocol followed.

- Ensure there are arrangements to inform the Asbestos Surveyor of any changes resulting from their work to any ACM's condition, state of repair or removal against that previously surveyed.

4.8 Corporate Health and Safety Adviser

The Corporate Health and Safety Adviser shall:

- Organise appropriate asbestos awareness training for Officers and Members, including providing refresher training as considered necessary. Training should be refreshed when new staff members are appointed or when significant changes to the regulations occur and should include the following topics.
- Review and audit the Asbestos Management Policy and Procedures and work with the Asbestos Management Team to revise and update the plan to meet changing requirements and legislation.
- Ensure that any reports of incidents that result in an uncontrolled release of asbestos fibre are entered into the Council's accident/incident records.
- Should it become necessary, in the event that person(s) are exposed to asbestos fibres due to an uncontrolled escape, implement a health record and medical surveillance/screening programme approved by the HSE.
- Monitor and review arrangements for asbestos management on premises during visits in the course of his work.

4.9 General Contractors

General contractors (this includes such Principal Contractors for the purposes of Construction (Design and Management) Regulations 2015) are able to carry out work on or near non-notifiable non-licensed ACMs such as most asbestos cement roof sheets. However, the contractor must still prove to DDC that they are capable and competent to carry out the works with no risk of asbestos fibre release in accordance with the requirements set out in Control of Asbestos Regulations 2012.

Contractors are required to:

- Refer to the asbestos register or survey report for the particular building on which they are being instructed to work, to ascertain the presence or otherwise of ACMs. If no information is available for a particular building it must be presumed that the building contains ACMs. The Council shall organise a suitable asbestos survey to be carried out as soon as possible.

- Not commence any works affecting ACMs until their method statement has been submitted to and approved by the responsible Officer.
- Provide proof of adequate insurance cover for working with non-notifiable non-licensed asbestos containing materials.
- Submit full site-specific risk assessments and method statements (RAMS).
- Provide evidence of adequate training that the persons undertaking the works are suitably competent, including a minimum of asbestos awareness training.
- Ensure all operatives have correctly fitting respiratory protective equipment.
- Dispose of all ACM waste in accordance with The Hazardous Waste (England and Wales) Regulations 2005 and provide all appropriate consignment documentation and waste carriers' license.

4.10 Licensed Contractors

Those higher risk elements of working with asbestos require a Health and Safety Executive licensed asbestos contractor. Such works are also likely to be notifiable. Licensed contractors are required to meet all the requirements for general contractors and in addition:

- Be correctly licensed as required by the Health and Safety Executive and in accordance with Control of Asbestos Regulations 2012.
- Be an accredited member of the Asbestos Removal Contractors Association (ARCA) where there is ACM removal involved.
- Submit the required statutory notifications to the appropriate enforcing authority.
- Provide detailed risk assessments and method statements (RAMS).
- Provide evidence of current and adequate insurance cover for working with notifiable and/or licensable asbestos works.
- Provide documentary evidence that all operatives working with the licensed contractor are fully trained and that they hold appropriate medical records.

5. Managing Asbestos – Procedures

5.1 Responsibility

The Service responsible for managing a Council property shall ensure that any ACMs present are maintained in a condition so as to prevent the possibility of any harm to health occurring, unless this is the duty of an occupier under the terms of a lease.

If any property does not have a survey report or asbestos register entry but was constructed before 1999 then it must be presumed that it will contain ACMs unless there is evidence to prove otherwise.

5.2 Asbestos register and presence of ACMs

An original Asbestos Survey of the Council's property portfolio was carried out in 1998 under the previous guidance MDHS:100 – Surveying, Sampling and Assessment of Asbestos Containing Materials and an asbestos register was produced. Subsequently the information was updated by re-surveying the Council's commercial properties and the operational buildings in 2004.

Since the 2004 survey the asbestos regulations have been thoroughly reviewed and updated and the asbestos surveys are now carried out under the guidance of HSG264 – The Survey Guide that was released in January 2010. As a result of this the asbestos register and survey protocol for DDC have been updated and the surveys have been subject to an ad-hoc updates when commercial properties become vacant.

A comprehensive review is now required of the Asbestos data and register within DDC to bring it into line with current procedures and guidance. It is intended that a new asbestos register will be available electronically by March 2016.

