

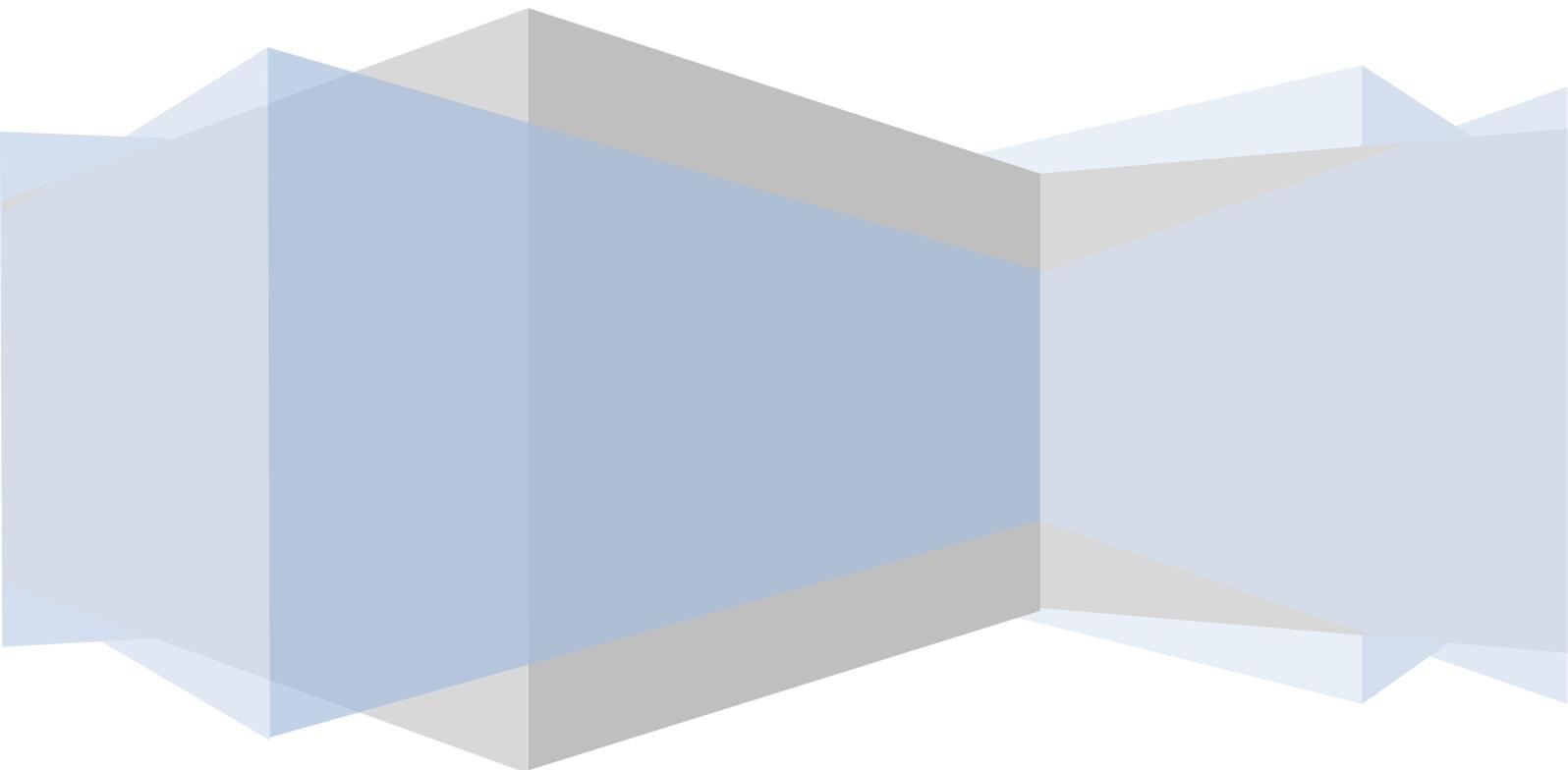


**CDHA**

Cathcart & District Housing Association

# **ASBESTOS MANAGEMENT POLICY**

**April 2022**



All Policies are available on tape, in braille, and translation into most languages. Please ask a member of staff if you would like this policy in a different format.

