



# Management of Asbestos in Buildings Policy

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<b>SSHC Reference</b>	Standard 4 – Quality of Housing Outcome 5 – Repairs, Maintenance & Improvements
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## Related Documents

- Scottish Secure Tenancy Agreement
- Appointment of Contractors
- Repairs and Maintenance Policy
- Tenant’s Improvements
- Asbestos Management Plan
- Asbestos Register

## **Translation Statement**

If you have any difficulties reading this information or need further help understanding our processes, please contact us. We can make this document available in a variety of formats; all you need to do is let us know what you need, and we will try to assist.

## **Compliance**

This policy has been drafted to ensure that it complies with current legislation and industry good practice.

## **Equality & Diversity**

Fyne Homes is committed to providing services which embrace diversity, and which promote equality of opportunity. As an employer we are also committed to equality and diversity within our workforce. Our goal is to ensure that these commitments, reinforced by our Values, are embedded in our day-to-day working practices.

## **Openness & Confidentiality**

Fyne Homes believes that its members, tenants and other interested parties should have access to information on how it conducts itself. This means that unless information requested is considered commercially sensitive or personally confidential it will be made available on request.

## **Data Protection**

Fyne Homes recognises the importance of data protection legislation, including the General Data Protection Regulation, in protecting the rights of individuals in relation to personal information that we may handle and use about them, whether on computer or in paper format. We will ensure that our practices in the handling and use of personal information during the processes and procedures outlined in this policy comply fully with data protection legislation. More information is available from our Data Protection Officer.

## **1. Introduction**

1.1. Fyne Homes has stated its commitment, through its Health & Safety Policy, to take all reasonable steps to ensure the health, safety and welfare at work of all its employees and others including service users, visitors, contractors, clients, tenants and members of the public who may be affected by its acts or omissions.

## **2. Aim**

2.1. The aim of this policy is to

2.1.1. Ensure that Fyne Homes complies with the appropriate current legislation relating to asbestos and outlines Fyne Homes' activities and responsibilities relating to that legislation.

2.1.2. Establish clear guidelines to be adopted whenever asbestos-containing materials are encountered in premises owned or occupied by Fyne Homes and to reduce the asbestos related risks to as low a level as is reasonably practicable.

2.2. This policy aims to cover the responsibilities of Fyne Homes and its subsidiaries as:

2.2.1. A Registered Social Landlord (to the tenant's homes and shops).

2.2.2. An Employer (duty of care towards employees), and

2.2.3. A Factor

2.3. This policy should be read in conjunction with Fyne Homes' Asbestos Management Plan (see appendix A), Fyne Homes' Asbestos Procedure and Fyne Homes' Health & Safety Plan. Definitions and health issues relating to asbestos can be found in Appendices B and C.

## **3. Links to vision and strategic priorities**

3.1. This policy aims to fulfil the needs of the Association's Strategic Priorities, in particular Meeting Housing Need - Invest in our properties through our programme of capital, cyclical and reactive maintenance.

## **4. Legal framework**

4.1. Fyne Homes will ensure that its Asbestos Management Plan and Asbestos Policy and Procedures comply with the current statutory requirements, which are at present:

The Health and Safety at Work etc Act 1974

The Asbestos (Licensing) Regulations 1983

The Asbestos Prohibition Regulations 1992

The Control of Asbestos Regulations 2012

The Construction (Design & Management) Regulations 2015

See Appendix E for further information on the above listed Acts and Regulations.

## **5. Actions**

5.1. To fulfil the aims of this policy Fyne Homes will:

5.1.1. Develop, implement, review and keep up-to-date an effective Asbestos Management Plan to manage asbestos, where present, in Fyne Homes' buildings.

