



fairfield housing  
association

## **Asbestos Policy**

**Approval date: November 2020**

**Approved by: Board of Management**

**Review date: November 2023**

**Effective date: 25<sup>th</sup> November 2020**

**Policy Owner: Board of Management**

**Policy Author: Maintenance Officer**

### This policy applies to

All staff of Fairfield Housing Association for their work in relation to on site matters

### Policy Summary

The purpose of this policy is to provide a clear statement of the Fairfield Housing Association's (FHA) policy on asbestos awareness in domestic and commercial (residential and non-residential) buildings owned and managed by FHA.

This policy is of vital importance in ensuring the health and safety of tenants and residents of Association properties and of those who identify or may come in contact with asbestos in their homes. As a landlord, FHA has a legal responsibility to ensure the safety of its tenants in their properties where asbestos could be present or has been identified. This policy sets out how the FHA will fulfil these legal requirements.

### Equalities

Fairfield is committed to equality and diversity. The operation of this policy will always be in accordance with Fairfield's Equality, Diversity and Human Right Policy.

### Privacy

This document fully complies with General Data Protection Regulations (2018).

### Compliance

The Control of Asbestos at Work Regulations 1987 as amended.  
Other legislation as detailed at Section 2.2 in the Policy.

#### **SHR Regulatory Standards**

**Standard 1:** The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users

**Standard 4:** The governing body basis its decisions on good quality information and advice and identifies and mitigates risk to the organisations purpose.

**Standard 5:** The RSL conducts its affairs with honesty and integrity.

**Standard 6:** The governing body and senior officer have the skills and knowledge they need to be effective.

#### **Additional Sources of Information**

<http://www.acas.co.uk>

### Related Policies

Reactive Maintenance Policy (to be reviewed)

## CONTENTS

## PAGE NO.

1.0	Introduction.....	4
2.0	Principles.....	4
3.0	Objectives .....	4
4.0	Approach and Method.....	5
5.0	Breaches of this Policy .....	12
6.0	Monitoring and Performance Measurement Reporting .....	12
7.0	Complaints .....	12
8.0	Policy Availability .....	13
9.0	Review.....	13

## 1.0. INTRODUCTION

- 1.1 Fairfield Housing Association (herein referred to as FHA) has a responsibility for organising and carrying out repairs/refurbishment to our housing stock. This includes tenants' homes and communal areas. Some of these buildings were built, or previously refurbished, at a time when the use of asbestos containing materials in their construction was common.
- 1.2 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. The purpose of this document is to reduce this risk to a minimum by establishing an Asbestos Register to inform tradesmen of the presence of asbestos before they start work and to ensure that safe working systems are employed.
- 1.3 It is the policy of Fairfield Housing Association to ensure that, as far as is reasonably practicable, no persons are 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 or occupies

## 2.0 PRINCIPLES

- 2.1 The principles governing the operation of this policy are that the policy and associated procedures should:
  - be clear and understood by all employees
  - be fair, equitable and non-discriminatory
  - reflect statutory requirements and best practice
  - be flexible and adaptable to changing needs
- 2.2 The Association will seek to comply with all current legislation and statutory regulations covering asbestos containing materials, and in particular, seeks to comply with:
  - The Health and Safety at Works etc. Act 1974 as amended
  - The Control of Asbestos at Work Regulations 1987 as amended
  - The Management of Health and Safety at Work Regulations 1992 as amended
  - The Construction (Design and Management) Regulations 2007 as amended
  - Control of Substances Hazardous to Health Regulations 2002 as amended
  - Asbestos Products (Safety) Regulations 1985
  - Asbestos Products (Safety)(Amendment) Regulations 1987
  - Control of Asbestos Regulations 2012
  - The Special Waste Regulations 1996

