

## Chesterfield Borough Council Equality Impact Assessment - Full Assessment Form

<i>Title of the policy, project, service, function or strategy:</i>		Corporate Asbestos Policy 2024-2029 and Management Plan 2024/25
<i>Service Area:</i>	Digital, HR and Customer services Directorate	
<i>Section:</i>	Health, Safety and Risk	
<i>Lead Officer:</i>	Grant Ilett	
<i>Date of assessment:</i>	01/09/23	
<i>Is the policy, project, service, function or strategy:</i>		
<i>Existing</i>	<input type="checkbox"/>	
<i>Changed</i>	<input type="checkbox"/>	
<i>New / Proposed</i>	<input checked="" type="checkbox"/>	

### Section 1 – Clear aims and objectives

<p><b>1. What is the aim of the policy, project, service, function or strategy?</b></p> <p>The asbestos policy and management plan have been reviewed. They now reflect an improved picture to ensure a better compliance with Council's legal duties. This includes compliance with the Health and Safety at Work etc. Act 1974 (HASAW), the Management of Health and Safety at Work regulations 1999 and the Control of Asbestos Regulations (CAR) 2012, the Control of Substances Hazardous to health (2002); Personal Protective Equipment Regulations 1992 (as amended) and other applicable legislation, along with compliance with the Council's corporate Health &amp; Safety Policy, Health and Safety Executive (HSE) Approved Codes of Practice, Guidance and industry guidance.</p> <p>This Asbestos Policy and management plan details responsibilities and instructions required by the Council's Chief Executive, the policy owner, the nominated dutyholders, and the appointed responsible persons for the Council, or persons working for the dutyholder, in order to maintain compliance with the Control of Asbestos Regulations (CAR) 2012. This is in regards the management of asbestos-containing materials within the properties and regarding any work on asbestos for which the Council has responsibility.</p>
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## 2. Who is intended to benefit from the policy and how?

This policy will apply to all Council employees and other workers (including agency, casual, voluntary, elected members and contractors) when at work and working on Council premises, Council workplaces or elsewhere on Council business. The supplementary corporate guidance also outlines expectations on engagement with our customers (tenants both domestic and non-domestic).

The policy applies to:

- All Council employees and contractors (including the Housing Property Services 'in-house' team [HPS]) undertaking asbestos related works, or work adjacent to asbestos containing materials (ACMs).
- All Council properties (unless leased to the third party). This covers both domestic and non-domestic stock.
- Anyone likely to be put at risk from work in these properties.

In essence the main benefit from this revised policy is an improvement in understanding and control ACM. The removal of out of date information and obsolete details. For example, the removal of information that could inadvertently create unnecessary anxiety (through the removal of the asbestos leaflet)

## 3. What outcomes do you want to achieve?

To ensure that all Dutyholders and their responsible persons (relevant managers) along with their employees and other persons (e.g. Councillors, third party) will comply with health and safety regulations and HSE approved guidance standards. The key outcome is a more succinct (as much as possible for a very technical subject) policy documentation, which provides a more updated and clear framework for all person to work from.

In addition, this has been supplemented for the first time with a full suite of corporate technical guidance and process maps to assist with communication and clear instruction on asbestos awareness and other asbestos communication requirements.

**4. What barriers exist for both the Council and the groups/people with protected characteristics to enable these outcomes to be achieved?**

Some employees and workers may have a protected characteristic(s) and/or medical grounds which will justify changes and reasonable adjustments in the workplace, this is sufficiently covered by a separate policy (The Council's Respiratory Protective Equipment (RPE) Policy).

For example:

- Communication of safety advice and confirming understanding if first language is not English
- Religious / medical reasons regarding close fitting RPE
- Religious exemptions from the need to wear close fitting respiratory protection in the workplace

**5. Any other relevant background information**

The updated asbestos policy, AMP and technical corporate procedures have been developed with external expert consultant advice (subject matter expert input). These documents also reflect learning from the HSE interventions in 2022 and 2023.

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**Section 2 – Collecting your information**

**6. What existing data sources do you have to assess the impact of the policy, project, service, function or strategy?**

In line with the Public Sector Equality Duty, information regarding employees with protected characteristics is collated by the HR team. Potential impact of the policy could be estimated from these figures, however adjustments would need to be discussed with employees / workers on an individual case by case basis.

