

## DECENT & AFFORDABLE HOMES PDG

OCTOBER 2015

### ASBESTOS MANAGEMENT PLAN 2015

**Cabinet Member:** Cllr Ray Stanley

**Responsible Officer:** Nick Sanderson, Head of Housing & Property Services

**Reason for Report:** To advise Members of the approach taken for the management of asbestos in Council properties.

**RECOMMENDATION(S):** **A:** That the cabinet adopts the revised 'Corporate Asbestos Policy'

**B:** That the cabinet adopts the revised 'Asbestos Management Plan'

**Relationship to Corporate Plan:** Providing well maintained and managed properties.

**Financial Implications:** The financial implications are contained within the Housing Revenue Account and Capital Expenditure.

**Legal Implications:** None arise from this report. However, it is necessary to ensure that the management of asbestos in Council properties is in compliance with the Control of Asbestos at Work Regulations 2012, Health & Safety at Work Act 1974, and Workplace Regulations 1999.

**Risk Assessment:** The Corporate Asbestos Policy and Management of Asbestos Plan refers to the Council's arrangements for managing the risks of exposure to asbestos by employees and non-employees within its activities.

#### 1.0 Introduction

- 1.1 This report details the approach that is used by Mid Devon District Council (MDDC) for the management of asbestos in the buildings they manage and occupy where major works are taking place, and any sites or operations which fall under the responsibility of MDDC Housing Service.
- 1.2 The Council maintains and repairs domestic and non-domestic premises in accordance with current legislation, ensuring that statutory obligations and duties are met.
- 1.3 There is a Corporate Asbestos Policy, which supports this legislation and links to the Asbestos Management Plan, and the Asset Management Plan. The 2015 Corporate Asbestos Policy was drafted by the Head of Housing and Property Services to update and reflect line management changes within the

Council, changes in guidance published by the HSE, and recommendation from the HSE following an incident last year (Appendix 2).

- 1.4 The Statement in the Asset Management Plan indicates that 75% of our properties have been inspected for asbestos. An Asbestos Management Plan has been developed based on the information gathered which sets out:
  - How we will inform tenants, staff and contractors of the dangers and risks posed in each property
  - How we will manage those risks
  - What our future plans are to reduce the risks
- 1.5 The Asbestos Management Plan brings together information from previous surveys, and identifies future actions and costs for the management of asbestos in the Council's homes.
- 1.6 The Asbestos Management Plan sets out:
  - That 75% of our properties have been surveyed for asbestos and that an asbestos register is maintained. The remaining 25% of properties rely on cloned information
  - How we inform tenants, staff and contractors of the dangers and risks posed in each property
  - How we manage those risks
  - What our future plans are to reduce the risks
  - What the annual estimated costs are
- 1.7 The management of asbestos is covered by The Control of Asbestos Regulations 2012, which superseded the 2006 Regulations that brought together the three previous sets of Regulations covering the prohibition of asbestos, the control of asbestos at work and asbestos licensing.
- 1.8 As part of these statutory requirements, an Asbestos Register is maintained, the register indicates where known asbestos containing materials have been located and their generic type. This information is provided to contractors who work on the Council's housing stock and the Direct Labour Organisation (DLO).
- 1.9 MDDC has published a guide for tenants "Your guide to help you deal with Asbestos in your home" (Appendix 3). All tenants have received a letter advising them about asbestos in their homes. There is also an on-going re-survey and management programme for the identification and removal of asbestos and a budget is in place for these surveys and works.

## 2.0 Responsibilities

- 2.1 These are shown in the Asbestos Management Plan 2015 (Appendix 1).
- 2.2 Under clause 2.5, Employees, the operatives working with the DLO are aware that each property may contain asbestos, they are able to access the property attributes held on Integrator via their PDA phones.

## 3.0 Procedures

- 3.1 The actions that have been outlined below indicate the procedure that is followed by the planned maintenance team to comply with the statutory obligations relating to asbestos, when carrying out major works to MDDC homes.

### 3.2 Pre-Contract

- 3.2.1 MDDC complies with the Construction Design and Management Regulations 2015, and appoints a Principle Designer at the design stage to advise on all aspects of Health and Safety for the works and future maintenance and repair of the installation.
- 3.2.2 During the preparation of the tender documentation MDDC prepares a Pre-Contract Health and Safety Information Pack, which is approved by the Principle Designer. This document highlights specific known risks, including asbestos and is sent to all tenderer's as part of the Invitation to Tender (ITT). This document also outlines the information that the contractor will need to provide in the Construction Phase Health and Safety Plan.
- 3.2.3 During the procurement process, the contractor is obliged to submit Health and Safety information relating to the qualifications and experience of the management staff and operatives as well as their Health and Safety Policy. This information, including that relating to asbestos, is evaluated and has a bearing on the selection of the contractors.
- 3.2.4 Prior to award of the contract the successful contractor works with the Principle Designer to develop the Construction Phase Health and Safety Plan. It is at this stage that the asbestos register is passed to the contractor and evidence of the contractors operatives Health and Safety qualifications including those relating to asbestos are required. If appropriate, Risk Assessments and Method Statements for working with asbestos are also required at this stage.
- 3.2.5 Within contracts, which involve the removal of bathrooms, kitchens and other major internal works, there is a requirement that the contractor has a part HSG 264 Asbestos: The Survey Guide, (HSG) refurbishment survey carried out to determine if any asbestos containing materials (ACM's) are present in the areas where the works are due to take place.

### **3.3 Post Contract**

- 3.3.1 Following the award of the contract, the contractor will start the works. Where a HSG refurbishment survey has been requested the contractor will notify MDDC if any asbestos has been identified, and in accordance with the requirements of the HSG, submit recommendations relating to the management of any ACM's. MDDC act upon the recommendations submitted. No works on any ACM's are permitted without authorisation from MDDC.
- 3.3.2 If a HSG survey has not been requested, the contractor uses the asbestos register to identify the ACM's and manages the work ensuring that there is a minimum risk of fibre release. If any unknown suspected ACM's are discovered the contractor is required to report this to MDDC immediately and stop working on the material. MDDC will then arrange for a HSG survey of the material to be carried out.
- 3.3.3 Where the ACM is to be removed the procedure on the decision flowchart (Appendix 4). MDDC also require detailed risk assessments and method statements for this work. The works and adherence to Health and Safety are checked by the contract administrator who makes regular site visits.
- 3.3.4 Upon completion of the works, including any removal, the asbestos database and register are updated.

### **3.4 Revisions to the control of asbestos regulations**

- 3.4.1 Proposed changes to the control of asbestos regulations required by the European Commission introduced new notification requirements for certain unlicensed work with asbestos from 6 April 2012 has been adopted by the Council.

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**Circulation of the Report: Management Team, Councillor Ray Stanley, Cabinet Member for Housing**

Appendix 1

# **Mid Devon District Council**

## **Building Services**

### **Asbestos Management Plan – DRAFT**

**September 2015**

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## **PART 1: POLICY**

### **1.1 GENERAL POLICY STATEMENT FOR ASBESTOS**

1.1.1 Mid Devon District Council will do everything reasonably practicable to protect all persons from risks to health from exposure to asbestos. Although it is recognised that there is no legal requirement to remove asbestos containing material (ACM) in existing buildings where it does not constitute an unreasonable hazard, Mid Devon District Council's long-term aim is to remove all asbestos from the property portfolio, as far as is reasonably practicable.

### **1.2. APPLYING THE POLICY:**

1.2.1 No new or recycled ACM can be used.

1.2.2 Where existing installations include ACM which is sound, in good condition, not releasing dust, and not subject to abrasion or damage, the material will be left undisturbed, until such time that its safe removal is planned. Details are to be noted in the Asbestos Register by the Programme Planner or nominated representatives, and the installation is to be re-inspected at regular intervals (not more than one year, except in domestic properties, where 20% will be re-inspected annually) to ensure that the condition of the material has not changed.

1.2.3 Where existing installations include ACM which is damaged, deteriorating or inadequately sealed, it will either be removed and replaced by suitable material, resealed or encapsulated.

1.2.4 When considering removal, where the ACM is coated, covered or contained within another material, such as cement, paint or plastic are considered to be firmly bonded in a matrix, ACMs of this type in good condition can usually be treated as non-licensed work but where they are significantly damaged, and so more likely to release fibres, they will need to be treated as Notifiable Non-Licensed Work (NNLW).