### **3.0 OBJECTIVES**

- 3.1 Ensure the prevention of exposure to risks associated with asbestos containing materials;
- 3.2 Ensure that any asbestos containing materials that may be present in any of its buildings are maintained in a condition so as to minimise the possibility of any harm to health occurring;
- 3.3 Promote awareness of the risks from asbestos containing materials through training and induction of relevant staff;
- 3.4 Ensure a commitment to comply with all relevant asbestos legislation, Approved Codes of Practice, Health and Safety Executive Guidance Notes;
- 3.5 Maintain an Asbestos Register for review and update after any treatment and/or removal works have been undertaken;
- 3.6 Ensure that all Contractors and Sub Contractors engaged to carry out work on any of the Association's buildings are provided with a summary, listing all relevant premises that may contain asbestos which may be disturbed by their works;
- 3.7 Ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate and that Contractors and Sub Contractors have in place Risk Assessments, Method Statements, etc. for its removal and/or management as appropriate;
- 3.8 Ensure Contractors and Sub Contractors shall not commence works without prior submission of their method statement to, and subsequent approval by, the Asbestos Coordinator or his designated representative;

### **4.0 APPROACH AND METHOD**

- 4.1 Fairfield Association has responsibility for compliance with The Health and Safety at Work etc. Act. (1974) and all associated legislation. This includes specific legislation relating to asbestos, as set out in Section 2.
- 4.2. This Asbestos Policy and Procedures document should be read in the context of the Association's Corporate Health and Safety Policy.

#### **4.3. THE CHIEF EXECUTIVE OFFICER (CEO) will be responsible for:**

- 4.3.1 Has overall responsibility for ensuring compliance with all current asbestos regulations, guidance notes and codes of practise. They will be responsible for:

- Ensuring the Association has a competent Asbestos Policy, Procedures and Management System.
- Ensuring that the Policy, Procedures and Management System are updated regularly to reflect changes in legislation and/or good working practises.
- Ensuring that all staff are familiar with the contents of this document, and of their responsibilities under the Management System.

#### **4.4 THE HEAD OF OPERATIONS (HOO) WILL BE RESPONSIBLE FOR:**

- Implementation of this Policy and Procedures.
- Maintaining an effective asbestos management plan, as detailed in this document.
- Periodically reviewing and updating this document.
- Reporting on the effectiveness of the Policy and Procedures to the CEO and the Board of Management.
- Acting immediately if any serious deficiencies are identified in any area of this document;
- Reporting any incident of alleged asbestos exposure to the Chief Executive and carrying out any required investigation. Also, where appropriate, ensuring the correct reporting of incidents under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations).
- Providing the Health and Safety Executive with details of asbestos management procedures if/when requested. Providing the Health and Safety Executive with details of asbestos management procedures if/when requested.
- Promoting awareness of the hazards of asbestos containing materials and the Association's Asbestos Management Procedures by advising on appropriate training and induction.
- Monitoring to ensure that all Staff know of their responsibilities under this policy

#### **4.5 THE MAINTENANCE OFFICER WILL BE RESPONSIBLE FOR:**

- Developing and maintaining an asbestos register of all current properties.
- Programming surveys in the Association's premises to identify any asbestos containing materials that may be present and to prepare and maintain an Asbestos Register for each building.
- Ensuring that adequate reviews of surveyed premises are carried out and that asbestos registers are updated accordingly.
- Ensuring the asbestos register is updated whenever asbestos removal or remediation work is carried out.
- Collating copies of all test certificates, Certificates of Reoccupation, evidence of correct waste disposal within 10 (ten) working days of the completion of the work;
- Ensuring that the Asbestos Register is updated on completion of any works on asbestos containing materials.
- Ensuring that before any work is started on Association premises that the Asbestos Register has been consulted. If no asbestos is identified then the works can proceed with caution, bearing in mind the possible presence of asbestos containing materials not identified in the Asbestos Register.