- 5.1.2. Take the appropriate measures, such as encapsulation, labelling, inspection or removal of Asbestos Containing Materials (ACMs), in compliance with the Asbestos Management Plan and current legislative standards.
- 5.1.3. Promote the awareness of the Asbestos Management Plan and the hazards of asbestos through the training and induction of staff.
- 5.1.4. Carry out a desktop exercise to gather information about possible asbestos in Fyne Homes' buildings.
- 5.1.5. Where asbestos surveys are required, appoint a UKAS (United Kingdom Accreditation Service) approved asbestos contractor to carry these out. Where necessary undertake laboratory analysis of samples to determine if ACMs are present in Fyne Homes' properties.
- 5.1.6. Create and maintain an Asbestos Register to record the results of any asbestos surveys and identify where asbestos is present in Fyne Homes' properties.
- 5.1.7. Identify the condition and level of risk of any ACMs identified in the Asbestos Register.
- 5.1.8. Carry out regular property inspections and Asbestos Register updates.
- 5.1.9. Consult the Asbestos Register whenever maintenance, repair or alteration work is planned for a property.
- 5.1.10. Ensure the most recent version of the Asbestos Register is available to those who need access to it.

## 6. Monitoring and Reporting

- 6.1. The Technical Services Director will be responsible for
  - 6.1.1. Ensuring adequate monitoring and reporting is carried out on a routine basis and that the Management Plan is adhered to.
  - 6.1.2. Arranging regular condition checks and assessments on ACMs and that any amendments to the information contained in the Asbestos Register are made as necessary.
  - 6.1.3. Ensuring that the procedures established are adhered to, and that the Asbestos Register is consulted whenever maintenance, repair or alteration works to a property are planned.

## 7. Review Process

- 7.1. This policy will be reviewed in line with the respective current Fyne Homes' policies, and/or where a change in legislation arises.
- 7.2. If there is a procedural delay in the policy revision then the relative legislation in force at the time will prevail.

Version number	Revision Date	Part of doc revised	Reason for revision	Approved by

## **Appendix A - The Asbestos Management Plan**

- A.1. Protect those working on the fabric of Fyne Homes' properties.
- A.2. Protect those working within or occupying Fyne Homes' properties.
- A.3. Undertake asbestos surveys and testing.
- A.4. Create an Asbestos Register.
- A.5. Integrate/link the Asbestos Register and IBS.
- A.6. Manage and keep the Asbestos Register up to date, accurately recording any works related to ACMs within Fyne Homes properties.
- A.7. Identify and categorise ACMs and manage those hazards based upon prioritisation and assessment of the risk that they represent.
- A.8. Produce a prioritised programme of works of remediation of ACMs that, because of their location and/or condition present an actual or perceived risk to health. Ensure that only accredited asbestos removal companies are used.
- A.9. Monitor and maintain the condition of identified or suspected ACMs that are assessed as being able to be left in situ.
- A.10. Restrict access to areas where ACMs are located.
- A.11. Affix asbestos warning labels or symbols to ACMs.
- A.12. Inform those who may come into contact with or may otherwise be affected by the presence of ACMs, including emergency services if appropriate.
- A.13. Train staff with regard to issues relating to asbestos.
- A.14. Provide information to tenants, owners and other users of Fyne Homes' properties on asbestos related issues.
- A.15. Ensure that all contractors and tradesmen can demonstrate that they and/or their staff have an awareness of asbestos related issues and can recognise asbestos if they encounter it within a property.
- A.16. Specify safe systems of working with asbestos.
- A.17. Effectively control any works likely to affect ACMs and ensure that the Asbestos Register is consulted whenever building maintenance, repair or alteration work is planned.
- A.18. Appoint an asbestos coordinator.
- A.19. Manage and keep the Asbestos Management Plan up to date.