1.2.5 It is the responsibility of the person in charge of the job to assess the ACM to be worked on and decide if the work is NNLW or non-licensed work. This will be a matter of judgement in each case, dependent on consideration of several factors.

1.2.6 Asbestos insulation, Asbestos coatings and Asbestos insulating board must be removed by a Licensed Asbestos Removal Company in accordance with the HSE's Approved Code of Practice (ACOP) and guidance L143, '*Work with Materials Containing Asbestos.*' and then be taken to an approved, licensed site for disposal. Asbestos cement, gaskets, ropes and other bonded materials can be removed in accordance with the ACOP L143, providing that the persons carrying out

the work have had appropriate training and have sufficient insurance cover. The ACOP L143 replaces ACOP L27 and ACOP L28.

- 1.2.7 The Building Services Manager (or nominated representatives) shall approve the removal using the checklists contained in [Annex 1](#) of the Guidance Note, Management of Asbestos in MDDC Properties.
- 1.2.8 An Asbestos Register will be compiled by Programme Planner into which ACM installations and locations will be entered.
- 1.2.9 The Asbestos Register will be continually updated as and when surveys are carried out and asbestos materials are discovered and will be reviewed annually by the Programme Planner who will then make such recommendations to MDDC as appropriate to pursue this policy.
- 1.2.10 Information contained in the Asbestos Register will be made available to any employee, contractor, tenant or leaseholder.
- 1.2.11 Until such time as a property has been subjected to an asbestos survey and the details entered in the Asbestos Register, great care must be taken when carrying out works upon the property. All persons carrying out work that will affect the building fabric must have sufficient training in the risks associated with asbestos. Materials of unknown composition must be presumed to contain asbestos.
- 1.2.12 If it is suspected that any work may disturb a material containing asbestos then appropriate procedures contained within this document must be carried out. No works of a major nature must be undertaken without first carrying out an asbestos risk assessment of that area to be worked upon (in most cases an HSG264 Refurbishment or Demolition survey).
- 1.2.13 **Major Works** includes planned/cyclical/voids which require technical input and pre-assessment. This will include preparation of drawings, sketch details, specifications, notes, schedules or contract documents and should in all cases be subject to an asbestos survey and priority assessment as part of the pre-assessment.
- 1.2.14 **Minor Works** are defined as those that would normally be actioned by the issuing of a works order or instruction and would include emergency, reactive, routine, day-to-day or other small jobs.

**The following precautions must, however, be observed:**

- 1.2.15 If suspected ACMs are discovered during the works they should not be disturbed, but the incident reported to the Project Manager who will arrange for an asbestos inspection and priority assessment.
- 1.2.16 If the material has been inadvertently disturbed then work in that area should cease. The Contract Administrator needs to be notified and the Contingency Plan (annex 2) needs to be applied.



- 1.2.17 The Asbestos Register shall be linked to the production of Works Orders/Site Instructions which should flag up if there is an issue with work to be carried out in a property.
- 1.2.18 People carrying out these works must have the necessary license to work and/or have received appropriate task training.

## **PART 2: MANAGEMENT OF ASBESTOS IN MDDC PROPERTIES**

### **2.1 Introduction**

- 2.1.1 This Management Plan details the risk based approach that will be adopted by MDDC for the day to day management of asbestos in the buildings they manage and occupy, and any sites or operations which fall under the responsibility of MDDC Housing Department.
- 2.1.2 MDDC maintains and repairs domestic and non-domestic premises in accordance with current legislation, ensuring that statutory obligations and duties are met.
- 2.1.3 As part of these statutory requirements, a live Asbestos Register is maintained, the register indicates where known asbestos containing materials have been located and their generic type.
- 2.1.4 The Control of Asbestos Regulations 2012 superseded the 2006 Regulations that brought together the three previous sets of Regulations covering the prohibition of asbestos, the control of asbestos at work and asbestos licensing.
- 2.1.5 To comply with this legislation, MDDC acting as the duty holder, has adopted a pro-active risk based approach to managing asbestos and its control in order to ensure the safety of its' staff, contractors and anyone else who may be affected by MDDC's undertakings in this regard.
- 2.1.6 This Guidance Note is produced for the assistance of staff. Staff should apply their judgement to this guidance at all times.

### **2.2 Responsibilities**

#### **2.2.1 The Head of Housing and Property Services Manager will:**

- Ensure that there are sufficient resources available for the implementation of this plan
- Delegate responsibility for the implementation of this plan to the Managers
- Review the provisions and resources required for the efficient operation

of this plan annually

**2.2.2 The Building Services Manager will:**

- Ensure that the requirements of this plan are implemented
- Ensure that a risk assessment and safe systems of work are in place
- Ensure that employees are competent and receive the necessary training, information and supervision whilst performing any tasks in regards to this plan.

**2.2.3 The Office Manager will:**

- Maintain the asbestos database and register, and produce programmes relating to the annual inspections and works where appropriate

**2.2.4 Surveyors/Supervisors will:**

- If competent and insured, carry out inspections and management surveys. Ensure that a risk assessment and safe systems of work are in place
- Also manage others carrying out inspections and surveys

**2.2.5 Employees will:**

- Comply with this asbestos management plan and notify their Supervisor / Manager of any issue concerning them, regarding asbestos and asbestos containing materials.
- Any operative working on asbestos will have previously undertaken task specific training relating to that work. Ensure that a risk assessment and safe systems of work are in place

**2.2.6 Contractors will:**

- Comply with current legislation and associated Approved Codes of Practice and guidance.
- Attend sites to assess and prepare quotations against asbestos remedial works specifications, the contractor to raise any issues relating to the health and safety or potential later costs of a project.
- Provide a method statement for MDDC and the Statutory Authority.
- Provide a safe method of work for emergencies that will be discussed

and agreed with the Principle Designer or Surveyor in charge of the contract

- Provide statutory notice to the Notifying Authority prior to commencing asbestos works, or, by agreement and at the request of the Principle Designer or Surveyor in charge of the contract, applying for a waiver against the minimum notice period.
- Arrange transport and disposal of asbestos waste materials in accordance with current regulation and good practice
- Provide copies of notification and consignment notes and other relevant documentation on request to the Principle Designer or Surveyor in charge of the contract.

#### **2.2.7 The Health and Safety Advisor will:**

- Investigate and report incidents under RIDDOR
- Provide advice on Asbestos Awareness and Task Training for staff as necessary.
- Provide advice on good practice, relevant legislation and assess compliance.

### **2.3 Interpretation**

2.3.1 Asbestos" means any of the following materials:

2.3.1.1 Crocidolite - blue asbestos

2.3.1.2 Amosite - brown asbestos

2.3.1.3 Chrysotile - white asbestos

2.3.1.4 Anthophyllite

2.3.1.5 Tremolite

2.3.1.6 Actinolite

2.3.1.7 and any mixture containing any of these materials.

2.3.2 "Asbestos material" or "asbestos-containing material" means any material which contains in its make-up any form of asbestos in any quantity.

2.3.3 "Friable" means asbestos material capable of being crumbled in the hand.

2.3.4 "Soft asbestos" means asbestos material not friable but capable of being deformed by hand or by hand pressure.

- 2.3.5 "Hard asbestos" means asbestos material not capable of being deformed by hand except by snapping.
- 2.3.6 "Asbestos Register" means a register of all properties surveyed and held by the Programme Planner.
- 2.3.7 "Asbestos Analysis" Testing to be carried out by a United Kingdom Accreditation Service Laboratory accredited to EN 45001.
- 2.3.8 "Licensed Contractor" A Contractor who has a license issued by the Health and Safety Executive Asbestos Licensing Unit, Belford House, Belford Road, Edinburgh EH4 3UE.

## **2.4 Management of Asbestos**

### **2.4.1 Remedial Measures**

The remedial measures available are:

- 2.4.1.1 Leave material in place and introduce a management system.
- 2.4.1.2 Leave material in place, effectively seal (e.g. encapsulate or enclose) and introduce a management system.
- 2.4.1.3 Remove, through licensed contractors and dispose of asbestos material to site licensed for disposal of asbestos materials. The only exceptions to this rule will refer to work undertaken with duration of less than one hour in any 7 consecutive days or doing the work for a total of less than two hours in total. These works will normally be relating to textured coatings and asbestos cement. **N.B.** Asbestos cement products cannot be reused or sold on second hand to a third party.