- Organising regular audits of the Asbestos Register.
- Providing information on asbestos containing materials, as appropriate.
- Reporting any incident of alleged asbestos exposure to the Head of Operations and carrying out any required investigation.
- Promoting awareness of the hazards of asbestos containing materials and the Association's Asbestos Management Procedures by advising on appropriate training and induction.
- Maintaining a current list of approved HSE Asbestos Licensed Contractors and UKAS accredited asbestos testing/survey.
- Ensuring that all the Association's regular local contractors are aware of this Policy and these Procedures.
- Ensuring that development activities are carried out in accordance with the requirements of this Policy, Association's asbestos management procedure and requisite legislation, guidance notes and ACOPs.
- Including but not limited to, ensuring that before any feasibility work or project work is commenced the Asbestos Register is consulted and information obtained on any asbestos containing materials within the premises.
- If there is no asbestos register for the premises then the Maintenance Officer is responsible for organising asbestos surveys as required.
- Ensuring that where asbestos is identified within a development project, appropriate actions are undertaken to remove all asbestos in accordance with the requisite standards.
- Ensure that confirmation is provided to contractors on or before handover of properties, that no asbestos risk remain within development properties
- Halting any works and informing staff if suspected materials are discovered during the course of the works and immediately seeking advice from the Head of Service.
- Ensuring that only HSE asbestos licensed contractors and UKAS accredited testing organisations from the Association's Approved List are used for Asbestos Major Works;
- Ensuring that separate contracts are issued for asbestos remediation works and subsequent asbestos testing/monitoring.
- Ensuring contractors are instructed to consult the Asbestos Register in order to familiarise themselves with the location of any known asbestos, non-accessible areas, or restricted areas in the premises
- Ensuring that information which could affect the asbestos register is passed to the maintenance administrator within 3 (three) days of receipt.

#### **4.7. ALL PERSONS EMPLOYED BY FHA WILL BE RESPONSIBLE FOR:**

- Ensuring that any work that may disturb or damage known asbestos containing materials is avoided.
- Reporting to the HoO materials suspected of containing asbestos, where the material has become disturbed and/or damaged;

#### **4.8. GENERALLY, CONTRACTORS/SUB-CONTRACTORS AND SUPPLIERS WILL BE REQUIRED TO:**

- Ensure that they are fully familiar with current legislation relating to the management of Asbestos Containing Materials (ACMs)
- Ensure that they have a clear understanding of the Association's Asbestos Policy and Procedures.
- Ensure that all staff employed by them have received an appropriate level of asbestos awareness training.
- Consult with any relevant asbestos registers that may be available for properties before starting work which will interfere with the fabric of a building.
- Ensure that where work may be affected by, or involves, asbestos containing materials that an approved asbestos licensed sub-contractor is engaged (unless the contractor himself is licensed) to carry out the work.
- Ensure that any relevant risk assessments, method statements, statutory notices are in place before work commences.
- To progress all works diligently but if any suspect materials are encountered, to immediately suspend operations and to contact the HoO for further instruction;
- Provide copies of all test certificates, Certificates of Reoccupation, evidence of correct waste disposal to the maintenance administrator within 10 (ten) working days of the completion of the work.
- Contractors must ensure that Asbestos Sub-Contractors are approved by the HoO before any order is placed or contract awarded.

#### **4.9. ASBESTOS REMOVAL CONTRACTORS & SUB-CONTRACTORS WILL BE RESPONSIBLE FOR:**

- Ensuring that they have a current license from the HSE to work with the type of asbestos indicated.
- Ensuring that they have current and adequate insurance cover for the asbestos works to be undertaken.
- Ensuring working practises follow current legislation and all associated Approved Codes of Practice and Guidance Notes.
- Attending site to assess and prepare quotations against asbestos work specifications. The contractor or sub-contractor must raise any issues relating to health and safety, or potential additional costs, on the project to the person setting up the works.
- Attending site meetings as may be required.
- Providing a written Method Statement and Risk Assessments to the commissioning Officer and the Statutory Authority where necessary. The Risk Assessments and Method Statement 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. The commissioning Officer may wish to discuss the Method Statement and Risk Assessments with the HoO and/or any Asbestos Consultant retained by the Association.
- Providing statutory notice to the Health and Safety Executive as may be required prior to the commencement of any asbestos related works or, by agreement with the Commissioning Officer, applying for a waiver against the minimum notice period. Copies of all such notices must be submitted to the commissioning Officer

before work commences. The commissioning Officer may wish to discuss application for waiver with the HoO and/or any Asbestos Consultant retained by the Association;