Date of Policy Review: April 2022  
Date of Committee Approval: 19 April 2022  
Date of Next Review: April 2025

<b>SCOTTISH HOUSING REGULATOR STANDARDS</b>	STANDARD 1: The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users  STANDARD 2: The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users, and stakeholders. And its primary focus is the sustainable achievement of these priorities.  STANDARD 6: The governing body and senior officers have the skills and knowledge they need to be effective.
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## 1. ASBESTOS POLICY STATEMENT

2. It is recognised that Cathcart and District Housing Association (CDHA) has a duty under the Health and Safety at Work etc. Act 1974, as supported by subordinate legislation, to ensure, so far as is reasonably practicable, the health, safety, and welfare of its employees, service users, contractors, the general public, and others who may be affected by its undertakings.
- 1.2 It is also recognised that the management of asbestos related risk falls within the Association's general responsibilities set out in point 1.1, above.
- 1.3 To this end, the Association will comply with the Asbestos Management duties defined and implied in the *Control of Asbestos Regulations 2012 (CAR12)*. It is the policy of CDHA to ensure that, as far as is reasonably practicable, no persons will be 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, manages, or occupies.
- 1.4 CDHA aims 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 prevent the possibility of any harm to health occurring.
  - (iii) promote awareness of the risks from asbestos containing materials and the Association'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 a representative proportion of properties built pre 2000 are subject to an Asbestos Management Survey Programme and an Asbestos Register for these buildings is prepared and maintained. This Register will undergo regular reviews and will be updated after any treatment and/or removal works have been undertaken.
  - (vii) ensure that an appropriate Asbestos Refurbishment or Demolition Survey strategy is in place in accordance with current legislation.
  - (viii) ensure only UKAS accredited asbestos consultancies are used for

asbestos surveying works, asbestos air testing, and asbestos analysis work.

- (ix) implement an effective asbestos management strategy in order that appropriate measures such as encapsulation, labelling, inspection, working with, or removal of, asbestos containing materials can be undertaken.
- (x) ensure that an appropriate system is installed, maintained, and implemented for the management of all asbestos containing materials identified in the Register. Such a system is to be capable of recording the risk, the needs, and priorities for treatment and/or removal.
- (xi) ensure that all Contractors and Sub Contractors engaged to carry out work on any of the Association's buildings are provided with adequate information on asbestos which may be disturbed by their works.
- (xii) ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate.
- (xiii) ensure Licensed Contractors and/or Sub Contractors carry out ALL Asbestos Licensable Works and Competent Contractors carry out ALL Asbestos Minor Works.
- (xiv) ensure all Non-Licensed Contractors carrying out Asbestos Non-Licensable Works are trained in safe working procedures and have appropriate insurance cover for the work being carried out.
- (xv) ensure that relevant staff of the Association and local contractors are provided with appropriate training in this Policy and these Procedures.
- (xvi) regularly review the Asbestos Management Policy and Procedures.

## 2. SCOPE

- 2.1 The Association operates a Health & Safety Management System, which comprises a broad range of documented policies, procedures, and arrangements for the effective control of risks to the health, safety, and welfare of employees and others who may be affected by the Association's undertakings.
- 2.2 This document forms part of the overall Management System and sets out the Association's specific arrangements for the management of Asbestos.
- 2.3 The policy and procedures set out within this document are intended to facilitate compliance with the asbestos related duties defined and implied in the *Control of Asbestos Regulations 2012*.
- 2.4 The CDHA stock profiles includes traditional registered social housing, mixed tenure developments, and commercial lets, as well as a proportion of special housing provision. A number of these buildings were built or refurbished at a time when the use of asbestos containing materials (ACM's) was common. During work on these buildings it is possible, therefore, that personnel could disturb asbestos.
- 2.5 This Policy applies to the entire property portfolio under the control of CDHA and to all operations carried on under its control **without exception**.