### **2.4.2 Regular Inspection as part of the management system**

All asbestos in non-domestic premises which has been left in place, must be subject to regular inspection yearly. In domestic premises 20% will be re-inspected annually. More regular inspection may be required if the material is liable to mechanical damage or where the risk warrants it. Where deterioration of the material is observed a further risk assessment must be carried out and recorded.

The following inspection regime shall apply:

- Up to Low Risk, Material Assessment 1 – 6      20% Periodic inspection
- Up to High Risk, Material Assessment 7 +      Annual inspection

MDDC have ACM's within the domestic properties that fall into the above

categories. Within the surveys that have been carried out, some of these Medium and Low Risk ACM's also have actions against them other than monitor. In addition to the inspections the recommendations will be actioned, based on the risk from the material.

### 2.4.3 **Provision of Information**

2.4.3.1 **Employees and agency employees** – MDDC makes available the asbestos register to all employees and agency employees likely to come into contact with asbestos and encourages them to use it.

2.4.3.2 **Tenants** - The Building Services Office Manager is responsible for ensuring that tenants and Leaseholders are provided with information concerning any ACMs located within their houses. This information should include details of the asbestos types and locations together with details of the amount of asbestos and the risk assessment which resulted in the material being left in the premises. The tenant should also be given basic information regarding decorating, not drilling into the material etc. This information is contained within the "Your guide to help you deal with Asbestos in your home"

2.4.3.3 **Contractors and Consultants** – Contractors, Consultants and others must be provided with information relating to the type, location and amounts of asbestos in buildings where they are being asked to work.

2.4.3.4 Where they are required to work on asbestos, they must be licensed asbestos contractors (The only exceptions to this rule will refer to work undertaken with duration of less than one hour in any 7 consecutive days or doing the work for a total of less than two hours in total or work undertaken to materials where the asbestos fibres are firmly linked in a matrix. Examples these materials are contained in the ACOP L143 '*Work with Materials Containing Asbestos*'; and are:-

- asbestos cement;
- textured decorative coatings and paints which contain asbestos.
- any article of bitumen, plastic, resin or rubber which contains asbestos where its thermal or acoustic properties are incidental to its main purpose (eg vinyl floor tiles, electric cables, roofing felt).
- There may be other materials in which the asbestos fibres can be firmly linked in a matrix such as paper linings, cardboards, felt, textiles, gaskets, washers, and rope where the products have no insulation purposes. If this is the case then the exemption provided in ACOP L143 regulation 3(2) may apply.
- encapsulation or sealing of asbestos-containing materials which are in good condition, or

- air monitoring and control, and the collection and analysis of samples to ascertain whether a specific material contains asbestos Any person working with Asbestos where an exception applies must still adhere to any risk assessment and method statement and any Health and Safety Executive '*Equipment and Method*' sheets and '*Asbestos Essentials*' sheets. Where their work does not involve asbestos they must be advised that asbestos may be present in other locations and that where suspicious material is found they are to stop work and inform the Contracts Supervisor.

2.4.3.5 **Lessees** must be provided with information concerning any ACM that MDCC is aware of that is located within their premises.

## **2.5 Asbestos Register– Inspection, Material and Priority Assessment.**

### **ASBESTOS REGISTER**

2.5.1 The Asbestos Register will hold all Asbestos Survey data.

2.5.2 The Register will be the responsibility of the Office Manager.

2.5.3 Information relating to the presence of asbestos will be available from: -

2.5.3.1 Inspections by Surveyors, Consultants and the like

2.5.3.2 Assessments by Technical staff carrying out other inspections or works;

2.5.3.3 Specific asbestos surveys.

2.5.4 The Office Manager will be responsible for all entries in the Register and ensure that the necessary action is taken to obtain adequate information to complete the Register. Information contained in the Asbestos Register is to be revised as necessary when work on asbestos or a survey is carried.

2.5.5 The Asbestos Register will be updated on a monthly basis and a copy placed on SharePoint

## **2.6 Specification for Inspection, Assessment, and Recording of Information.**

### **2.6.1 Location**

The location is to be identified by description and name on the Asbestos Survey Report Form ([Appendix 1](#)).

## 2.6.2 **Types of Asbestos**

Where possible asbestos type is to be identified:

Crocidolite - blue asbestos  
Amosite - brown asbestos  
Chrysotile - white asbestos  
or other types or mixtures

## 2.6.3 **Risk Factor Rating**

It is important to assess the degree of health risk associated with each installation. These are set out in HSG264, which replaced MDHS 100 in March 2010.

2.6.3.1 There are a number of factors that affect the degree of risk:

The Material Assessment

The Priority Assessment

2.6.3.2 Under each heading points will be given according to the degree of risk as listed in 2.12 onwards.

2.6.3.3 The risk factor rating is a measure of the likelihood of fibres being released, which could cause a local hazard. The total risk factor rating being the sum of the individual points counted.

## 2.7 **Sampling**

2.7.1 If during the survey a material suspected of containing asbestos is identified, then it must be either sampled to confirm or not the presence of asbestos, or be presumed to contain asbestos.

2.7.2 If it is suspected that airborne fibres are being released then the Contingency Plan ([Annex 2](#)) needs to be applied.

2.7.3 Where appropriate, arrangements for air sampling by a UKAS accredited laboratory shall be made.

## 2.8 Material Risk Factor Ratings in Conjunction with a Survey.

2.8.1 Material risk assessment rating taken from HSG264 (This is a government document that provides guidance on the scoring and testing of asbestos containing materials)

Sample Variable	Score	Example of Score
Product Type (or debris from product)	1	Asbestos-reinforced composites (plastic resins, mastics, roofing felts, vinyl floor tiles, semi-rigid paints or decorative finishes, asbestos cement etc).
	2	Asbestos insulating board, mill boards, other low density insulation boards, asbestos textiles, gaskets, ropes and woven textiles, asbestos paper and felt.
	3	Thermal insulation (e.g. pipe and boiler lagging), sprayed asbestos, loose asbestos, asbestos mattresses and packing.
Extent of damage/deterioration	0	Good condition no visible damage.
	1	Low damage: a few scratches or surface marks; broken edges on boards, tiles etc.
	2	Medium damage: significant breakage of materials or several small areas where material has been damaged revealing loose asbestos fibres.
	3	High damage or delamination of materials, sprays and thermal insulation. Visible asbestos debris.
Surface treatment	0	Composite materials containing asbestos, reinforced plastics, resins, vinyl tiles.
	1	Enclosed sprays and lagging, AIB (with exposed face painted or encapsulated), asbestos cement sheets etc.
	2	Unsealed AIB, or encapsulated lagging and sprays.
	3	Unsealed lagging and sprays.
Asbestos type	1	Chrysotile Crocidolite
	2	Amphibole asbestos excluding
	3	Crocidolite
Total		



<b>Score</b>	<b>Potential release of fibres</b>
10-12	High
7-9	Medium
4-6	Low
0-4	Very Low

## **2.9 Calculation of Priority Assessment and Action to be Taken**

2.9.1 The material assessment identifies the 'high-hazard' materials, ie those materials which will most readily release airborne fibres if disturbed. It does not automatically follow that those materials assigned the highest score in the material assessment will be the priority for remedial action. Priority is to be determined by carrying out a risk assessment (ie a priority assessment) which will take into account factors such as:

- the location of the material;
- the extent of the material;
- the use to which the location is put;
- the occupancy of the area;
- the activities carried on in the area; and
- the likelihood/frequency with which maintenance activities are likely to take place.

2.9.2 The priority assessment can only be carried out with the detailed knowledge of all these factors. The surveyor can help in this process, by obtaining information which will contribute to the priority assessment, where information on occupancy and use is straightforward. However, such help must be undertaken with caution. It is the duty holder, under CAR 2012, who is required to make the risk assessment using detailed knowledge of the activities carried out in the premises.

2.9.3 The combined material and priority assessment results should be used to establish the priority for those ACMs needing remedial action and the type of action that will be taken. There are various remedial options available: in many cases the ACMs can be protected or enclosed, sealed or encapsulated, or repaired. These options should be considered first. Where such actions are not practical, ACMs should be removed.

