



**CHESTERFIELD**  
BOROUGH COUNCIL

## **Asbestos Policy 2018-2021**

**Third (final) draft December 2017**

<b>Version</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>
V 0.1 Draft 01	May 2017	J Ransom	First Pre-Draft Policy (for development).
V 0.1 Draft 02	Sept 2017	J Ransom	Incorporating AMSG Feedback.
V 0.1 Draft 03	Dec 2017	J Ransom	Incorporating AMSG + Management Feedback.

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## 1. MANAGEMENT INFORMATION

<b>Risk Assessment</b>	To define the management of risks from Asbestos Containing Materials.
<b>Consultation</b>	Asbestos Management steering Group (AMSG). Senior Management Team. Corporate Health & Safety Unit. Council Risk Management Group. CBC Board of Management.
<b>Diversity Issues</b> (how diversity impacts have been considered, what action has been taken or that no diversity issues arise).	No Specific Diversity Issues.
<b>Associated Policies Plans &amp; Procedures</b>	CBC Health & Safety Policy. Asbestos Management Plan (AMP). Asbestos Specific Procedures (listed in AMP).
<b>Director / Policy Sponsor</b>  <b>Policy Specialist</b>	Assistant Director - Housing  Design & Capital Investment Manager. Assistant Director - Health & Wellbeing
<b>Applicable to</b>	CBC, Consultants and Contractors.
<b>Responsibility for Implementation</b>	Chief Executive CBC.
<b>Policy 'Owner'</b>	Assistant Director - Housing ( <i>for Housing</i> ).  Assistant Director - Health & Wellbeing ( <i>for Corporate</i> ).
<b>Date of Issue</b> <b>Date of Review</b> <b>Date agreed by Board of Management / Council Committee</b>	
<b>Performance reporting &amp; resident scrutiny</b>	
<b>Circulation list</b>	Available to all CBC staff electronically on Council data server repository (once draft version approved).

## **2. STATEMENT OF PURPOSE AND SCOPE:**

The purpose of this policy is to outline Chesterfield Borough Council (CBC) controls and responsibilities to manage asbestos effectively and safely in line with the Control of Asbestos Regulations 2012 (CAR) and Health and Safety at Work Act 1974.

This policy applies to:

- All Chesterfield Borough Council (CBC) employees and contractors undertaking asbestos related works, or work adjacent to asbestos containing materials (ACMs);
- All Chesterfield Borough Council (CBC) properties including all properties owned by partner/ subsidiary organisations of the Council or managed by CBC (unless otherwise formally agreed with the freeholder/ business tenant/ lessee/ occupier). This will include domestic rented properties, communal areas (including those to leasehold property) and non-domestic (corporate and commercial) properties. This will also include any property managed by CBC; and
- Anyone likely to be put at risk from work in these properties.

## **3. KEY DEFINITIONS:**

<b>Term:</b>	<b>Description:</b>
Asbestos	A term for a group of six naturally occurring fibrous minerals; chrysotile, crocidolite, amosite, anthophyllite, tremolite, and actinolite. Asbestos can most typically be found in buildings built or refurbished prior to the year 2000. When asbestos containing materials are disturbed or damaged, causing fibres to be released into the air, if inhaled these represent a potential health hazard. If safely managed and contained these materials do not present a health hazard.
Asbestos Containing Material (ACM)	Any material containing asbestos. Some examples include pipe and boiler insulation, sprayed on fireproofing, floor tiles and mastic, floor linoleum, roofing materials, wall and ceiling boards, textured coatings (Artex), flues, and ceiling tiles.
Duty Holder	CBC, as a corporate body, is responsible for ensuring compliance with Health and Safety legislation, CAR 2012 and that the safe management and mitigation of risk is achieved overall. External contractors and Kier Asset Partnership Services Ltd property maintenance team also act as individual responsible 'Duty Holder' in respect of asbestos when conducting work directly.

Term:	Description:
Management Survey	Used to locate asbestos containing materials (as far as reasonably practical) that could be disturbed or damaged, and to help manage ACMs strategically. Often involves only minor intrusive work and localised disturbance in order to obtain samples to test. Results used to conduct Risk Assessment.
Risk Assessment	Identifying and assessing the hazards and the risk associated with those hazards from exposure to asbestos and determining any necessary precautions (either immediate or longer term). 'The assessment of risk is required by regulation'.
Refurbishment and Demolition Survey	Used to locate all asbestos containing materials (as far as reasonably practical) by being conducted before any demolition, or intrusive work likely to disturb the fabric of the building is carried out and is specific to the scope of intended works. Surveys are fully intrusive and may involve destructive inspection to gain access to all appropriate areas, including those that are difficult to reach (example: service ducts). Results are used to conduct Risk Assessments and derive appropriate Method Statements.