## **Appendix B – Definitions**

- B.1. Asbestos is a fibrous mineral, which is strong and highly resistant to heat and chemical attack. Due to its fibrous nature, it can be woven into fabrics and used as reinforcement for cement and plastics. In the past, asbestos's versatility made it a popular building material.
- B.2. Asbestos is most likely to be found in the following materials:
  - B.2.1. Sprayed asbestos and loose packing; generally used as fire breaks in ceiling voids.
  - B.2.2. Sprayed asbestos mixed with hydrated asbestos cement – generally used as fire protection in ducts, fire breaks, panels, partitions, soffit boards, ceiling panels and around structural steel work
  - B.2.3. Moulded or preformed sprayed coatings and lagging - generally used as thermal insulation of pipes and boilers
  - B.2.4. Insulating board used as fire protection, thermal insulation, partitioning and ducts
  - B.2.5. Some types of ceiling panels
  - B.2.6. Millboard, paper products used for insulation of electrical equipment (asbestos paper has been used as a fire proof on wood fibre board)
  - B.2.7. Asbestos cement sheet products compressed into corrugated or flat sheets. Corrugated sheets are largely used as roofing and wall panelling
  - B.2.8. Other asbestos cement products include guttering, rainwater conductors and water tanks
- B.3. There are three main types of asbestos:
  - B.3.1. Crocidolite (blue)
  - B.3.2. Amosite (brown)
  - B.3.3. Chrysotile (white)
- B.4. All forms of asbestos are potentially dangerous, but crocidolite and amosite are known to be more hazardous than chrysotile. Since the pigmentation of asbestos is only present in its unprocessed state, asbestos cannot be identified by its colour.
- B.5. Asbestos can be found in the following internal areas:
  - B.5.1. Bath panels
  - B.5.2. Panels beneath windows
  - B.5.3. Cupboards around domestic boilers
  - B.5.4. Panels behind electric fires
  - B.5.5. Panels behind electrical equipment
  - B.5.6. Panels on or inside fire doors
  - B.5.7. Partition walls
  - B.5.8. Floor tiles & linoleum products

- B.5.9. Textured coatings (Artex)
  - B.5.10. Cement cold water storage tanks
  - B.5.11. Panels lining service ducts
- B.6. It can also be found in shed and lean-to roofs, gutters, down-pipes, fascias, soffit boards and roofing felt.

## **Appendix C - Health Related Issues**

Breathing in air containing asbestos dust (fibres) can lead to asbestos-related diseases, mainly affecting the chest and the lungs. The principal diseases known to be caused by exposure to asbestos are asbestosis, lung cancer and mesothelioma.

There is usually a long delay between first exposure to asbestos and the onset of disease. It is generally assumed that the risk of disease is proportional to total exposure, but according to research the risk of mesothelioma is also strongly related to the time since first exposure.

The presence of asbestos in a building does not, however, itself present a risk, provided it is in good condition, sealed or in a location that is not likely to be damaged or worked upon. Wherever asbestos materials are located there is risk, if the materials are disturbed and damaged, of them releasing asbestos fibres. This means that, whilst all building occupiers are potentially exposed, workers engaged in maintenance and repair work are particularly vulnerable. There is therefore a need for Fyne Homes to ensure that building occupiers and employees and contractors engaged in maintenance work are not exposed to airborne asbestos fibres.



## **Appendix D - Dealing with Asbestos Containing Materials**

The establishment of a planned survey programme of Fyne Homes properties is fundamental to a proactive approach to the management of asbestos. The areas covered by the survey are non-housing stock, housing stock and the common areas within housing stock.

The surveys should combine all the currently available knowledge of asbestos locations within buildings, together with statistical sampling techniques, to examine an appropriate sample to identify the presence, type, location and condition of, and likelihood of damage to, asbestos materials in Fyne Homes owned or occupied buildings. The results of the initial survey are also used to determine and establish other priorities, such as further monitoring inspections on a programmed basis or to take other appropriate action.

The surveys also identify the associated risks created by Asbestos Containing Material (ACMs), unless there is evidence to show that the building is asbestos free. Where no survey has yet taken place it must be presumed ACMs are present, unless there is strong evidence otherwise.

Samples of materials believed to contain asbestos must be taken in accordance with MDHS 100 by a person who has been appointed and is accredited by the British Occupational Hygiene Society and following a detailed method statement accepted by the client describing the means by which the work will be carried out.

All samples will be analysed by a U.K.A.S. accredited body.

The results of the asbestos surveys feed into the Asbestos Database, which should contain the following information:

- the exact location of the asbestos
- the material containing the asbestos
- the type of asbestos
- the likelihood of damage
- any practical action required
- the frequency of inspection

In 2004/5 Fyne Homes commissioned Carymar Construction Services Ltd to undertake level 2 Asbestos Surveys with the objective of locating suspect ACMs as far as reasonably practical.