- 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.
- Arranging transport and disposal of asbestos waste materials in accordance with legislative requirements and providing copies of all Consignment Notes to the asbestos co-ordinator;
- Carrying out regular inspection of the work environment. Any defects found, or any reported by the Association's representatives, must be immediately rectified.
- Identifying to the commissioning Officer any additional elements of work which are necessary. Once agreed, the Method Statement must be updated accordingly.
- Liaising with the appointed UKAS accredited asbestos testing organisation to ensure the satisfactory progress of the works.
- Providing copies of all test certificates, Certificates of Reoccupation, evidence of correct waste disposal to the maintenance administrator within 10 (ten) working days.

#### **4.10. ASBESTOS ANALYSTS, SURVEYORS AND ASBESTOS CONSULTANTS WILL BE RESPONSIBLE FOR:**

- Maintaining, and demonstrating UKAS accreditation relevant to the requested task;
- Maintaining adequate insurance cover for the tasks to be undertaken.
- Providing support to the commissioning Officer, the HoO , and/or the MA as may be required; When requested by the commissioning Officer, the MO , and/or the MA, reviewing and commenting on asbestos works such as: specifications, Contractor's and/or Sub Contractor's Method Statement, work procedures, etc.;
- Carrying out analytical works and inspections as agreed with the commissioning Officer. 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.
- Reporting to the commissioning Officer 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 Housing 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 commissioning Officer (who will then immediately inform the HoO) as soon as reasonably practicable.
- Checking areas on completion of asbestos remedial works to ensure that the contractor has completed his scope of works and all affected areas have been left in a satisfactory condition.
- Carrying out air monitoring tests as may be required by the commissioning Officer or as identified in the Risk Assessment.

- Reporting to the commissioning Officer 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.
- Issuing formal reports, including Certificates of Re-occupation, to the Asbestos Co-ordinator set on completion of any site works.

## **5.0 PROHIBITION ON STAFF HANDLING ASBESTOS**

- 5.1 No Association staff will be permitted to handle or work with asbestos containing materials (ACMs);

## **6.0 IDENTIFICATION OF SUSPECT MATERIAL – DAMAGED, DISTURBED OR PREVIOUSLY UNIDENTIFIED**

- 6.1. It is the responsibility of all staff to report to the HoO if they suspect that disturbed or damaged asbestos containing materials may be present in a building owned or occupied by the Association. In a case where an accessible material is suspected of containing asbestos, and where this material may reasonably become disturbed, this would also apply.
- 6.2. In such cases, an external consultant having UKAS (United Kingdom Accreditation Service) accreditation for asbestos sampling and analysis will be contacted to carry out identification.
- 6.3. If asbestos is identified within the sample, advice will be obtained from a competent consultant on the appropriate course of action.
- 6.4. Where damage to any material known to contain asbestos has taken place, and is likely to give rise to airborne respirable fibre release, the HoO will arrange for isolation of the area pending an investigation. S/he will arrange for air monitoring tests (measurement of airborne fibre concentrations) to be carried out and sampling and analysis will be carried out by an independent UKAS accredited organisation to determine the level of any potential contamination, or to provide reassurance that unacceptable contamination has not occurred
- 6.5. Details of air test results will be made available for inspection and record purposes.
- 6.6. Remedial action will be required when airborne fibre levels exceed 0.01 f/cc. The nature of the remedial work must be agreed with the Director of Maintenance.
- 6.7. When remedial action becomes necessary after exposure, the relevant facts may have to be reported to the HSE in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). (Advice may be sought from a competent Asbestos Consultant to determine whether the incident is in fact RIDDOR reportable.)