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**Section 3 – Additional engagement activities**

**7. Please list any additional engagement activities undertaken when developing the proposal and completing this**

EIA. Have those who are anticipated to be affected by the policy been consulted with?		
Date	Activity	Main findings
04.09.23	Early consultation of Policy and AMP	Early drafts of the following documents were discussed and consulted at an early stage. The feedback and review was also considered with the external independent asbestos consultant (iON Consultants Ltd). Asbestos Policy Asbestos management plan (AMP) Process map 'as is' Process map draft 'to be'
29.09.23	Andrew Fowler Unison feedback	Tracked changes feedback provided from Unison were considered and integrated where possible.
02.10.23	H&S Policy review process meeting – consultation activity	Asbestos Policy and Management Plan documents discussed at the meeting.
17.11.23	TU safety representative additional consultation 17 <sup>th</sup> – 30 <sup>th</sup> Nov.	Consideration was made to TU safety representative feedback, vast majority of suggestions and valued feedback were accommodated, clarifications made along with some reformatting. GI v2.4 with tracked changes and comments issued + a clean version of the AMP and Asbestos policy circulated.
17.11.23	Asbestos technical procedures and protocol. TU safety representative consultation 17 <sup>th</sup> – 30 <sup>th</sup> Nov.	TU safety representatives sent the full suite of corporate procedure documents for asbestos.
20.11.23	Asbestos Policy 2023-2027 (policy consultation) aspire pages	Created the policy consultation pages on Aspire (internal intranet page). Full suite of documents (latest drafts attached to the pages). 1. Asbestos Policy (draft). Nov 23 v3 2. Asbestos Management Plan (AMP) Nov 23 v2.4 draft a. Survey procedure Oct 23. v4.1 draft b. Removal procedure Oct 23. v2.1 draft c. Compliance procedure Oct 23. v2.1 draft d. Communications protocol Oct 23. v2.1 draft e. No access asbestos procedure. Oct 23. v1 draft f. Emergency works procedure - Oct 23. v1 draft  Asbestos Process Maps 1. the current processes are mapped in document: 'Asbestos Mgmt in Corporate Properties As is Processes v0.1' 2. the proposed draft processes, mapped out in document: 'Asbestos Mgmt in Corporate Properties draft To Be Processes v2'.  Continued to work with the external asbestos consultants to develop these documents. Comments requested to be received by end of Dec 23

5.12.23	H&S Policy review process meeting – consultation activity/	Asbestos Policy document and the Asbestos Management Plan is nearly ready for formal consultation, pending any further comments received from the management/wider workforce consultation (Nov-Dec 23). Asbestos procedures / protocol – ongoing consultation to mid-December Unite feedback received
6.12.23	EIA circulated to policy team	Amend made on their feedback received 7.12.23.
20.11.23/ ongoing	Employee and manager communications (awareness of policy review)	Aspire asbestos consultation pages established 20.11.23. Requesting feedback and comments by end of December 2023. Weekly managers e-bulletin - 24 November (asbestos policy consultation pages) notified Weekly managers e-bulletin – 8 December (asbestos policy consultation pages) reminder T4 connected teams chat – reminder of consultation and final call for comments 30.1.23 No comments received & no equalities concerns raised.
31.01.24	EIA updated to reflect feedback from the consultation work	TU safety rep feedback: Redrafting of policy and AMP documents. Training matrix updated. HSE industry recognised training providers. PC recommended widening the scope of training providers and opens to wider pool of competent training providers. Roles and responsibilities also updated. Management meeting (Property and Technical Services 11.1.24) requested RIA continued support for asbestos register updating until P&TS reshape is implemented. Agreed with HPS management (30.1.24). Responsible person duties revised to reflect the RIA supporting role and RIA duties re-added to section 5.1
14.02.24	Health and safety committee – formal consultation, final drafts (as per the agreed H&S Policy review process step-by step process).	1. Asbestos Policy 2024- 2029 v3.1 (draft) 2. Asbestos Management Plan (AMP) 2024/25 v2.7 (draft)  Asbestos Process Maps 1. the current processes are mapped in document: 'Asbestos Mgnt in Corporate Properties As is Processes v0.1' 2. the proposed draft processes, mapped out in document: 'Asbestos Mgnt in Corporate Properties draft To Be Processes v2'.  14.02.24 post committee update. H&S committee endorsed the documents. GI will now progress with next steps for E&G committee.
14.02.24	EIA document updated	Post H&SC. No diversity issues were raised at committee.
Proposed 25.03.24	Employment and General Committee. Final draft Policy will be presented, discussed and approval requested	

