

CONTROL OF ASBESTOS - PROCEDURE

1.0 INTRODUCTION

1.1 We recognise the risks to health posed by the presence of asbestos or 'asbestos containing materials' (ACMs) in our properties. This procedure describes how we will comply with our legal duty to 'manage asbestos', in whatever form that takes, to ensure that we:

- minimise the risks to health, so far as is possible;
- where the presence of asbestos or ACMs is known, take the appropriate action, including, if necessary, its removal.

Surveys carried out by qualified professionals under the current regulations have identified that ACMs are present in 11 of our 400 properties (see Appendix 1).

We will ensure that no ACMs are used in the construction of new buildings, or in the alteration, improvement or extension to existing buildings.

1.2 This procedure is one of a range supporting our policy 'Reactive Repairs, Cyclical and Planned Maintenance'. It has the following sections:

- Section 2 - Regulatory requirements
- Section 3 - Annual Management surveys
- Section 4 - Reactive (day-to-day) repairs
- Section 5 - Planned Maintenance and Major Repairs
- Section 6 - Communications
- Section 7 - Budget provision & staff training
- Section 8 - Risk Management
- Section 9 - Implementation and review

2.0 REGULATORY REQUIREMENTS

2.1 Our legal duty to deal with the issues arising from the presence, or possible presence, of asbestos or ACMs arise from:

- our general responsibilities for health, safety and welfare under the Health & Safety at Work etc. Act 1974;
- the Control of Substances Hazardous to Health Regulations 1999;
- the Asbestos Regulations (various – up to and including the Control of Asbestos at Work Regulations 2012).

2.2 Nominated 'Duty Holder'

Under the Control of Asbestos at Work Regulations the Property Manager is ARK's nominated 'duty holder' responsible for:

- commissioning surveys of our properties to establish the presence of ACMs;
- compiling an Asbestos Register, adding the results of each survey to the Register and ensuring that it is up to date;
- ensuring that appropriate advice and warnings are provided to all those who may come into contact with ACMs;
- ensuring that appropriate action is taken when ACMs are discovered;
- ensuring that ARK's strategies for managing the risk from asbestos and ACMs are reviewed regularly and updated as required.

2.3 Possible action

Under the regulations the measures we may take to deal with ACMs include the following:

- taking no action, as the ACM is in a safe condition and is very unlikely to be disturbed;
- encapsulating or otherwise protecting the material, but not removing it;
- encapsulating or otherwise protecting the material prior to eventual removal;
- immediate removal by a suitable qualified and registered contractor.

2.4 Asbestos Register

The Asbestos Register is held in an Excel spreadsheet. The filepath is:

General (M):\Maintenance\Maintenance Folder\current Year) files\Programme of Major & Cyclical Works\Programme of Major & Cyclical Works (current year) – click on Asbestos tab at foot of spreadsheet.

The Maintenance Assistant is responsible for updating the spreadsheet following each annual survey and at other times as required.

3.0 ANNUAL MANAGEMENT SURVEYS

- 3.1 Following the initial survey of all properties in 2003 to identify those with ACMs and the setting up of the Asbestos Register, an annual survey of those properties where ACMs are known to exist is carried out, normally in September each year.
- 3.2 The Maintenance Assistant will arrange for a quotation for the proposed work from the current survey Consultant. The quote will be accepted by the Property Manager under delegated authority, following which the Maintenance Assistant will issue separate works orders for each address to ensure that all work carried out at each property is recorded on the IBS system.
- 3.3 Two copies of the survey report for each property will be received, one to be held at Head Office and the other issued to the relevant Local Manager for the project concerned.

- 3.4 The Maintenance Assistant will extract relevant details from each survey report and will send these with a covering letter to each maintenance contractor who may be asked to carry out repairs in that property. The contractor will be advised to ensure that all relevant staff are made aware of the current survey results.
- 3.5 Where a survey report identifies that action is required the Property Manager, in liaison with the Local Manager as required, will:
- determine and authorise the work to be carried out;
 - determine whether the work has to be undertaken by a specialist asbestos contractor;
 - determine if notification to the Health & Safety Executive is required under current regulations and if so ensure that the correct notification process is followed.

The Maintenance Assistant will process the necessary works orders, liaise with the contractor, local tenants and/or staff, monitor progress with the work, and ensure that any amendments required to the Asbestos Register are made following completion of the work (see also section 6 below regarding communications).

4.0 REACTIVE (DAY-TO-DAY) REPAIRS

- 4.1 Unless it has been clearly established that no ACMs are present in the area where work is to be carried out, each works order for reactive repairs will include either:
- a general statement to the effect that ACMs may be present, that contractor's staff should take due care, and that if contractor's staff wish any further information before starting work they should contact our Maintenance staff, or
 - specific information about the presence of ACMs, where this is known.

It will then be the contractor's responsibility to ensure that the appropriate advice and/or instructions are issued to the staff who will carry out the repair.

- 4.2 Where the proposed repair work will, or is likely to, result in the disturbance of material containing asbestos, the contractor will be advised to contact our maintenance staff to discuss and agree how the work should be carried out including, if required, the use of a specialist Consultant to carry out sampling and provide advice etc.

The repair work, apart from any immediate emergency repairs to make a property safe, will be suspended in the area containing the material or suspected material until the results of any survey are known and/or decisions made about how the work should proceed.

- 4.3 Where the presence of ACMs is confirmed, the Consultant will provide an Asbestos Management Plan for that specific task, which will be followed by all concerned. This may involve:
- arranging for an additional contract with a specialist contractor to remove the materials before the repair starts, or
 - dealing with the material in another way.