The table below provides some examples from HSG264

Address Location	Product Type	Extent	Accessibility	Condition	Surface Treatment	Asbestos Type	Sample no	Sampled/presumed/Strongly presumed	Material Assessment and Score	Priority and action score
Store room 2, BC408 ceiling	AIB	Whole ceiling 120 m2	Medium	Good	Painted one face only	Amosite	1	Sampled 4 samples	5	12
Store room 2, BC408 fire door	Asbestos board on door carcass (AIB)	21 m2	Medium	Good	Encapsulated by wood in door	Amosite	2	Sampled 1 sample	5	12
Meeting room 2, BC412, ceiling	Asbestos ceiling tiles (AIB)	5 m2	Medium	Good	Painted one face only	Amosite	3	Sampled 1 sample	5	13
Canteen, BC410, lino on floor	Cushion floor (paper)	5 m2	Easy	Good-damage to edge	Covered by vinyl	Chrysotile	4	Sampled 1 sample	4	11
Corridor, BC411, electrical switch box	Woven cloth	Possibly 4 items	Medium	Medium	Unsealed	Chrysotile	5	Strongly presumed	8	14 remove during next campaign
Plant room 2, BC416, lift motor	Brake shoes	2 items	Difficult	Medium	Unsealed	Chrysotile	6	Strongly presumed	4	10 'H' Vac dust
Plant room 2, BC416, pipe lagging	Pipe insulation	24 linear metres	Easy	Good	Sealed and labelled	Crocidolite Amosite Chrysotile	7	Sampled 6 samples	8	14 remove during next campaign
Plant room 2, BC416, wall panels	Asbestos panels (AIB)	43 m2	Easy	Good	1 face sealed and labelled	Chrysotile	8	Sampled 4 samples	5	14 monitor weekly

**Material scores above 10 have high potential to release fibres**  
Other examples are available for guidance on the HSE website.

### **3.0 DISPOSAL OF ASBESTOS**

3.1 Asbestos waste is any waste which contains trace or more than 0.1% w/w asbestos. It is subject to the waste management controls set out in the Special Waste Regulations 1996. Disposal of asbestos is to follow the requirements of these regulations. This also includes if trace has been found. The approved method of disposal for all forms of asbestos is by landfill site licensed for asbestos waste. Only an approved registered waste carrier is permitted to dispose of waste from site to point of final disposal. The contractor will provide a method statement as to the complete packaging and removal of the waste to the point of final disposal and provide copies of the Waste Transfer Notes.

### **4.0 Training**

4.1 Employees such as surveyors, supervisors, contract managers, health & safety staff, trade operatives and caretakers will receive one full day training on general asbestos legislation and awareness training.

4.2 Employees such as housing management staff, stores staff and anyone else identified by their line manager will receive half day asbestos awareness training.

4.3 Asbestos awareness refresher training will be held every year or if legislative changes occur.

4.4 All contractors' operatives working on MDDC properties will also have had to receive Asbestos Awareness Training within the last year and all MDDC operatives who will work with ACMs will undertake task specific training on working with asbestos not requiring a licence.

### **5.0 AUDIT/REVIEW**

5.1 All systems and procedures in use for the management of asbestos will be regularly reviewed and audited by the Maintenance Team in consultation with MDDC's Health and Safety Advisor.

## APPENDIX 1

### ASBESTOS SURVEY AND PROGRESS MANAGEMENT FORM

Site Address .....

Prepared by .....

Date of inspection.....

Building Type (e.g. house).....

Room and Floor .....

#### ASBESTOS DETAILS

ITEM	DESCRIPTION	POINTS
<b>Material Assessment</b>		
Asbestos Type 1 - 3		
Asbestos Product 0 - 3		
Condition 0 - 3		
Existing treatment 0 - 3		
<b>Priority Assessment</b>		
Location 0 - 2	(e.g. bath panel low level)	
Extent of material 0 - 2		
Use of room 0 – 2		
Activity 0 – 2		
Occupancy 0 - 2		
Maintenance frequency 0 - 2		
	TOTAL POINTS	
	PRIORITY RATING AS PER PARA 2.12 – 3.00 AND ACTION	

**SAMPLE REQUIRED? YES/NO**

Signed.....

## ANNEX 1

### CHECKLIST FOR MAJOR WORK WITH ASBESTOS MATERIALS FOR USE BY CONTRACT ADMINISTRATORS

#### 1. THE ASSESSMENT

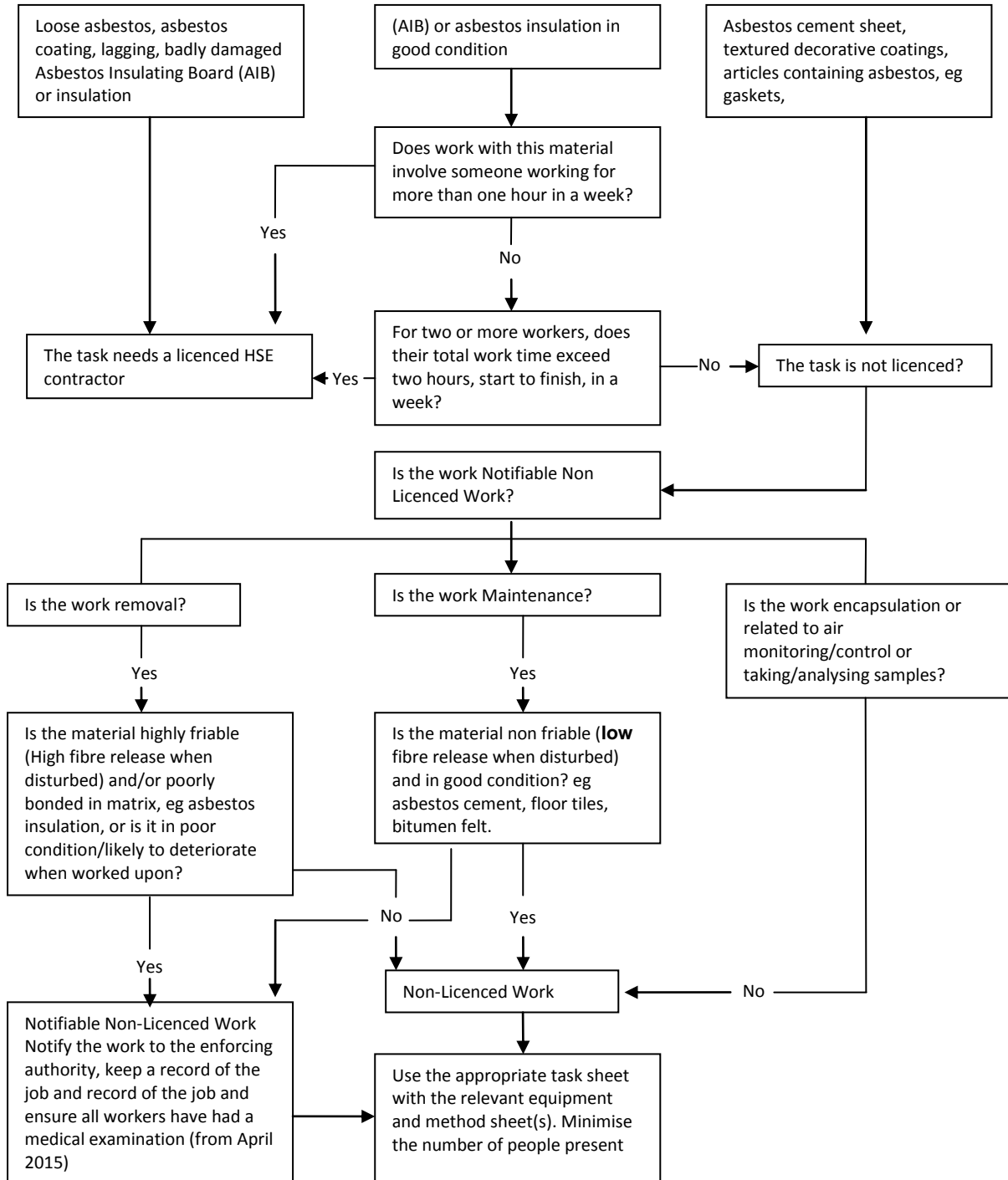
To be adequate and comply with the Control of Asbestos Regulations 2012 the assessment should be in writing and cover: -