#### **4. POLICY STATEMENTS (PRACTICAL INTENT):**

1. We will manage ACMs via reasonably practical means to prevent exposure to asbestos fibres.
2. We have a duty of care to ensure that we mitigate (reduce) any risks associated with asbestos to customers, residents, employees, contractors, and members of the public as far as reasonably practical.
3. We will, as the Duty Holder, take reasonable steps to locate asbestos containing materials (ACMs) in premises that are likely to contain them, including where it is situated and what condition it is in. If in doubt, we will presume materials contain asbestos unless there is strong evidence that they do not.
4. Approved Codes of Practice & Guidance information published by the HSE shall be taken as the adopted compliance standard.
5. We will have an Asbestos Management Plan (AMP) that sets out how we manage and control the risks from ACMs to employees, customers, contractors, etc. We will annually review and monitor the plan so it remains up to date and relevant, or sooner if suspected it is no longer valid, there has been a significant change to the business or its activities, or there has been a major incident.

6. We will conduct asbestos surveys, either Management Survey or Refurbishment and Demolition Survey, as outlined in the HSG264 'the Survey Guide' with the aim to determine and record the location, condition and extent of any presumed ACMs. We will make sure these are only carried out by approved and competent individuals/ contractors.
7. The survey strategy for all property constructed prior to 2000 and as set out in the AMP will be to:
  - Ensure 100% management survey to the non-domestic (communal) areas associated with our housing, including communal garage blocks externally;
  - Implement a pro-active prioritised survey programme of all our domestic properties (typically flats and houses) based upon higher risk asbestos identified in our existing data, or other relevant criteria (age, construction type, etc). A nominal 20% survey proportion (of the domestic stock) to be conducted annually (until 100% survey completion). This protocol will be set out within the AMP and subject to annual review to ensure this remains fit for purpose;
  - Ensure 100% management survey to the non-domestic corporate property and areas that we own and retain management responsibility for;
  - Ensure an initial 100% management survey to the non-domestic corporate property and areas that we own and sub-let/devolve on-going management responsibility to the lessee/business tenant for. These surveys to then be passed onto the responsible lessee/ business tenant with which to undertake their own statutory obligations thereafter. This may include corporate/ commercial property sub-let and managed on behalf of CBC; and
  - Carry out pro-active surveys where required prior to any work intrusive to the fabric of a building, including planned maintenance, empty homes works and day to day repairs.
8. Following risk assessment (typically survey), and where we retain management responsibility, we will re-inspect, re-assess and record the condition of known ACMs at suitable intervals as defined in the AMP.
9. We will not, unless it becomes a risk to remain in-situ, remove ACMs as this could be more dangerous than leaving them in place. Where removal is the most appropriate option, we will ensure only appropriately trained/ equipped/ experienced/ licensed/ competent contractors undertake works in the properties for which we have responsibility. We will aim to remove all "high risk" rated ACMs in our properties, or return them to a safe state of repair.

10. We will ensure that where ACMs providing fire, sound or thermal insulation protection are removed, that these are replaced with an alternative material providing similar protection.
11. We will repair or seal ACMs if they are damaged or deteriorating, but only if otherwise in sound condition and unlikely to be subject to further damage, or in a position where they will not otherwise cause a risk to health if left untreated.
12. We will only label ACMs in communal areas of buildings not accessible or visible to the public. Any exceptions to this (for specific corporate buildings) will be clearly detailed within the Asbestos Register system. Labels will then be checked during ACM monitoring re-inspection surveys.
13. We will follow recommendations contained in the survey report and with reference to the timescales/ cycles defined in the AMP. Any deviation to this will be reviewed with the 'responsible person' and expressly recorded upon the Asbestos Register system.
14. We will record the location and condition of ACMs, or materials we presume contain asbestos and keep those records up to date.
15. We will hold the results from the surveys on the approved CBC Asbestos Register, which will be made accessible to employees, contractors and emergency services. This will contain information on the location and condition of all asbestos, or materials presumed to contain asbestos, along with the associated risk assessment and materials confirmed that do not contain asbestos. Following implementation of the new unified CBC hosted Asbestos Register and compliance management system (Autumn 2017), for new surveys these records will also provide linked access to photographs and schematic plans for those that need to see them.
16. We will undertake a risk assessment (recorded in the register), in order to appropriately and consistently assess the risk from asbestos being present. This will be based upon the 'material risk score' as well as the 'priority risk score' to comprehensively assess the overall likelihood of anyone being exposed.
17. We will, where a new full survey has been carried out, inform our customers within that property to the presence of ACMs as per the CBC 'Communication' Strategy: Informing Residents About Asbestos'. We will also provide generic guidance in the form of a leaflet, for new tenants, upon our web site, within our tenant handbooks and via periodic newsletter articles.
18. We will provide employees with the appropriate level and frequency of training based on their roles and responsibilities (Training Needs Assessment). Some asbestos specific roles will also be required to demonstrate appropriate competence.