Complete process in Feb 24	Portfolio Holder - formal approval for corporate asbestos procedures <i>(as per the agreed Corporate health, safety and risk policy guidance step-by-step process)</i>	<ul style="list-style-type: none"> <li>a. Survey procedure</li> <li>b. Removal procedure</li> <li>c. Compliance procedure</li> <li>d. Communications protocol</li> <li>e. No access asbestos procedure.</li> <li>f. Emergency works procedure</li> </ul>
TBC	Implementation / communication support work on changes	Asbestos Proposal for ongoing training and compliance support (by SME). Health surveillance arrangements – to include Spirometry testing. (as part of Occupational health review / new contractual arrangements).

## Section 4 – What is the impact?

**8. Summary of anticipated impacts.** *Please tick at least one option per protected characteristic. Think about barriers people may experience in accessing services, how the policy is likely to affect the promotion of equality, knowledge of customer experiences to date. You may need to think about sub-groups within categories eg. older people, younger people, people with hearing impairment etc.*

	Positive impact	Negative impact	No disproportionate impact
Age	<input type="checkbox"/>	<input type="checkbox"/>	✓
Disability and long term conditions	<input type="checkbox"/>	✓	<input type="checkbox"/>
Gender and gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	✓
Marriage and civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	✓
Pregnant women and people on parental leave	<input type="checkbox"/>	<input type="checkbox"/>	✓
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	✓
Ethnicity	<input type="checkbox"/>	<input type="checkbox"/>	✓
Religion and belief	<input type="checkbox"/>	✓	<input type="checkbox"/>

### 9. Details of anticipated positive impacts.

a)	The Policy will actively support certain medical and religious characteristics, in so much that this will assist with avoiding unfair dismissal claims and ensure reasonable adjustments are made where appropriate.							
	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion
b)								
	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion

### 10. Details of anticipated negative impacts.

a)	<i>Negative impact:</i>	Some employees and workers may have a protected characteristic based on disability which may justify changes and reasonable adjustments in the workplace and PPE. Refer top RPE Policy which adequately addresses these concerns.						
	<i>Mitigating action:</i>	HR and the health, safety and risk team will be referred to on an individual basis for further guidance						
	<input type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion
b)	<i>Negative impact:</i>	Some employees and workers may have a protected characteristic based on their religion / belief which may justify changes and reasonable adjustments in the workplace and PPE. Refer top RPE Policy which adequately addresses these concerns.						
	<i>Mitigating action:</i>	HR and the health, safety and risk team will be referred to on an individual basis for further guidance						
	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input checked="" type="checkbox"/> Religion
c)	<i>Negative impact:</i>							
	<i>Mitigating action:</i>							
	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender	<input type="checkbox"/> Marriage	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion

<b>11. Have all negative impacts identified in the table above been mitigated against with appropriate action?</b>			
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<i>If no, please explain why:</i>



## Section 5 – Recommendations and monitoring

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**12.** How has the EIA helped to shape the policy, project, service, function or strategy or affected the recommendation or decision?

The health, safety and risk team have been consulting throughout the creation of this policy, bearing in mind at all times those employees / workers with protected characteristics.

**13.** How are you going to monitor the policy, project, service, function or strategy, how often and who will be responsible?

Managers will be expected to police the monitoring and use of the policy for operational purposes. External Subject matter expert / or where available in-house competent roles - will audit against this policy standard during periodic or departmental H&S audits. Departmental inspections, safety tours, and site visits will be other proactive opportunities to identify and complete corrective action for policy compliance. In addition, bespoke asbestos training / elearning / category B / and other training as applicable will address learning and development needs. Learning opportunities will also be presented during potential adverse events such as spotting hazards, near misses and other accidents and incidents. These will encompass the reactive elements for the policy monitoring activity.

## Section 6 – Knowledge management and publication

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Please note the draft EIA should be reviewed by the appropriate Service Manager and the Policy Service **before** WBR, Lead Member, Cabinet, Council reports are produced.

Reviewed by Head of Service/Service Manager	Name:	G Ilett
	Date:	05.02.24
Reviewed by Policy Service	Name:	Allison Potter
	Date:	14.02.24
Final version of the EIA sent to Policy Service		
Decision information sent to Policy Service		