## 3. ASBESTOS RISK

- 3.1 It is important to differentiate between the **REAL** risks associated with asbestos materials and the **PERCEIVED** risks, as the incorrect perception of risk can often result in unwarranted concern over health risks. The **perceived** risk for asbestos is that 'one fibre can kill'. The **real** risk, as shown by the fairly recent work of Prof Seaton at Aberdeen and Prof Gibb at Cardiff, is that the lungs of victims of asbestos related deaths generally contain in excess of 100million asbestos fibres at the point of death.
- 3.2 The serious diseases associated with asbestos are all diseases of the deep lung. To contract these diseases, fairly substantial quantities of asbestos have to be inhaled (note that medical/scientific data, as seen above, now exists in relation to dose-response relationships associated with asbestos exposure). The **real risks** associated with asbestos materials would not, therefore, simply depend upon its **presence** but on the **airborne concentration of fibres in the atmosphere and the duration of exposure**.
- 3.3 Therefore, 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 as 'cumulative exposure' develops over time. As well as people employed in the building trades, inadvertent exposure (and consequent risk) can occur in other groups of people e.g. installers of I.T. systems, burglar alarms, smoke detectors, etc.

3.4 In developing this policy, cognisance was taken of the legislative requirements and good practice set out in the following documents (see Appendix 1):

- Health and Safety at Work Act etc. 1974
- Management of Health and Safety at Work Regulations 1999
- Control of Asbestos Regulations 2012 – HSE Document L143 Regulations, Approved Code of Practice and Guidance
- HSE Guidance INDG 223 A Short Guide to Managing Asbestos in Premises
- HSE Guidance HSG264 Asbestos: A survey guide
- HSE Guidance HSG227 Managing Asbestos in Premises

## **4. DUTY TO MANAGE ASBESTOS**

4.1 The Association recognises the duty imposed by Regulation 4 of CAR12 to 'manage' asbestos risks associated with normal occupancy in non-domestic premises and, in particular, the following duties set out in HSG264:

- To take reasonable steps to determine the location of materials likely to contain asbestos;
- To presume materials to contain asbestos, unless there are good reasons not to do so;
- To make and maintain a written record of the location of the ACMs and presumed ACMs;
- To assess and monitor the condition of ACMs and presumed ACMs;
- To assess the risk of exposure from ACMs and presumed ACMs and prepare a written plan of actions and measures
- To take steps to see that these actions are carried out.

4.2 The Association also recognises the wider duties set out in CAR12, particularly in Regulations 5 and 6, in respect of maintenance, repair, refurbishment, and demolition work in premises and the need to carry out appropriate, suitable and sufficient inspection/surveying, risk assessments and planning prior to any works on the fabric of premises.

4.3 To ensure compliance with these broad duties, specific roles and responsibilities have been defined, including procedures for addressing joint duties with third parties (e.g. in 'mixed tenure' premises) and all Association personnel will hold the requisite levels of competence to properly discharge their responsibilities.

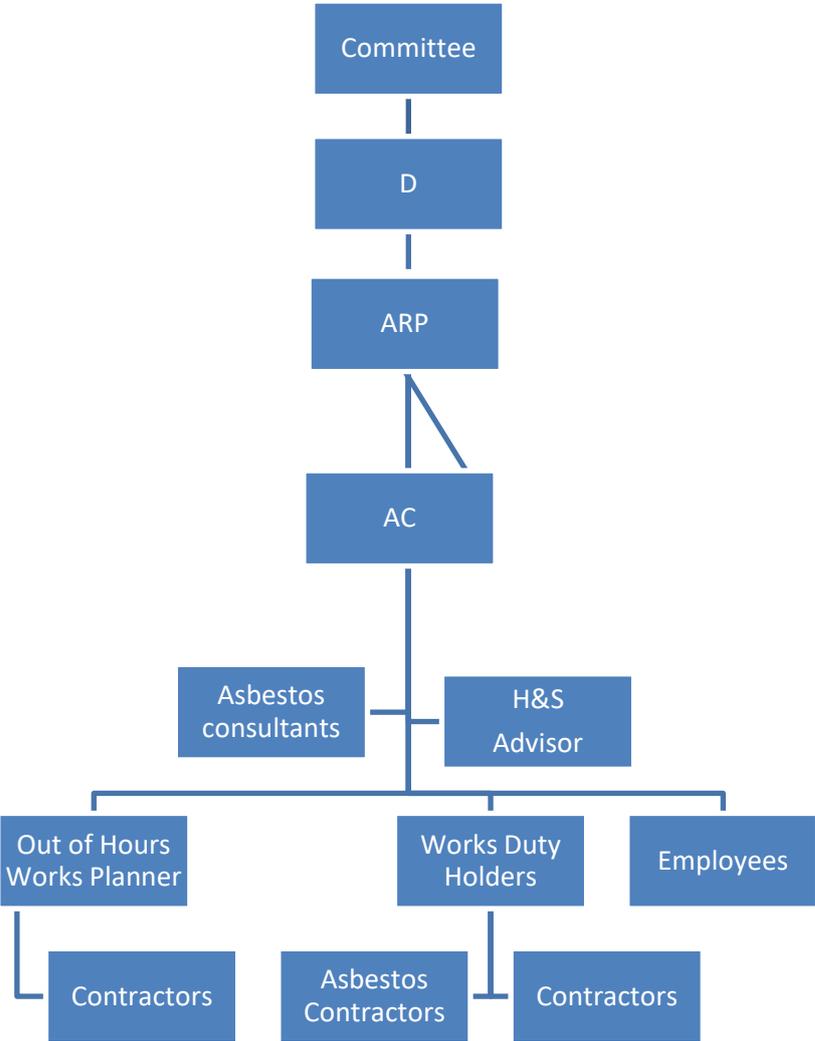
4.4 This document also defines the Association's policies and procedures to ensure the risks associated with asbestos containing materials are properly addressed, assessed, and managed and, in doing so, ensuring that all relevant legal duties are discharged.