- 1.1 The type of work and duration.
- 1.2 The type and quantity of asbestos and the results of any analysis.
- 1.3 The controls to be applied (e.g. encapsulation, controlled wet strip, dust suppression techniques etc.).
- 1.4 The reasons for the choice of work method (e.g. work-face vacuum techniques because of exposed hot pipe work etc.).
- 1.5 Details of expected exposures, noting: -
  - 1.5.1 Whether they are liable to exceed a control limit or action level and the number of people affected.
  - 1.5.2 If above a control limit, the expected exposure, so that appropriate Respiratory Protective Equipment can be assessed and selected.
  - 1.5.3 Whether anyone other than employees may be exposed, and their expected exposure.
  - 1.5.4 Where applicable, results already available from air monitoring.
  - 1.5.5 The steps to be taken to control exposure and the release of asbestos to the environment.
  - 1.5.6 Procedures for assessment, provision, use and decontamination of Personal Protective Equipment (which includes Respiratory Protective Equipment).
  - 1.5.7 Procedures for the safe removal of waste from the work area and the site.
  - 1.5.8 Procedures for dealing with emergencies.

## 2.0 Decision flow chart

### Decision flow chart

Use this simple flow chart to help you decide who needs to do the work



### **3.0 THE PLAN OF WORK (METHOD STATEMENT)**

The Method Statement should specify: -

- 3.1 The nature and probable duration of the work.
- 3.2 The address and location where the work is to be carried out.
- 3.3 The methods to be used including dust suppression techniques.
- 3.4 The equipment, including Personal Protective Equipment used for: -
  - 3.4.1 The protection and decontamination of those carrying out the work.
  - 3.4.2 The protection of other people present on or near work site
- 3.5 **N.B.** A copy of both the Assessment and the Method Statement should be kept on site.

### **4.0 HYGIENE FACILITY**

- 4.1 The hygiene facility should comply with the HSE's guidance note EH 47 and be sited as close to the work area as is reasonably practicable.

### **5. VISUAL INSPECTION OF AREA AT COMPLETION OF WORK**

**6. CHECKLIST FOR SELECTION OF ASBESTOS REMOVAL WORK BY LICENSED CONTRACTORS WHEN JOINING THE APPROVED LIST OF CONTRACTORS AND CONSULTANTS**

NAME OF SUPERVISING MANAGER.....

1. Contractor's license valid?	YES	NO
2. Exposure assessment checked?		
3. Method statement checked?		
4. Approved UKAS accredited/ Analyst?		
5. Contractor carried out notification to H.S.E?		

**CHECKLIST FOR MONITORING OF LICENSED ASBESTOS REMOVAL WORK BY LICENSED CONTRACTOR**

<b>ON SITE CHECKS - BEFORE WORK COMMENCES</b>		
6. Name of Contractor's Employee in charge of site?		
7. Name of Contractor's Employee nominated to carry out daily visual check of enclosure?		
8. Hygiene facilities checked?		
9. R.P.E. maintenance records checked?		
10. Extractor maintenance records checked?		
11. Warning signs erected?		
12. Visual examination of enclosure carried out?		
13. Transit arrangements made?		
14. Waste sacks and disposal arrangements to licensed tip Checked?		
15. Vacuum cleaners checked?		
16. Laundry arrangements checked?		
18. Smoke test carried out?		
19. Commencement of work authorized?		



**ON SITE CHECKS - ON COMPLETION OF WORK**  
**The four stage clearance test To be completed by approved UKAS**  
**accredited analyst**

	Yes	No
20. Visual inspection carried out?		
21. Extraction equipment cleaned and sealed?		
22. Inner surfaces of enclosure sealed?		
23. Air sampling carried out?		
24. Results of air sampling satisfactory?		
25. Certificate of re-occupation passed to:- Programme Planner to be placed upon the house file/Asbestos Register		
26. Authorization to clear site given?		

**(Minor works shall be carried out in accordance with the HSE's  
Asbestos Essentials Task Manual, HSG 210)**

Signed.....

Date.....

Name.....

Title.....

## ANNEX 2

### **CONTINGENCY PLAN – PROCEDURES TO BE FOLLOWED IN THE EVENT OF UNEXPECTED EXPOSURE TO DANGER FROM ACM OR SUSPECTED ACM**

- 1.0 The incident should be reported immediately by the person who discovers or in the case of the call centre is informed of the incident to the following:
- 1.1 The Supervisor in charge of the works will check the Asbestos Register. If confirmed or suspected to be asbestos then:
- 2.0 There should be an immediate site visit by an appropriately qualified surveyor to decide on measures required which may include one or more of the following:
  - 2.1 Notify the Health and Safety Advisor and seek their advice
  - 2.2 Evacuation of staff and or tenants (If tenants, Housing Management to be informed of circumstances and assist with evacuation), closure and sealing-off of the area concerned;
  - 2.3 Arrange for sampling/analysis of the material concerned;
  - 2.4 Consultation with a Licensed Asbestos Contractor over remedial works required; Contractor to notify Health and Safety Executive of incident with copies of correspondence to Supervisor in charge of works
  - 2.5 Arrangements after clearance for remedial works and re-occupation of the area;
  - 2.6 If a MDDC office then arrangements for temporary re-location of activities normally carried out in the area concerned;
  - 2.7 Counselling/health surveillance for anyone affected to be considered;
  - 2.9 Notify the Estates Manager in case of publicity and insurance claim by parties involved.
- 3.0 A debrief should be held after the matter has been fully dealt with to review the incident, determine what measures, if any, that could be taken to prevent a recurrence. To be chaired by the Head of Housing and Property Services with input from the surveyor involved, Health and Safety Advisor and Housing Management as required.
- 4.0 Building Service Manager to draw up and circulate an appropriate advisory notice and make recommendations for inclusion in the Asbestos Management Plan at the next review.
- 5.0 Programme Planner to update Asbestos register.

## ANNEX 3

### Asbestos Management Action Plan

Ref	Action	Priority
<b>1.0</b>	<b>Identify and carry out recommendations within the asbestos surveys from 2010 and 2015 and any Subsequent re-inspections or surveys.</b>	
<b>1.1</b>	<b>Aim – To manage and reduce the risk to Health and Safety from the release of asbestos fibres from MDDC homes for our tenants, leaseholders, their visitors and MDDC employees and others.</b>	<b>Ongoing</b>
<b>1.2</b>	Prioritise the works within the surveys based on the recommendations and risk, and apportion budget costings against the recommendations for each property	<b>2015/16</b>
<b>1.3</b>	Plan the strategy to carry out the works. One year, two year or longer contract? Split the works into licensed and unlicensed works? Spread the works out based on the risk and re-inspection regime being in place?	<b>2016/20</b>
<b>1.4</b>	Identify suitable contractors who are capable of carrying out the works	<b>2015/16</b>
<b>1.5</b>	Tender or seek quotations for the works	<b>2015/16</b>
<b>1.6</b>	Implement the programme of works	<b>2016/20</b>
<b>1.7</b>	Pass information through to Office Manager to update Stock Survey and Asbestos Register as well as Asbestos Surveys	<b>Ongoing</b>
<b>2.0</b>	<b>Implement an Asbestos Inspection and Surveying programme.</b>	
<b>2.1</b>	<b>Aim - have 100% of properties with survey and up to 20% per year re-inspection regime</b>	
<b>2.2</b>	Properties to include the dwelling and any other building, such as communal area or garage.	
<b>2.3</b>	Currently have 75% of properties surveyed and 25% cloned.	