The asbestos survey will provide a material risk assessment as part of the survey report. The use of the material risk assessment allows each ACM or presumed ACM to be scored and ranked in order of their likelihood to release fibres. It will also consider the future risk of any ACMs to become damaged or disturbed by staff, visitors maintenance contractors etc.

5.3 Commercial and other tenanted property

When carrying out void premises inspections, a visual check for condition of ACMs throughout the whole property, including external elements, must be included. This must be noted on the inspection report and recorded on the asbestos register. Any asbestos or ACM requiring removal prior to re-let must also be recorded on the register, and appropriate procedures followed for asbestos removal. Such property inspections will only be carried out by appropriately qualified and competent staff to ensure a uniform approach to asbestos condition.

Periodically, and at least on an annual basis the condition of materials identified in the asbestos survey should be visually inspected by a suitable person to determine whether

its risk rating has changed. Any void premises shall be inspected by the Asbestos Surveyor or an approved external consultant. Any tenant occupied property shall be the responsibility of the occupant to arrange their own inspections. Any tenant occupied property where damage is found to ACMs or suspected ACMs shall be reported to the Property Services Manager for appropriate action. He will take advice from the Asbestos Surveyor as required on dealing with the damage or deterioration.

5.4 Operational Buildings (Non-tenanted)

For operational buildings, such as the Lodge Road offices, it the Council's direct responsibility to monitor and maintain the ACMs in the buildings. Prior to any work being undertaken on the buildings the asbestos register should be consulted. A suitable risk assessment and method statement must be provided by the contractor and approved by the relevant Officer before work commences.

A system of regular checks on identified ACMs shall be undertaken by Officers responsible for buildings as part of their premises health and safety audit surveys, to review their condition in accordance with this document.

The Asbestos register is to be reviewed and updated to current guidance. There is then a planned programme of works that will maintain all ACMs in a safe condition.

5.5 Approach to ACMs

There are three basic control measures based on the outcomes of Material assessment and Priority assessment within the Survey report under HSG264. The degree (if any) of damage to an ACM is to be assessed and determined by a BOHS P402 qualified person.

Leave in Building

Any asbestos products (such as roofing sheets, guttering, flue pipes, etc.) not damaged which do not constitute a hazard may remain in place but their condition must be monitored on a regular basis by the person responsible for the building.

Inspections are to be visual to avoid unnecessary disturbance, and possible fibre release. They will not involve removal of covering material such as duct panels or ceiling tiles.

Repair, Seal or Encapsulate

If the ACM is slightly damaged but otherwise in sound condition or in a position where it may not cause a risk to health if left undisturbed, it may be repaired or sealed by an approved method. A new risk assessment should be carried out and the information logged in the asbestos register. The material should then be re-inspected yearly as part of the ongoing monitoring protocol to ensure it has not deteriorated further. A note should also be made of any work carried out as part of the repairs.

Inspections are to be visual to avoid unnecessary disturbance, and possible fibre release. They will not involve removal of covering material such as duct panels or ceiling tiles.

Remove

If the ACM is in such a condition or location that it may present a future risk to health, or is likely to be significantly disturbed by maintenance work, it should be removed by an approved method.

Where there is asbestos present, and the results of the material assessment and priority assessment indicate that there is a high risk of fibre release then the Officer responsible for the building should consider arrangements to vacate the area or building during any work period with the ACMs. This to ensure the occupants' health and safety has been duly considered.

All work involving such materials will be subject to a permit to work system to ensure all necessary precautions are taken and competent persons carry out the work. Only approved and licensed removal contractors may carry out ACM removal work.

5.6 Disposal of ACMs

The approved method of disposal for all forms of asbestos is to landfill at a site licensed for asbestos waste. Only an approved registered waste carrier is permitted to dispose of waste from site to the point of final disposal. The contractor will provide a method statement considering the complete packaging and removal of the ACM waste from site to the landfill disposal point and provide copies of the waste transfer notes.