# 5. ROLES AND RESPONSIBILITIES

## 5.0 Asbestos Association Chart

The following chart summarises the Associational structure which facilitates a cascading of responsibilities down through the management chain to ensure those with the most appropriate daily operational functions can manage, supervise and physically carry out asbestos related control measures as appropriate. The subsequent sub-sections provide further detail on these roles and responsibilities.

**Section 10 details the actual procedures and tasks for which these identified personnel are responsible and should, therefore, be read in conjunction with this section.**



## Defined Roles

Role Title	Delegated to	R&R Section	Relevant AP
Committee	See current committee membership	5.1	All
Director	Director	5.2	All
Asbestos Responsible Person	Senior Maintenance Officer	5.3	All
Asbestos Co-ordinator	Maintenance Officer	5.4	All
Works Duty Holders	Maintenance Officer, Maintenance Assistant, Customer Services Assistant	5.5	4, 5
Out of Hours Works Planner	Everwarm	5.5	4
Employees	All relevant employees	5.6	n/a
Contractors	See approved contractor list	5.7	n/a
Asbestos Contractors	See approved contractor list	5.8	n/a
Asbestos Consultants	External consultancy	5.9, 5.10	n/a

### 5.1 Management Committee

- 5.1.1 The Committee is collectively responsible for providing leadership and direction on Health & Safety and, with particular relevance to asbestos risk management, will ratify and endorse the Asbestos Policy and Procedures.
- 5.1.2 The Committee will give due consideration and will make available all reasonable funding and support as may be required to reports received from the Director or Asbestos Responsible Person (ARP) in relation to asbestos risk management and/or compliance with the Asbestos Management System.
- 5.1.3 The Committee will review the findings of all internal and external asbestos audits and of any investigations into reported asbestos failures and will authorise the use of all reasonable support required to rectify any significant non-compliances.

### 5.2 Director

- 5.2.1 The Director, in holding the most senior level of executive control within the Association, will hold ultimate accountability and responsibility for the development and implementation of this Asbestos Policy.
- 5.2.2 The Director will appoint a suitable and competent Asbestos Responsible Person (ARP) to manage the Asbestos Management System.

- 5.2.3 The Director will make available all reasonable resources to the ARP for the undertaking of his/her duties under this policy.
- 5.2.4 The Director will ensure adequate lines of communication with the ARP and will take all reasonable steps to comply with all reasonable requests and issues raised by the ARP.
- 5.2.5 Consider reports made by the ARP and AC on the effectiveness of the Policy, Procedures, and actual working practices.

### **5.3 Asbestos Responsible Person (ARP)**

- 5.3.1 The ARP will be responsible for the practical delivery and implementation of this Asbestos Policy and for identifying amendments/updates for improvement. All such suggested amendments will be escalated to the Director without undue delay.
- 5.3.2 The ARP will appoint a suitable and competent Asbestos Co-Ordinator (AC) to deliver the responsibilities set out in 5.4 below.
- 5.3.3 The ARP will provide all reasonable support (both Management and Technical) to the AC to ensure his/her duties may be performed accurately and timeously.
- 5.3.4 The ARP will ensure adequate lines of communication with the AC and will take all reasonable steps to comply with all reasonable requests and issues raised by the AC.
- 5.3.5 The ARP will escalate all relevant issues, non-conformances, policy breaches, and other material events to the CE
- 5.3.6 The ARP will take all reasonable steps to deal with Asbestos related emergencies, uncontrolled risks, and required actions brought to his/her attention.
- 5.3.7 Periodically review the effectiveness of the Asbestos Policy and Procedures.
- 5.3.8 Acting immediately if any serious deficiencies are identified and escalating any concerns to the Director without undue delay.