<p>2.4</p> <p>2.5</p> <p>2.6</p> <p>2.7</p> <p>2.8</p> <p>2.9</p> <p>2.10</p>	<p>Identify all master and cloned properties containing asbestos from the Asbestos Register and other sources. Check these against the asset register.</p> <p>Review the surveys to ensure that the entire curtilage of the dwelling has been covered by the surveys.</p> <p>Exclude all master properties that have had a minimum Type 2 survey with No Asbestos Detected.</p> <p>From the remainder separate all of the properties that have had a Type 1 survey, are cloned or have no information on them. Implement a programme of management surveys of these properties using a risk based approach to prioritise the higher risk properties to be surveyed first. The risk assessment is to use information gathered from the masters on this archetype and the information contained in the Type 1 surveys.</p> <p>Of the master properties in which a type 2 survey has been carried out and where asbestos has been detected that is low risk, implement a 20% per annum rolling inspection programme. Any properties containing materials with a material assessment of above 7 or a Medium or High priority score are to be included on an annual inspection programme. Any updates on the risk rating of the asbestos are to be passed to the Programme Planner to update the Stock Survey, Asbestos Register and Surveys.</p> <p>Where any part of the curtilage has been missed; implement a surveying programme of these areas.</p> <p>Where any recommendations are identified or altered as a result of the survey or re-inspection these are to be dealt with as for item 1.0 above.</p>	<p>2015/16</p> <p>2015/16</p> <p>2015/16</p> <p>2015 – onwards</p> <p>2015 – onwards</p> <p>2015 – onwards</p> <p>2015 - onwards</p>
<p>3.0</p> <p>3.1</p>	<p><b>Provide tenants and others with details of asbestos, where it may be found in properties that Housing have responsibility for, and what to do to prevent any risk to Health from the release of asbestos fibres.</b></p> <p><b>Aim –</b> Inform tenants of where to find asbestos and what to do if they are unsure, to reduce the risk of exposure to asbestos fibres. Provide easier access to the asbestos register for tenants and others</p>	

<p><b>3.2</b></p> <p><b>3.3</b></p> <p><b>3.4</b></p>	<p>Send a letter to all tenants of dwellings and garages to inform them of the surveys that have been carried out and the likely places to find asbestos in their homes and garages. Include an asbestos awareness leaflet.</p> <p>Provide a live web-based asbestos register linked to integrator. The Office Manager is to maintain this register and update it with live information from any surveys and works carried out.</p> <p>Provide works operatives with access to the web based asbestos register, including those who are dealing with out of hours emergencies.</p>	<p><b>2015/16</b></p> <p><b>2015/16</b></p> <p><b>Completed</b></p>
<p><b>4.0</b></p> <p><b>4.1</b></p> <p><b>4.2</b></p> <p><b>4.3</b></p> <p><b>4.4</b></p>	<p><b>Within the responsive repairs, voids, adaptations and major works contracts, where any significant works, such as the installation of a bathroom, kitchen, rewire, plumbing, central heating, re-roofing or the replacement of the part a wall or ceiling that is likely to disturb the underlying substrate of the building fabric; a refurbishment survey is to carried out to at least the area to be disturbed.</b></p> <p><b>Aim –</b> To provide prior knowledge and enable MDDC to manage the risk from Asbestos in areas that would not have been covered by previous non-intrusive surveys.</p> <p>Establish a contract with an asbestos surveying contractor to carry out the pre-surveys on these properties, based on a schedule of rates.</p> <p>Inform the voids, adaptations and responsive repair team of this resource and the contact details, as well as the lines of communication. The office manager is to manage the administration of the data from the surveyor and to update integrator.</p> <p>Within the large capital contracts where this information is required, the requirement for these additional surveys is to be written into the contracts. This is to be in an agreed format that is consistent with other information held in integrator and the data is to remain the ownership of MDDC.</p>	<p><b>Ongoing</b></p> <p><b>2016 – onwards</b></p> <p><b>2016 – onwards</b></p> <p><b>2015 - onwards</b></p>

<p><b>5.0</b></p>	<p><b>Resource</b></p> <p>The estimated proposed resource required for the works above are detailed as follows:-</p>																	
<p><b>5.1</b></p>	<p><b><u>Contract administration - Item 1.0 of Action Plan</u></b></p> <p>To analyse and implement, via a contract the recommendations within the existing Asbestos Surveys.</p> <p>Current liabilities within the recommendations are approximately £200,000 for works only. If £50,000 per year is allocated to this budget the works could be put into a contract and let as one.</p> <p>Contract Administration for this would be equivalent to one surveyor for one day per week for six months per annum. = 30 days pa</p>																	
<p><b>5.2</b></p>	<p><b><u>Carrying out inspections and surveys - Item 2.0 of Action Plan</u></b></p> <p>To undertake a re- inspection and write up a report would take approximately 2 hours. This would include for travelling, inspecting the existing ACM's writing the report and providing the tenants with a copy of the report. Any additional presumed ACMs that may not have been identified previously would need to be sampled by a competent asbestos surveyor.</p> <p>Total number of re-inspection per annum = 615</p> <p>Time required = 154 days pa (based upon 4 surveys per day)</p>																	
<p><b>5.3</b></p>	<p><b><u>Establishing and management of Refurbishment and Demolition Surveys - Item 2.0 &amp; 4.0 of Action Plan</u></b></p> <p>To establish a new contract and manage the surveying service provided as well as updating integrator.</p> <table data-bbox="319 1736 1165 2022"> <tr> <td>Establish a new contract</td> <td>= 21 days</td> </tr> <tr> <td>Administration by Office Manager</td> <td>= 28 days pa</td> </tr> <tr> <td>Approximate cost per survey</td> <td>= £350.00</td> </tr> <tr> <td>Number of surveys pa</td> <td></td> </tr> <tr> <td>Responsive repairs</td> <td>= 20</td> </tr> <tr> <td>Voids</td> <td>= 75</td> </tr> <tr> <td>Adaptations</td> <td>= 35</td> </tr> <tr> <td>Sub total</td> <td>= £45,500</td> </tr> </table>	Establish a new contract	= 21 days	Administration by Office Manager	= 28 days pa	Approximate cost per survey	= £350.00	Number of surveys pa		Responsive repairs	= 20	Voids	= 75	Adaptations	= 35	Sub total	= £45,500	
Establish a new contract	= 21 days																	
Administration by Office Manager	= 28 days pa																	
Approximate cost per survey	= £350.00																	
Number of surveys pa																		
Responsive repairs	= 20																	
Voids	= 75																	
Adaptations	= 35																	
Sub total	= £45,500																	

	<p>excluding Planned works = 250 Sub Total = £87,500</p> <p>The costs for the planned works surveys could be absorbed into the capital cost of the works and could be carried included in the works. This cost does not allow for any removal works.</p> <p><b>5.4 Asbestos Register updates – Item 3.0 of Action Plan</b></p> <p>To update the Asbestos Register held on integrator to ensure that it is live will require both time and authority. Authority should be given to the Office Manager to pursue individuals for information that is vital to update the register.</p> <p>To update the asbestos register held on integrator has will require approximately 1 day a week.</p> <p>52 weeks at 1 day per week = 52 days pa</p> <p>Cost of integrator updates = £6,500</p>	
	<p><b>5.5 On-line Asbestos Register</b></p> <p>Resource to be agreed with ICT. This information could be accessed at any time by the operatives and others via the PDA's</p>	

## Appendix 2

**Mid Devon District Council**

**Corporate**

**Asbestos Management**

**August 2015**



## **Version Control**

*Title: Asbestos Management Policy*

*Purpose: Compliance with health and safety legislation*

*Owner: N Sanderson*

*Date: August 2015*

*Version Number: 3.0*

*Status: Final*

*Review Frequency: at least every 3 years*

*Next review date: **August 2018***

*Consultation:*

This document has obtained the necessary approvals:

## **Purpose**

Mid Devon District Council aims to be a responsible employer which accepts its responsibilities and duties to provide a safe working environment for all employees, in accordance with the provisions of the Health & Safety at Work Act 1974, the Workplace (Health, Safety and Welfare) Regulations 1992 and measures to ensure the management and control of existing asbestos is carried out in accordance with the Control of Asbestos at Work Regulations 2012.

# Asbestos Policy

## 1. Introduction

This policy document refers to the Council's arrangements for managing the risks of exposure to asbestos by employees and non-employees within its activities.

**Staff involved with maintenance of buildings, supervising such work, or issuing contracts should fully familiarise themselves with the contents of this document.**

Asbestos was widely used as a building material for many years, particularly between the period 1950–1980 and can be found in a wide variety of forms, being used in all aspects of the construction process. The use of asbestos products for construction materials is severely restricted today, due to the long-term legacy of illness associated with exposure to the product.

There are many forms of asbestos, the main types being:

- white asbestos (chrysotile);
- brown asbestos (amosite);
- blue asbestos (crocidolite).