5.7 Notification of Building Controllers

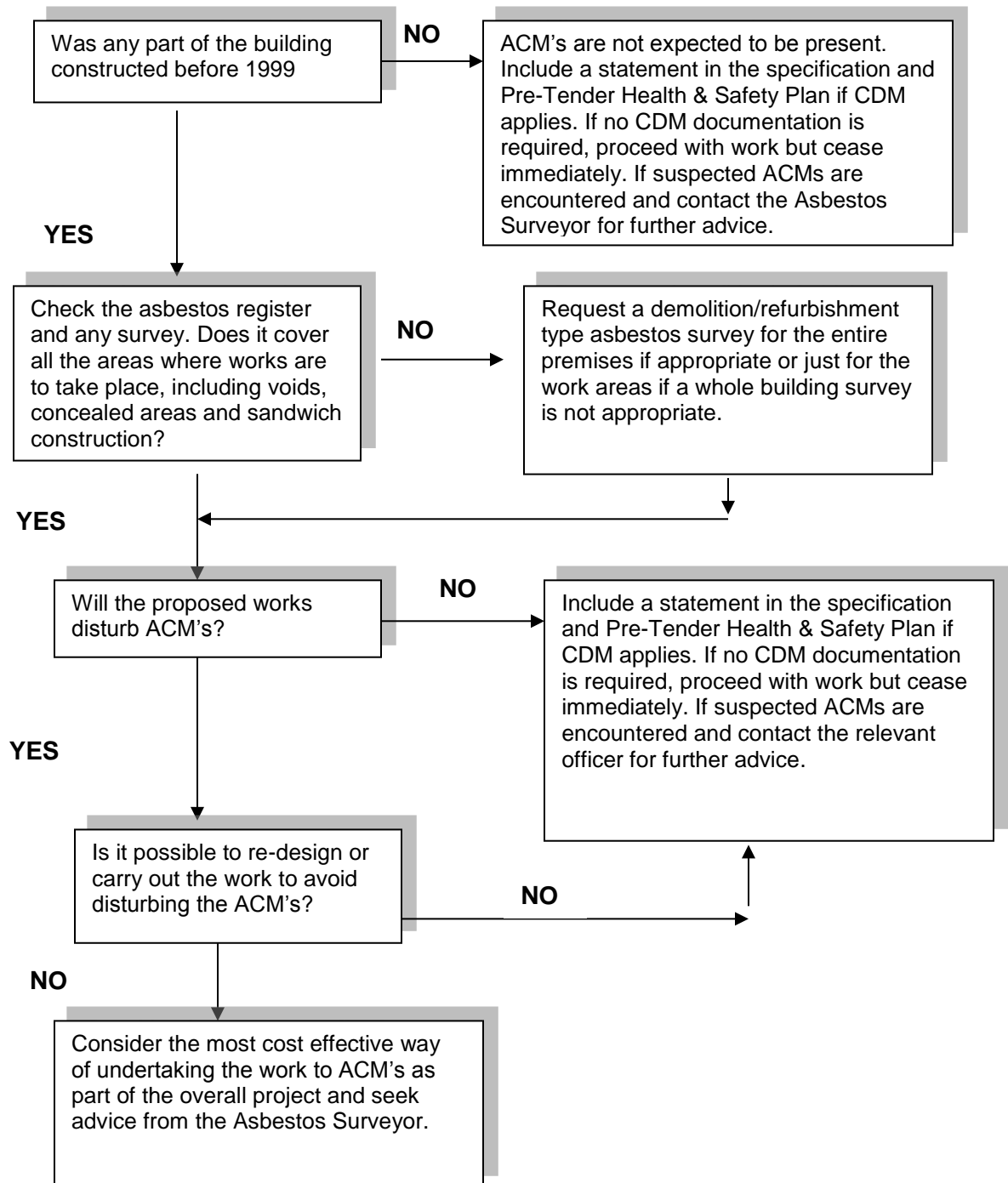
All Officers undertaking the procurement of or arranging any work to or within any of the Council's buildings are responsible for ensuring that the person(s) responsible for that building are notified in advance of any intended works and that the asbestos register is consulted.

5.8 Emergency Services

Information on the location and condition of any known or presumed ACMs in the Council's properties must be made available to the emergency services, in particular the fire service who are most likely to disturb ACMs or come into contact with disturbed asbestos.