### **5.4 Asbestos Co-Ordinator (AC)**

The AC will be responsible for:

1. Maintaining an effective asbestos management strategy, as detailed in this Document.
2. Assisting the ARP to review and update as necessary this Policy and Procedures document and report on its effectiveness to the Director.

3. Developing and maintaining an asbestos register of properties built before 2000, which will include overall responsibility for the timeous updating of the register whenever ACM's are removed/remediated.
4. Providing contractors with all appropriate information and expectations of them as defined in Sections 5.8-5.11 of this management system and maintaining a record of all information sharing and governance issues.
5. Providing information to interested parties on asbestos containing materials, and the Association's management system, as appropriate.
6. Reporting any incident of alleged asbestos exposure and carrying out any required investigation, with the support of the ARP. Also, where appropriate, ensuring the correct reporting of incidents under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations).
7. Providing the Enforcement Authorities with details of asbestos management procedures if/when requested.
8. Promoting awareness of the hazards of asbestos containing materials and the Association's Asbestos Management Procedures by advising on appropriate training and induction, in liaison with Administrative and Management staff.
9. Monitoring to ensure that all staff are aware of their responsibilities under this policy.
10. Ensuring that adequate reviews of known asbestos containing materials ('Re-inspections') are carried out by competent persons and that the asbestos registers are updated accordingly.
11. Organising regular audits of the Asbestos Register.
12. Maintaining a current list of approved asbestos contractors (HSE Asbestos Licensed Contractors and Minor Works Contractors) and UKAS accredited asbestos testing/survey Associations.
13. Ensuring that the Asbestos Register is updated on completion of any works on asbestos containing materials.

## 5.5 Works Duty Holders (including Out of Hours)

[Any member of staff, other than those defined elsewhere, who has a specific role or responsibility under this system and contractors carrying out of hours work]

- 5.5.1 If any work is to be carried out in properties built before 2000 **which will interfere with the fabric of the building** then certain staff members have specific responsibilities in relation to the planning, co-ordination, management, and monitoring of that work.

These job roles all include an asbestos risk management element and, by definition, the staff members involved will be classed as 'duty holders'.

The Asbestos Procedures defined in Section 10 set out the specific responsibilities of the following duty holders and the relevant AP's should be read in association with the following.

- 5.5.2 Duty Holder(s) with responsibility for Reactive Maintenance and Repairs:

Job Title	Asbestos Duty	Relevant AP
AC, Maintenance Assistant, Customer Services Assistant	Dealing with reactive repair requests	4.3a
AC, Maintenance Assistant, Customer Services Assistant	Dealing with escalated reactive repairs	4.2 + 4.3a + 5

- 5.5.3 Duty Holder(s) with responsibility for Planned Maintenance:

Job Title	Asbestos Duty	Relevant AP
ARP, AC	Dealing with all planned maintenance works and associated asbestos elements	4.4 + 5

- 5.5.4 Duty Holder(s) with responsibility for Capital Works and Projects:

Job Title	Asbestos Duty	Relevant AP
ARP	Involvement at a high level as required	4.5
AC,	Dealing with asbestos elements of capital works	4.5 + 5

- 5.5.5 Duty Holder(s) with responsibility for Tenant Requests for Work on Dwelling:

Job Title	Asbestos Duty	Relevant AP
ARP, AC, Maintenance Assistant	Dealing with tenant requests for works and associated asbestos elements	4.6

#### 5.5.6 Duty Holder(s) with responsibility for Asbestos Works:

Job Title	Asbestos Duty	Relevant AP
ARP, AC, Maintenance Assistant, Contractor (Aspect)	Dealing with all asbestos works and removal contractors	4.7 + 5

#### 5.5.7 Duty Holder(s) with responsibility for Out of Hours Reactive Maintenance and Repairs:

Job Title	Asbestos Duty	Relevant AP
Contractor (Everwarm)	Dealing with reactive repair requests	4.3b

## 5.6 Employees

All persons employed by Association will be responsible for:

1. Ensuring that any work that may disturb or damage known asbestos containing materials is avoided.
2. Preventing any work on or intentional damage to building fabrics unless advice on the asbestos risk has been obtained from the AC.
3. Reporting to the AC any materials suspected of containing asbestos, where the material has become disturbed and/or damaged.