## **7. ASBESTOS SURVEYS AND MANAGEMENT PLANS – NORMAL OCCUPANCY OF PREMISES**

- 7.1 Where Association premises and common areas of housing stock were built or renovated prior to 2000, an Asbestos Management Survey programme will be carried out by a competent UKAS accredited asbestos management consultancy. (HSE expects that no asbestos containing materials would be in use from 2000.)

- 7.2 The surveyor and the Association should jointly determine an appropriate strategy to cost-effectively assess relevant premises, taking account of the permissibility of 'representative' surveying across properties of the same archetype and construction date.
- 7.3 Current legislation does not subject 'domestic dwellings' to the requirement for Asbestos Management Surveys (although Refurbishment and Demolition Surveys are required – see below). The Association will take a proactive approach to managing asbestos, and shall adopt a regime, which includes undertaking Management Surveys to domestic dwellings.
- 7.4 The findings of all surveys undertaken will be used to prepare a Register of asbestos containing materials (including their location and condition along with details on how best to manage / remediate the material) in all relevant premises.
- 7.5 An asbestos management plan will be developed and implemented, ensuring that all asbestos containing materials are properly managed. This will include procedures for re-inspecting materials and carrying out remedial works where necessary.
- 7.6 The "maintenance assistance" will be responsible for maintaining the Registers, organising surveys and re-inspections, etc.

## **8.0. ASBESTOS SURVEYS – PRIOR TO WORK ON PREMISES**

- 8.1. Prior to any work being carried out on the fabric of (pre-2000) buildings, the asbestos register will be interrogated to determine whether asbestos may be encountered and appropriate precautions (including the use of HSE licensed contractors where necessary) will be taken. Where the works are likely to disturb material not included in the registers (e.g. behind wall panels, within voids, etc.), 6.2 will apply.
- 8.2. Prior to any refurbishment, demolition or repair works on building fabric, which is not known to be asbestos free, a competent UKAS accredited asbestos management consultancy will be commissioned to carry out a 'Refurbishment or Demolition' (i.e. intrusive) asbestos survey of the area to be worked upon.
- 8.3 The surveyor and the Association should jointly determine an appropriate plan to cost-effectively assess relevant premises, taking account of the permissibility of 'representative' surveying across properties of the same archetype and construction date.
- 8.4. Prior to works starting, the information obtained from Refurbishment/ Demolition Surveys will be issued and discussed with the proposed works contractor to ensure that ACM's will not be disturbed by their works.
- 8.5 In the event that works would have the potential to disturb ACM's, appropriate measures will be taken, including the prior removal of ACM's, amendments to work programme, etc.
- 8.6. Records of all surveys and discussions with contractors will be retained in the project files to demonstrate that asbestos was properly considered and appropriate actions taken to prevent disturbance and exposure.

## **9.0 WORK WITH ASBESTOS MATERIALS**

- 9.1. Most work likely to disturb or remove asbestos must be carried out by an HSE licensed asbestos removal contractor and notified to the HSE 14 days prior to commencement.
- 9.2. However, the Control of Asbestos Regulations 2012 does allow work with certain lower risk asbestos containing materials (e.g. asbestos cement and asbestos textured

coatings) to be carried out by non-licensed personnel and without notification to the HSE. The three categories of asbestos work are:

- Major Works: Licensed works – 14 day notification and licenced contractor (highest risk work);
- Minor Works: Notifiable non-licensed works – notification before works start and competent (non-licensed) contractor.
- Minor Works: Non-notifiable non-licensed works – no notification and competent (non-licensed contractor).

9.3. Where any doubts exists over the correct classification or scope of asbestos works, advice will be sought from a competent UKAS accredited asbestos management consultancy prior to any works being carried out on asbestos containing materials.