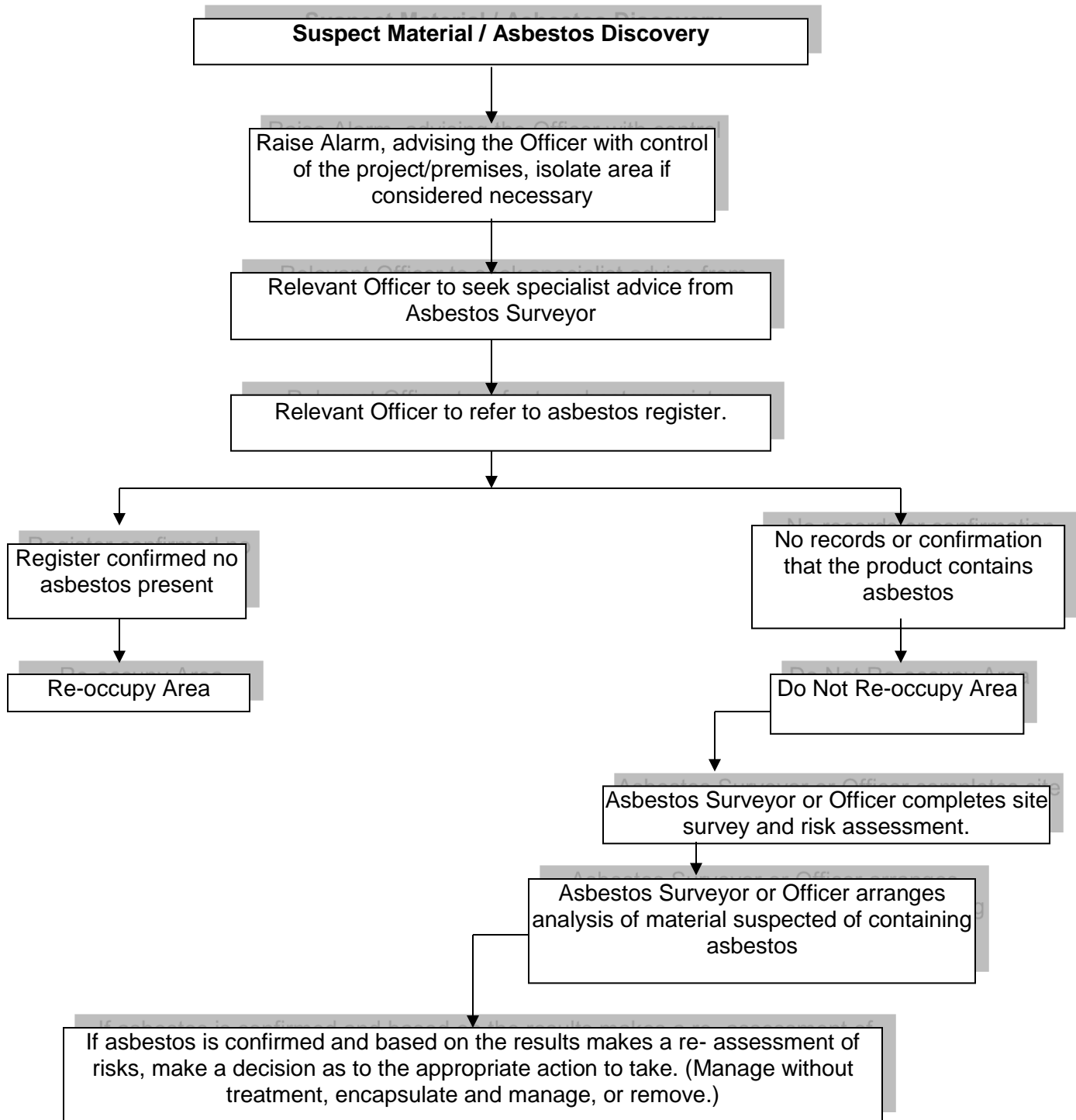
6. Managing Asbestos – Proposed Work to Buildings