## 5.7 General Contractors and Sub-Contractors (non-asbestos)

All contractors will be required to:

1. Ensure and demonstrate that they are fully familiar with current legislation relating to the management of Asbestos Containing Materials.
2. Ensure that they have a clear understanding of the Association's Asbestos Policy and Procedures.
3. Ensure that all staff to be utilised on the contract have received an appropriate level of asbestos awareness training (Category A as a minimum).
4. Consult with any relevant asbestos registers/survey reports that may be available for establishments **before** work progresses (ensuring the appropriate type of survey has been carried out).

5. Ensure that where work may be affected by, or involve, asbestos containing materials that an approved licensed/competent (depending upon the category of asbestos work) sub-contractor is engaged (unless the contractor itself is licensed/competent and approved by the Association) to carry out the work. This will also require liaison with the relevant Works Duty Holder who will be responsible for commissioning the independent asbestos testing company or Asbestos Project Manager if required.
6. Ensure that any relevant risk assessments, method statements, and statutory notices are in place (and adequately referencing asbestos risk) before work commences.
7. Progress all works diligently and, if any suspect materials are encountered, to immediately suspend operations and to contact the relevant Works Duty Holder or AC for further instruction.
8. Contractors must ensure that Asbestos sub-contractors are approved by the Association before any order is placed or contract awarded and that all Plans of Work are approved by the Association.

## **5.8 Asbestos Removal Contractors & Sub-Contractors**

Asbestos Removal / Remediation contractors will be responsible for:

1. Ensuring that they have a current license from the HSE to work with the relevant type of asbestos or can demonstrate competence where non-licensed work is concerned.
2. Ensuring that they have current and adequate insurance cover for the asbestos works to be undertaken.
3. Ensuring working practices are in compliance with current legislation and all associated Approved Codes of Practice and Guidance Notes.
4. Attending site to assess and prepare quotations against asbestos work specifications. The contractor must raise any issues relating to health and safety, or potential additional costs, on the project to the relevant Works Duty Holder.
5. Attending site meetings as may be required, providing a written Method Statement and Risk Assessment (Plan of Work (POW)) to the Maintenance Officer ahead of the works starting. The POW must indicate the resources and timetable allocated to the project in accordance with *the Control of Asbestos Regulations 2012*. Emergency procedures must be discussed before work commences. In addition, the following documentation will be provided:

- a. current asbestos licence check against HSE website
  - b. insurance certificate indicating the insured is covered for asbestos work (licensed or minor)
  - c. medical examination certificates (conducted by an Employment Medical Advisory Service registered doctor) for all personnel who will work on licensed or NNLW jobs
  - d. evidence of training records for all personnel who will work on the job (Category B or C depending upon works classification)
  - e. where applicable, evidence of notification of the job to the HSE prior to commencement
  - f. Plans of Work prior to work commencing
  - g. Waste Consignment Notes
6. Providing statutory notice to the Enforcing Authority as may be required prior to the commencement of any asbestos related works (e.g. 14 day Notification for licensed work) or applying for a waiver against the minimum notice period. Copies of all such notices must be submitted to the relevant Works Duty Holder or AC before work commences.
  7. 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.
  8. Arranging transport and disposal of asbestos waste materials in accordance with legislative requirements and providing copies of all Consignment Notes without undue delay.
  9. Carrying out regular inspections of the work environment. Any defects found, or any reported by the Association's representatives, must be immediately rectified.
  10. Identifying to the relevant Works Duty Holder any additional elements of work which are to be agreed upon. The POW must be updated accordingly.
  11. Liaising with the Association-appointed UKAS accredited asbestos testing Association to ensure the satisfactory progress of the works.
  12. Co-operating fully with any Asbestos Remediation Project Managers utilised by the Association.
  13. Providing copies of all test certificates, Certificates of Reoccupation, and evidence of correct waste disposal to the relevant Works Duty Holder (or Project Manager) within 10 working days.