9.4. The Association may also appoint a competent Asbestos Project Management consultancy to scope, specify, tender and project manage asbestos contracts.

9.5. Where work does not require to be carried out by licensed contractors (i.e. Minor Works) it will, nevertheless, be undertaken in a safe manner, by appropriately trained personnel, reducing the generation of airborne dusts to as low a level as is reasonably practicable.

9.6. All method statements and risk assessments for such work will be screened by a competent person prior to work commencing.

9.7. Where licensed contractors are required to carry out asbestos works, the following documentation will be requested from the contractor prior to commissioning, and copies kept in the job file:

- Current asbestos licence check on HSE website;
- Insurance certificate indicating the insured is covered for asbestos work.
- A representative sample of medical examination certificates (conducted by an Employment Medical Advisory Service registered doctor) for personnel who will work on the job.
- A representative sample of training records for all personnel who will work on the job (asbestos management and handling courses), usually provided by a United Kingdom Asbestos Training Association (UKATA) member.
- Where applicable, notification of the job to the HSE 14 days prior to commencement.
- Method statement and risk assessment for the job (Plan of Work).

9.8. At the conclusion of all asbestos works (unless included within an Asbestos Project Management package), the Association will directly appoint a UKAS accredited Asbestos Analyst to carry out the required level of inspection and test.

9.9. For licensed works this will include a '4-stage clearance test' and for minor works this will include a visual inspection and reassurance air test. Care will be taken to ensure this is EXCLUDED from the contractor's initial proposal and price.

## **10. TENANT INFORMATION AND WORK PROCEDURES**

10.1. The Association will ensure that a procedure is implemented, for pre-2000 housing stock, which informs tenants of the possibility of ACM's and on the requirements for undertaking work on their dwellings. This process as a minimum will include:

- Annual asbestos awareness article within newsletter.
- Tenant information at sign up of new tenancies, tenants handbook.
- Targeted communications as required or as a consequence of events.

- 10.2. Prior to a tenant starting work which will interfere with the fabric and/or services of a property, tenants will be required to seek advance permission from the Association.
- 10.3. Before issuing permission, the Asbestos Register will be consulted and, where ACM's are identified within the proposed work zone the Maintenance Team will liaise with the tenant to ensure all appropriate actions are taken.
- 10.4. Where the asbestos data is inconclusive (e.g. where a Refurbishment Survey has not been carried out, the Association will review the request and decide whether to refuse permission or to arrange for a Refurbishment Survey to be carried out.
- 10.5. In the event that tenants' works are liable to disturb ACM's, the Association will make a decision on the appropriate course of action, ensuring that all asbestos works are subject to the normal asbestos work procedures of the Association

## **11.0 MONITORING AND PERFORMANCE MEASUREMENT REPORTING**

11.1 The following areas will therefore be subject to close monitoring:

- Risk management
- Compliance with policy requirements and procedures

These will be monitored by the Head of Operations reporting to the Chief Executive. If any significant issues of concern arise or any matter which demonstrates a serious failure of internal controls, the Chief Executive will report such matters to the Board of Management.

11.2 The Maintenance Officer will monitor all preventative checks and logs undertaken by contractors on a monthly basis.

## **12.0 COMPLAINTS**

12.1 Complaints and positive feedback are sources of information which help us to improve our services. We use a complaint handling procedure (CHP) developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.

12.2 The CHP allows for most complaints to be resolved by front line staff within a five-day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20-day limit (second stage). At the end of the second stage our response will be made by the Chief Executive. If the tenant remains dissatisfied, he/ she may then refer the matter to the SPSO.

## **13.0 POLICY AVAILABILITY**

13.1 This policy will be made available to all staff members within the "Policies" folder.

## **14.0 REVIEW**

9.1 This policy will be reviewed every 3 years or where required due to changes in legislation.