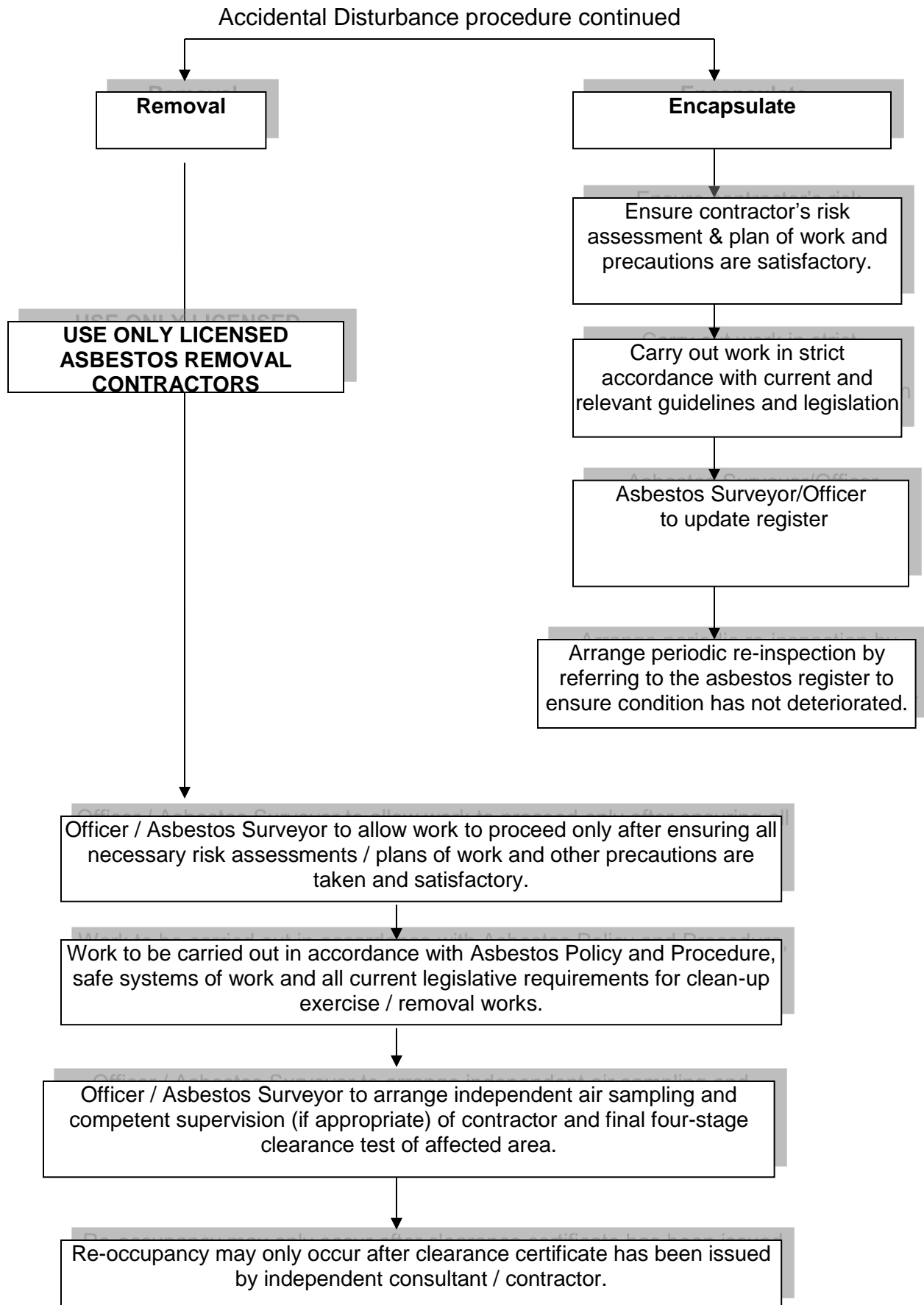
When proposing work on a building, there is a duty to carry out a risk assessment under Regulation 4 of the Control of Asbestos Regulations 2012. The following flowchart provides a simple check of procedure. Key considerations should include: does the work come under the Asbestos licensing regulations; can the work be undertaken as preparatory work; will consideration need to be given for special programming of the works; and has the relevant information been provided to the contractor. Contractors undertaking work must provide a risk assessment and plan of work in accordance with the Control of Asbestos Regulations 2012.



7. Accidental Disturbance procedure

The following procedure is to be implemented should ACMs be discovered on site, during any works, which due to their condition, and/or location pose an immediate or imminent risk to health.





8. Review of Policy and Procedures

The Asbestos Policy and Procedures will be reviewed and amended as and when legislation is revised or as a minimum once every three years to ensure they are up to date and do not require revising based on actual experience or case studies. This will be undertaken by the Property Services Manager Corporate Health and Safety Adviser and the Asbestos Support Officer, with recommendations reported to the Duty Holder and by him to the Chief Executive as required.

Appendix A

Reference documents

- The Health and Safety at Work etc. Act 1974
- The Construction (Design and Management) Regulations 2015
- The Control Of Asbestos Regulations 2012
- The Management of asbestos in non-domestic premises approved code of practice and guidance. L127 (HSE)
- Asbestos Essentials: A Task Manual for Building, Maintenance and Allied Trades of Non Licensed Asbestos Work. HSG210 (2012)
- A Comprehensive Guide to Managing Asbestos in Premises. HSG227
- Asbestos – The Survey Guide. HSG264
- Managing Asbestos in Buildings. INDG223