## 5.9 Asbestos Analysts & Surveyors

Asbestos analysts, surveyors, and consultants will be responsible for:

1. Maintaining and demonstrating UKAS accreditation relevant to the requested task.
2. Maintaining adequate insurance cover for the tasks to be undertaken.
3. Providing support to the Works Duty Holders and/or the AC as may be required.
4. Reviewing and commenting on, when requested by a Works Duty Holder or the AC, asbestos works such as: specifications, Contractor's and/or Sub Contractor's Method Statement, work procedures, etc.
5. Carrying out analytical works and inspections as agreed with a Works Duty Holder or the AC. 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.
6. Reporting to the relevant Works Duty Holder or the AC 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 the Association's Asbestos Policy and Procedures. Where senior Association staff are 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 relevant Works Duty Holder or the AC as soon as reasonably practicable.
7. Checking areas on completion of asbestos remedial works to ensure that the contractor has completed the scope of works and all affected areas have been left in a satisfactory condition.
8. Carrying out air monitoring tests and 4-stage clearance procedures as may be required by law, a Works Duty Holder or the AC, or as identified in the POW.
9. Reporting to the relevant Works Duty Holder or the AC 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.
10. Issuing formal reports, including Certificates of Re-occupation, to the relevant Works Duty Holder or the AC on completion of any site works.

## 5.10 Asbestos Remediation Project Managers

Asbestos Project Managers will be responsible for:

1. Assessing the **real** risks associated with proposed asbestos works, scoping the works, and preparing legally compliant and cost-effective removal/remediation works specifications.
2. Tendering, or assisting a Works Duty Holder with tendering, the works to appropriate and competent contractors.
3. Reviewing Plans of Work and liaising with the contractor to ensure legal compliance and compliance with the requirements of the Association.
4. On-site project management, auditing, supervision, monitoring, and testing to ensure safety and quality control and compliance with all legal requirements.
5. Completion of a final site review to verify the suitability for the site for handover and the completion of works as agreed.
6. Preparation of a project completion/compliance report for the Association's long-term protection against liability.

## 6. COMPETENCE – INFORMATION, INSTRUCTION, AND TRAINING

The following table defines the training matrix applicable to all personnel involved in the Asbestos Management System. The ARP will be responsible for ensuring all relevant personnel are provided with the appropriate training and records will be maintained of all training provided. Training will be refreshed at a minimum frequency set by the ARP.

Training	ARP	AC	Works Duty Holders	Relevant Employees
Asbestos Awareness (Category A)	✓	✓	✓	✓
Training on the Asbestos Policy and Procedures	✓	✓	✓	
Training on Specific Roles & Responsibilities	✓	✓	✓	✓
Asbestos for Managers and Duty Holders	✓	✓		
Accredited Asbestos Management Course	Optional	Optional		

## **7. DOCUMENT CONTROL**

The Asbestos Management System relies upon the maintenance of a range of documentation, for which the ARP is responsible. The following summarises the principal components of the system:

Asbestos Register, Property Asbestos Management Plans, interpretive reports etc.  
Survey and Sampling Reports Folder  
Policy & Procedures Document  
Asset Register – incorporating property list / relevant premises (i.e. post 2000)  
Approved Asbestos Contractors and Consultants List  
Training Records  
Incident Records  
Asbestos Works Records  
General construction and maintenance works records  
Audit, review, and monitoring records

## **8. AUDIT AND REVIEW**

8.1 The ARP will arrange for the Asbestos Management System to be audited and reviewed at least once every 12 months.

8.2 The audit/review may be carried out internally or by an external consultant, however, the auditor will be deemed to be competent by the ARP.

3. The audit/review will take account of all policies and procedures, asbestos register, training records, and all records associated with asbestos works.
4. A written report will be prepared detailing the findings of the audit/review, highlighting any non-conformances and/or areas for improvement and making recommendations and suggestions. The ARP will make the report available to the Director, who will present it to the Management Committee.
5. Technical vertical audits e.g. of a repairs contract will be carried out at a frequency to be determined by the ARP. This will ensure the appropriate asbestos elements are incorporated at each stage of the chain as required.
6. A range of other low-level audits will be carried out alongside inspection and monitoring activities to cover aspects such as:
  - a. Asbestos Register data status
  - b. Training (and refresher) status
  - c. Survey and Re-inspection progress.