The surveys covered non-domestic buildings, common areas of residential rented properties and a representative sample of Fyne Homes' 'domestic properties'. Where ACMs were suspected samples were taken, the appropriate laboratory testing was completed and the results recorded.

From these surveys it was clear that Fyne Homes does not have extensive presence of ACMs in its properties; however the areas where ACMs were found or presumed were:

- some roof facia – Fyne Homes has removed suspected ACMs
- some roof soffits – Fyne Homes has removed suspected ACMs
- some flash pads

- some textured coatings

All ACMs have been removed from these properties.

Where asbestos is to be removed from a property Fyne Homes must ensure all works on the ACMs, including sealing and removal (except very small quantities of asbestos cement), are carried out by a contractor licensed by the Health and Safety Executive, under the independent supervision of an accredited monitoring agency.

Any ACMs identified as representing a significant risk, because of location, condition etc., should be removed.

If major refurbishments or demolitions of Fyne Homes properties are scheduled to take place then a Type 3 survey should be considered prior to any work being undertaken, unless there is adequate existing data on the presence of asbestos within the building.

Waste contaminated by or containing asbestos must be double bagged in heavy duty polythene bags and clearly labelled before it is transported to a licensed disposal site.

## Appendix 'E' - The Legal Framework

**The Control of Asbestos Regulations 2012** requires employers to prevent exposure of employees to asbestos. If this is not reasonably practicable their exposure should be controlled to the lowest practicable level. Before any work with asbestos is carried out, the Regulations require employers to make an assessment of the likely exposure of employees to asbestos fibres. The assessment must include a description of the precautions taken to control fibre release and to prevent workers and others who may be affected by the work. A copy of the assessment must be retained on site at all times where practicably possible. All persons working with asbestos must be adequately trained, that must include training in the correct use of respiratory equipment.

There is also a requirement placed upon Fyne Homes to manage the risk from asbestos in non-domestic premises by ensuring that a suitable and sufficient assessment is carried out as to the presence of asbestos in premises over which we have control. This requirement also includes common parts of domestic premises. The regulations also require a written management plan to be developed and implemented setting out in detail how we are going to manage the risk from asbestos.

The Regulations require that any project involving a person working more than 1 hour in a 7 day period or where the total time of all persons requires more than 2 hours work with asbestos board or involves more than 2m<sup>2</sup>, then that work must be carried out by a contractor licensed by the Health and Safety Executive (HSE). All work with asbestos insulation or asbestos coating must also be carried out by a contractor licensed by HSE. It is now required that the HSE are notified by the contractor when textured decorative coatings (Artex or similar) are going to be removed from the premises and this must be recorded. Fyne Homes have always included this requirement within its Asbestos Policy.

All work with asbestos insulating board became a licensable and notifiable activity from 1 August 1999. The present exemptions concerning the permitted duration of work will however continue. Most insulation board contains up to 40% amosite, hence the reason for making this licensable work. The notification period to the HSE for asbestos work has been reduced from 28 days to 14 days. The HSE has made this alteration at the request from the asbestos industry, but state that applications for exemptions to the 14 day period are unlikely to be successful. The regulations also extend the HSE's powers to revoke licences in future.

**The Health and Safety at Work etc. Act 1974** imposes general duties on employers to ensure the health, safety and welfare of employees and others who may be affected by the organisation's undertakings. Employers must then take the appropriate arrangements to put in place the necessary preventative or protective measures.

**The Management of Health and Safety at Work Regulations 1999** requires employers to assess the risks to the health and safety of employees and other persons arising out of work.

**The Construction (Design & Management) Regulations 2015** places duties upon Clients, Principal Designers, Principal Contractors, and Designers, to plan, manage and co-ordinate health and safety on all construction work. Where the project is expected to last for more than 30 days, or have more than 20 workers on the project at any one time, or exceed 500 person days the project must be notified to the Health & Safety Executive. The regulations also apply to all demolition work. These regulations place significant responsibilities upon the Client to provide relevant health and safety information to the Principal Designer, Designer, and Principal Contractor including any details on the presence of any asbestos within a property. Measures are then required to avoid inadvertent damage to asbestos and the release of fibres into the air.