19. We will investigate all 'near misses'/ compliance breaches and where appropriate report asbestos exposure through RIDDOR.
20. We will maintain an Asbestos Management steering Group (AMSG) with representation from all parts of the business (Housing and Corporate) involved to monitor and scrutinise our practical application of the asbestos compliance regime. The AMSG will undertake an annual summary review of our adherence to the AMP with clear recommendations where appropriate to the CBC Executive Team/ Board of Management.
21. Hazardous waste consignment notes will be kept for 3 years and Certificates of re-occupation for 40 years. Records of other precautionary measures undertaken, including advice/ survey summaries issued to residents, ACM removal records, related consignment notes, work auditing, 'statements of cleanliness', etc will also be retained and when the new combined CBC hosted Asbestos Register system fully implemented (Autumn 2017), attached within the register system for continuity.
22. Key performance information in relation to Regulation 4 (of the CAR 2012) and re-inspections undertaken will be provided to the CBC Executive Team/ Board of Management, every quarter (3 monthly).

## **5. MONITORING (OF THIS POLICY):**

We will monitor this policy to ensure it continues to deliver the expected outcomes. Service standards, key performance indicators and audits are typical of the monitoring systems which will be employed but this will vary according to the area of the policy concerned. These aspects are set out in more detail and will be dynamic/ subject to review (to ensure they remain adequate for purpose) as part of the AMP and related CBC Procedures.

## **6. REVIEW CYCLE:**

We will review this policy as a minimum on a three yearly cycle, or otherwise when a business/ compliance obligation need arises. Our review programme may also be driven by service improvement initiatives, changes to legislation, regulation, practice, our management structure or systems, or as a result of feedback from key stakeholders/ customers.



**7. PRIMARY REGULATION / LEGAL REFERENCES:**

- Control of Asbestos Regulations 2012 (CAR);
- Health and Safety at Work Act 1974;
- Management of Health & Safety at Work Regulations 1999;
- Control of Substances Hazardous to Health Regulations 2002;
- Workplace (Health, Safety and Welfare) Regulations 1992;
- Hazardous Waste Regulations 2005;
- Construction (Design and Management) Regulations 2015;
- The Approved Code of Practice; 'Managing and Working with Asbestos' (L143);
- Guidance Document; 'A Comprehensive Guide to Managing Asbestos in Premises' (HSG227);
- Landlords and Tenants Act 1985; and
- HCA Regulatory Framework - Home Standard (to meet all statutory requirements that provide for the health & safety of occupants in their home).

**8. GLOSSARY OF TERMS AND ABBREVIATIONS:**

ACM -	Asbestos Containing Material
ACOP -	Approved Code of Practice
AMP -	Asbestos Management Plan
AMSG -	Asbestos Management Steering Group
CAR -	Control of Asbestos Regulations (2012)
HSE -	Health and Safety Executive
RIDDOR -	Reporting Of Injuries, Diseases & Dangerous Occurrences Regulations
CBC -	Chesterfield Borough Council

<b>Version number:</b>	V 0.1 Draft 03 (Final).
<b>Approved by:</b>	AMSG
<b>Approval date:</b>	
<b>Effective from:</b>	Third (final) draft for review 13 December 2017.
<b>Review date:</b>	(3 years post endorsement).
<b>Equality analysis completed:</b>	
<b>Policy author:</b>	J Ransom/ M Key/ A Craig.
<b>Policy owner:</b>	Assistant Director for Housing ( <i>for Housing</i> ).  Assistant Director for Health & Wellbeing ( <i>for Corporate</i> ).

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**APPENDIX A:**

**Schedule of Interim Revisions**  
**(prior to 3 yearly Policy review/update cycle)**

<b>Date:</b>	<b>Page Number:</b>	<b>Section Reference:</b>	<b>Revision:</b>