## 9. CONTINUAL IMPROVEMENT

- 9.1 The Association is committed to achieving continual improvement in the management of risk associated with asbestos. This will involve the regular review of the policy and procedures and the introduction of additional controls where knowledge or technology on the subject develops and as the risk assessment, monitoring, and control schemes dictate.
- 9.2 The ARP will be responsible for overseeing the entire Asbestos Management System and will champion the continual improvement programme.

## 10. ASBESTOS TECHNICAL PROCEDURES

The following procedures have been prepared to ensure compliance with the Association's Asbestos Policy and the defined Roles and Responsibilities of key personnel. As such, these procedures should be treated as the Association's 'policy' and any deviation will not be permitted without the express permission of the ARP or Director.

<b>Asbestos Procedure</b>	<b>Title</b>
<b>AP0</b>	Duty to Manage – Overarching Procedure
<b>AP1</b>	Prohibition on Staff Handling Asbestos
<b>AP2</b>	Identification of Suspect Material (Damaged, Disturbed, or Previously Unidentified)
<b>AP3</b>	Asbestos Register and Survey Strategy
<b>AP4</b>	Planning and Organising Work on Buildings (and Asbestos Surveying)
<b>AP5</b>	Work with Asbestos Materials
<b>AP6</b>	Tenant Information and Work Procedures
<b>AP7</b>	Purchasing Housing Stock
<b>AP8</b>	Asbestos Incidents, Investigations, and Claims

**These procedures are defined in standalone controlled documents as part of the overall AMS.**

# APPENDIX 1

## LEGISLATION AND GUIDANCE

**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 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 de-classification 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 workplace 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.

**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 EPA 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 Legal Series L143 CAR12, Approved Code of Practice and Guidance  
HSE Guidance INDG 223 A Short Guide to Managing Asbestos in Premises  
HSE Guidance HSG264 Asbestos: A survey guide  
HSE Guidance HSG227 Managing Asbestos in Premises



## APPENDIX 3

### Cathcart & District Housing Equality Impact Assessment

<b>Name of policy to be assessed</b>	Asbestos Management Policy	<b>Is this a new policy or a review?</b>	Review
<b>Person completing the assessment</b>	Emma Connelly	<b>Date of Assessment</b>	11.04.22

1. Briefly describe the aims, objectives, and purpose of the policy	The purpose of this policy is to set out how Cathcart & District Housing Association will manage Asbestos containing materials (ACM's) within our housing stock. This policy aims to mitigate so far as is reasonably practicable the risks associated with disturbing asbestos or fibres being released as a result of deterioration. The objective is to highlight how the asbestos is going to be managed by the Duty holder and nominated Asbestos Co-ordinator.
2. Who is intended to benefit from the policy? (e.g. staff, applicants, tenants, staff, contractors)	All staff, tenants, and the general public who may be in the vicinity of the contained ACM's and our contractors who may be carrying out work near the ACM and may disturb or damage the ACM.
3. What outcomes are wanted from this policy? (e.g. benefits to customers)	To ensure that asbestos is managed and that through regular inspections continues to be managed thus mitigating the risks to staff, tenants contractors and the general public.

4. Which protected characteristics could be affected by the policy (tick all that apply)		
Minority Ethnic:		Age:
Gender:		Religion/belief:
Disability:		Transgender:
Sexual Orientation:		Maternity/Pregnancy:
Marriage/civil partnership:		Socio-economic status:
5. If the policy is not relevant to any of the protected characteristics listed in part 4. State why and end the process here.		
<p>The operation of this policy has no material effect on building users and is a set of procedures that protect all users from the harmful effects of asbestos equally. The policy is applied at premises level and no person specific impacts have been identified, that would affect particular groups more than others.</p>		
6. Describe the likely positive or negative impacts the policy could have on the groups identified in part 4.	<b>Positive Impacts</b>	<b>Negative Impacts</b>
	The policy will have a positive impact as it will ensure the safety of tenants, staff and contractors.	No negative impacts have been identified.
7. What actions are required to address the impacts arising from this assessment?	N/A	

Signed: Emma Connelly

Date: 11.04.22