All types of asbestos are considered dangerous and stringent control limits are set for personal exposure (0.1 fibres per cubic centimetre averaged over a continuous period of 4 hours).

There are a number of problems associated with exposure to asbestos namely:

- asbestos fibres are not detectable to the naked eye;
- the health effects of exposure can be fatal;
- the onset of symptoms is often delayed for decades after exposure;
- there is widespread public concern over exposure;
- asbestos was widely used in the construction industry and will be found in many pre-1980 buildings (although not exclusively);
- it is not possible to determine that a material contains asbestos by visual examination;
- by law - exposure has to be rigorously controlled and monitored.

It is not possible to identify asbestos by its colour as the age of the product and its combination with other products can alter the appearance.

Approximately 4,500 people die each year from asbestos-related diseases and this number is increasing year on year. Many of these deaths are from working in high risk industries many years ago with the emphasis now being on the maintenance trade. There are now much more stringent controls over the management of asbestos in the workplace to ensure that its presence is identified and an appropriate management plan put into place to prevent exposure.

The legislation relating to the control of asbestos in the workplace is extensive and is supported by Approved Codes of Practice and HSE Guidance Notes. This chapter provides a general overview of how to manage asbestos in the workplace **but does not provide guidance as to the safe treatment or removal of asbestos due to the specialist nature of the work and its applicability to a minority of employers, who by the very nature of their business have to be fully aware of the legislative requirements. These employers must be licensed by the Health and Safety Executive to work with asbestos. Mid Devon District Council is not licensed and must therefore employ external properly licensed contractors where required by law (see section 7).**

Asbestos only causes problems when fibres are released into the atmosphere, such as when it is being worked on, disturbed by nearby maintenance work, or where the material is friable and may suffer abrasion or there are strong air currents. If the asbestos is in a good condition and protected against damage, the danger will be negligible unless the material is being worked on. It should be noted that potentially more problems can be caused by removing sound and protected asbestos than by leaving it in place so, if depending on risk assessment the risk is considered to be low, it is best left undisturbed.

The supply and use of asbestos and asbestos-containing products is prohibited (except for a limited number of specified uses). Asbestos-containing products in use before 1 January 1986 (blue and brown asbestos), 1 January 1993 (other forms of asbestos except white asbestos) and 24 November 1999 (white asbestos) were permitted to be used, but their replacement must be of an asbestos-free material. Once an asbestos material has been removed arrangements must be made for its safe disposal.

## **2. Responsibilities**

Mid Devon District Council's policy on asbestos must ensure that known and identified locations of asbestos are recorded and that this information is given to those persons who require it to protect not only themselves but others around them. The 'Duty to Manage' requirement under Regulation 4 of the Control of Asbestos Regulations 2012 will apply.

The Chief Executive is ultimately held responsible for compliance with health and safety law. Below the Chief Executive level, Service Managers are identified as being responsible, so far as is reasonably practicable, for managing the health, safety and welfare at work of all employees in their respective areas, and for non-employees where their health or safety may be affected by the Council's activities. In particular Managers will:

- Maintain an Asbestos Register identifying the locations and types of asbestos that are within the Council's control.
- Make a point of checking the relevant Asbestos Register at the point where works are planned.

- Prepare and revise as necessary the arrangements for managing work involving asbestos material in their service area.
- Ensure works involving licensed asbestos are carried out by a licensed competent contractor and that the work is notified to the HSE using the FODABB5 notification form (see [www.hse.gov.uk](http://www.hse.gov.uk)).
- Ensure that adequate resources are made available to enable the arrangements to be implemented. Arrangements include management surveys, analysis and where necessary advice and removal by a specialist licensed contractor.
- Ensure appropriate asbestos awareness training, information and instruction is provided for relevant employees.
- Ensure that where specialist technical expertise in relation to asbestos is not available within the Service, suitable arrangements are made to obtain this information as required. This can be obtained from the Environmental Services Manager or the Corporate Health and Safety Advisor as the first point of contact.
- Ensure that employees or relevant contractors are provided with all the appropriate information, instruction and training on work being undertaken in areas containing anything suspected of containing asbestos.

The Head of Housing and Property Services is responsible for maintaining an Asbestos Register of all MDDC corporate buildings and domestic council owned tenanted property and shall be responsible for ensuring that all designated responsible premises officers are aware of the locations, condition and control measures recommended to prevent risks to health and safety.

Asbestos Registers must be continuously reviewed and updated as changes occur.

### **3. Health Effects of Asbestos**

There are three main types of serious health risks associated with exposure to asbestos fibres:

***Asbestosis*** – chronic obstructive lung disease

***Lung cancer*** – a fatal lung disease

***Mesothelioma*** – a fatal cancer of the outer lining of the lung specific to asbestos exposure.

It is recognised that the largest group of workers at risk from asbestos exposure are workers involved in the repair and maintenance, refurbishment and demolition of buildings, including electricians, plumbers, joiners, computer and telecommunication engineers – people who may encounter asbestos during their normal day to day work activities.

## 5. Legislation

The legislation relating to the management of asbestos in the workplace can primarily be found in:

- Health and Safety at Work etc Act 1974 (general duties on employers and management of premises);  
The general provisions of the 1974 Act are applicable to the management of asbestos in the workplace, particularly s 2 (duty towards employees), s 3 (duty to non-employees) and s 4 (duty of person having control of premises).
- Management of Health and Safety at Work Regulations 1999;  
The Management Regulations require employers to undertake risk assessments of the risks to health and safety arising out of, or in connection with, their business.  
Duties are also placed in respect of co-operation and co-ordination where persons are sharing a workplace.
- Workplace (Health, Safety and Welfare) Regulations 1992;  
These Regulations place requirements on employers to maintain their buildings so as not to cause a risk to health and safety.
- Construction (Design and Management) Regulations 2015;  
These Regulations require clients to provide pre-construction information to persons carrying out construction work. Such information would include the results of any asbestos surveys undertaken in the premises. There is also a requirement to ensure that the 'health and safety file' is prepared and maintained for future reference.
- Defective Premises Act 1972;  
The Act places a duty on landlords to ensure that tenants and other persons are safe (so far as is reasonable) from personal injury or disease that results from the defective state of the premises.
- Control of Asbestos Regulations 2012.  
The Regulations set out the duties relating to exposure to asbestos and its correct management. The Regulations include:
  - management in non-domestic premises (reg 4);
  - identification of the presence of asbestos (reg 5);
  - assessment of work that exposes employees to asbestos (reg 6);
  - plans of work (reg 7);
  - licensing of work with asbestos (reg 8);
  - notification of work with asbestos (reg 9);
  - information, instruction and training (reg 10);
  - prevention or reduction of exposure to asbestos (reg 11);
  - use of control measures (reg 12);

- maintenance of control measures (reg 13);
- provision and cleaning of protective clothing (reg 14);
- arrangements to deal with accidents, incidents and emergencies (reg 15);
- duty to prevent or reduce the spread of asbestos (reg 16);
- cleanliness of premises and plant (reg 17);
- designated area (reg 18);
- air monitoring (reg 19);
- standards for air testing and site clearance certification (reg 20);
- standards for analysis (reg 21);
- health records and medical surveillance (reg 22);
- washing and changing facilities (reg 23);
- storage, distribution and labelling of raw asbestos and asbestos waste (reg 24);
- labelling of products containing asbestos (reg 30);

## **7. Asbestos Licensing**

The 2012 regulations prohibit anyone from carrying out work with high risk asbestos e.g. insulation, asbestos coating or asbestos insulating board unless they hold a licence granted by the HSE (Health & Safety Executive). Therefore the Council can only carry out work on non-licensed asbestos.

To be exempt from needing a licence the work must be:

- Sporadic and low intensity - to be considered sporadic and low intensity the concentration of asbestos in the air should not exceed 0.6f/cm<sup>3</sup> measured over 10 minutes; and
- Carried out in such a way that the exposure of workers to asbestos will not exceed the legal control limit of 0.1 asbestos fibres per cubic centimetre of air (0.1 f/cm<sup>3</sup>); and
- Meet at least one of four other conditions:
  - It is a short non-continuous maintenance task, with only non-friable materials (friability describes how likely an ACM is to release asbestos fibres when worked on, so non-friable materials will only release a small number of fibres during work); or
  - It is a removal task, where the ACMs are in reasonable condition and are not being deliberately broken up, and the asbestos fibres are firmly contained within a matrix, e.g. the asbestos is coated, covered or contained within another material, such as cement, paint or plastic; or

- It is a task where the ACMs are in good condition and are being sealed or encapsulated to ensure they are not easily damaged in the future; or
- It is an air monitoring and control task to check fibre concentrations in the air, or it's the collection and analysis of asbestos samples to confirm the presence of asbestos in a material.