5.0 PLANNED MAINTENANCE AND MAJOR REPAIRS

- 5.1 As part of the planning of a planned maintenance or major repairs contract the Maintenance Assistant will check the Asbestos Register.

If none of the properties to be included in the contract are on the Register then planning will continue as normal, except that the contract documentation will include a requirement that the contractor should be aware of the possibility of ACMs being present and, should they identify or be suspicious about any such material, they should contact Maintenance staff for further advice or instructions etc.

- 5.2 Where one or more properties appears on the current Register and the area(s) with ACMs will be affected by the proposed work, then a specialist Consultant will be appointed to prepare an Asbestos Management Plan, under which we will either:

- arrange an additional contract with a specialist contractor to remove the materials before the main contract starts, or
- deal with the material in another way as part of the main contract.

Where it is decided to encapsulate or remove any material this will be carried out in accordance with current regulations and, where appropriate, with the required notice to the local office of the Health & Safety Executive.

5.3 Health & Safety Plan

Where the nature and duration of the contract requires the appointment of a CDM Co-ordinator, then in accordance with the CDM Regulations 2007 work will not start on site until the CDM Co-ordinator has confirmed to the Property Manager that they are satisfied with the contractor's Health & Safety Plan.

5.4 Sample property

If required, arrangements will be made for the appointed contractor to carry out the work in a sample property, normally one that is occupied, to assist in assessing the disruption involved, time required, and any remedial work required.

Following completion of work in the sample property, a programme of work will be finalised with the contractor, seeking to balance the need to minimise disruption to tenants, service users and staff while maximising the efficient use of the contractor's time.

6.0 COMMUNICATIONS

- 6.1 The Maintenance Assistant will ensure that appropriate Housing Management staff are advised when any work is being arranged to deal with ACMs in specific properties.

- 6.2 Depending on the nature and complexity of the proposed work either the Property Manager or Maintenance Assistant will liaise with tenants, or with local project staff and through them with any service users who will be affected by the work.

Where appropriate meetings will be held with the tenant(s) involved, or with local staff and service users, to provide information on the work to be carried out and answer any questions etc.

- 6.3 For individual properties, the Property Manager or a nominated member of Maintenance staff will visit the tenant, or the service user along with appropriate support staff, to discuss the details of the area(s) where work will be carried out, and any subsequent remedial work to be undertaken to return the property to its previous standard.

The discussion will include any preparation that needs to be carried out before the contractor starts work, e.g. moving furniture, and will cover any 'special needs' such as whether the tenant is frail or elderly, or whether children are present etc.

- 6.4 It may be necessary for tenants or service users to vacate their property for a time while removal work is in progress. Where this might be for several hours a 'checklist' of what they should take with them will be discussed, e.g. medication. Staff will ensure that the individual has somewhere suitable to go to, e.g. a neighbour, relative etc.

Where decanting for a day or more is necessary Housing Management or Project staff will ensure that appropriate decant accommodation is arranged.

7.0 BUDGET PROVISION & STAFF TRAINING

7.1 Budget

An amount for the annual survey and any resulting works relating to ACMs will be included in the overall budget for the annual cyclical programme.

7.2 Staff training

We will ensure that Maintenance staff receive relevant 'in-house' or external training to ensure that they have the required knowledge and information regarding the regulations and ARK's responsibilities regarding asbestos and ACMs. Refresher training will be arranged as required, especially when the regulations are amended or updated.

Other staff, such as Housing Management or local Project staff, will be given basic 'awareness' training on the principles of asbestos risk management and the actions being taken to comply with current regulations.

8.0 RISK MANAGEMENT

8.1 Insurances

We will ensure that our insurance cover, in particular the cover for Employer's Liability and Public Liability, is sufficient to include cover for any possible claims arising from exposure to asbestos materials.

8.2 Risk Map

The Risk Map produced as part of our risk management strategy will include relevant references to the managing of risk related to ACMs and the actions being taken to minimise such risk.

9.0 IMPLEMENTATION AND REVIEW

- 9.1 The Property Manager is responsible for ensuring that this procedure is implemented.
- 9.2 The Property Manager will ensure that this procedure is reviewed at least every three years.

Version 3.0 Approved by the SMT:

Review of procedure due by:

Complies with:

February 2013

November 2015

**Performance Standards
GS4.4 and AS2.1**

CURRENT LIST OF PROPERTIES WITH ASBESTOS CONTAINING MATERIALS

[EXTRACT FROM ASBESTOS REGISTER]

Area	Address	Type of survey	2013/14 Reassessment
Alloa	1 & 2 Bedford Court	Reassessment of known and presumed ACM'S	
		Reassessment of known and presumed ACM'S	
		Reassessment of known and presumed ACM'S	
		Reassessment of known and presumed ACM'S	
Penicuik	74 & 76 Windsor Square	Reassessment of known and presumed ACM'S	
Peebles	1 St Andrews Court	Reassessment of known and presumed ACM'S	
Peebles	2 St Andrews Court	Reassessment of known and presumed ACM'S	
Peebles	3 St Andrews Court	Reassessment of known and presumed ACM'S	
Peebles	4 St Andrews Court	Reassessment of known and presumed ACM'S	
Peebles	5 St Andrews Court	Reassessment of known and presumed ACM'S	
Edinburgh	27 Dalhousie Terrace	Reassessment of known and presumed ACM'S	
		Reassessment of known and presumed ACM'S	
		Reassessment of known and presumed ACM'S	
		Reassessment of known and presumed ACM'S	
Edinburgh	14b Niddrie Farm Grove	Reassessment of known and presumed ACM'S	
		Reassessment of known and presumed ACM'S	