## **8. Notification of Non-licensed asbestos work (NNLW)**

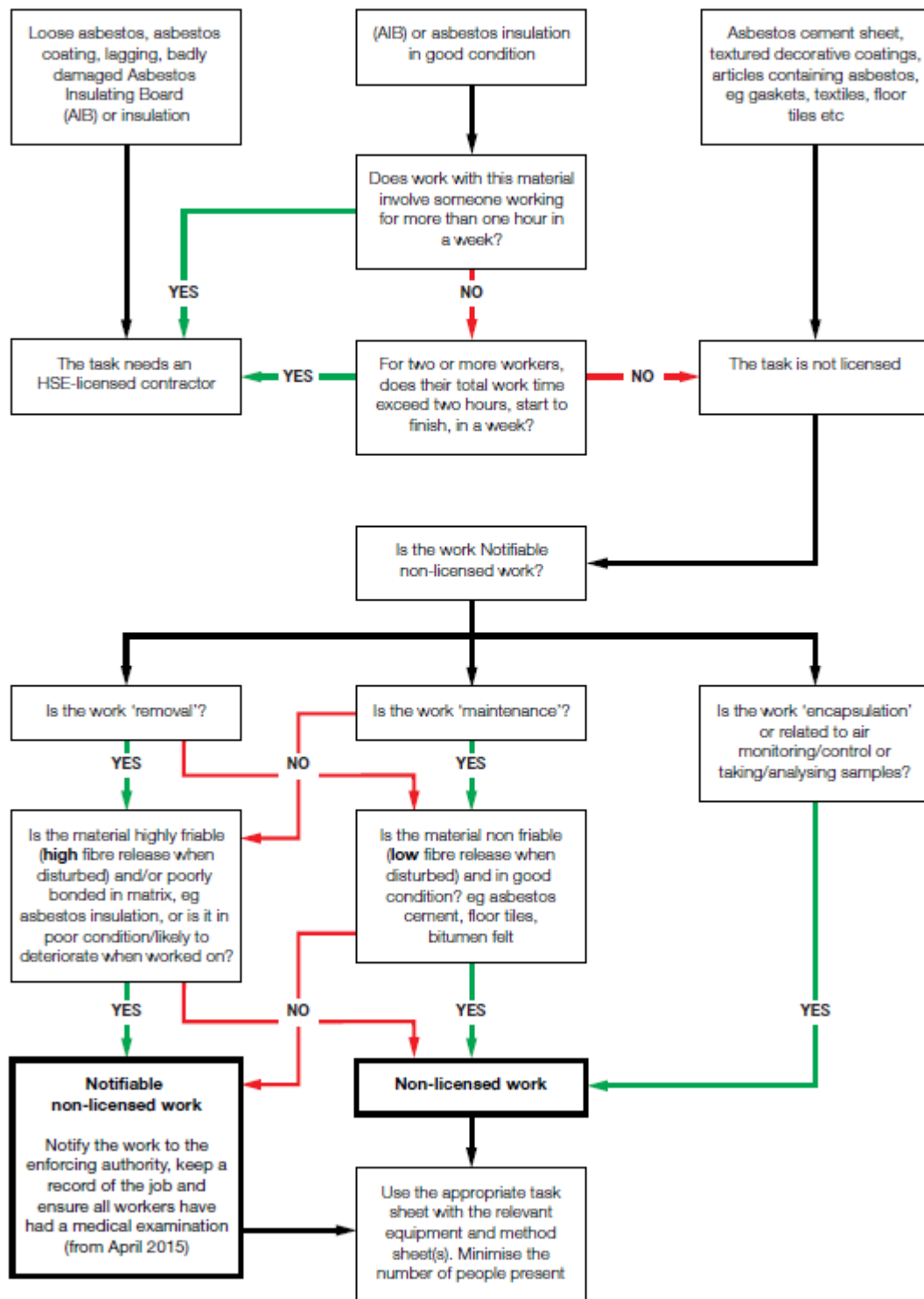
The Control of Asbestos Regulations 2012 introduced the following requirements:

- Notification of certain types of relatively low-risk work on ACM that does not require the use of a licensed contractor. This notification is on-line here <https://extranet.hse.gov.uk/lfservlet/external/asbnnlw1>
- Medical examination of those persons carrying out the work
- Maintaining registers of work (health records)

Whether a type of asbestos work is either licensable, NNLW or non-licensed work has to be determined in each case and will depend on the type of work that is going to be carried out, the type of material being worked on, and its condition. The identification of the type of asbestos-containing material (ACM) to be worked on and an assessment of its condition are important parts of the risk assessment that must be carried out before the work commences. The HSE asbestos essentials guidance (a0) includes the following to assist:

## Decision flow chart

Use this simple flow chart to help you decide who needs to do the work:



## 9. Policy Application

The following arrangements consist of a series of procedures which are intended to safeguard persons who may encounter the possibility of discovering asbestos in the course of their work and to ensure the safety of any premises occupants who may be



affected by any associated works which may involve the disturbance of asbestos containing materials.

All reasonable practicable steps will be taken to ensure that MDDC employees, tenants and contractors working on behalf of the MDDC will not be exposed to hazards associated with materials containing materials.

## **10. Asbestos Surveys**

The Health and Safety Executive (HSE) publication HSG264 Asbestos: The Survey Guide sets out how to survey workplace premises for asbestos containing materials and how to record the results in a usable form. A decision needs to be taken at an early stage as to whether to carry out a management or refurbishment/demolition survey – or a mixture of the two.

### **Management Survey:**

Seen as a standard survey (previously known as Type 1,2 or 3 asbestos surveys) – these are concerned with the risk management of asbestos in normal occupation and will be less expensive, intrusive and disruptive than the alternative. The emphasis is on identifying asbestos containing material (ACM) as far as is reasonably practicable and assessing the potential for fibre release during normal occupancy of the building and the activities carried out there – including during routine maintenance and repair e.g. redecoration.

### **Refurbishment and Demolition Survey:**

Where major refurbishment or demolition is planned, this is an intrusive examination of the building including sampling to identify and control the risks of asbestos release. Refurbishment can include projects where plant is removed from a building.

A systematic programme of surveying all MDDC owned domestic and Corporate properties has been undertaken overseen by Housing and Property Services and as these are reviewed they will be brought into line with the current guidance HSG264.

## **12. Asbestos Register**

Data collected on site will be input by the Housing and Property Services onto the Asbestos Register.

The information will include:

- Property information;
- Inspection method;
- Surveyor's detail;
- Site plans;
- Material detail;
- Sample analysis results;
- Material assessment;
- Priority assessment;
- Risk rating;

- Management recommendations

### **13. Material Assessment**

The condition of each asbestos element identified on site is assessed using the material assessment algorithm as defined in the HSE publication HSG264.

The assessment will depend on four different parameters:

- Product type
- Extent of damage
- Surface treatment
- Asbestos type

### **15. Assessment Score**

The total score of material assessment and priority assessment gives the risk rating which is high, medium, low, or very low.

This is used to determine the management actions necessary for ensuring safety.

- High - urgent action required
- Medium - remedial works required
- Low/very low - manage/maintain

All the information collected during the asbestos surveys will be recorded in the Asbestos Register.

The Asbestos Register of Council owned housing will be maintained in the Housing Services (repairs and maintenance) offices at Old Road depot, Tiverton.

The register for all Corporate buildings will be maintained by the Facilities and Corporate Buildings Manager and held at Phoenix House.

A hard copy of the register will be issued to the responsible officer of each property on the register.

Access to the Register will also be made available to property managers, Building Maintenance staff and contractors working on the property.

The public utility services, the fire brigade and others whose presence may expose them to possible risk from asbestos will have access to the council asbestos register as appropriate.

### **18. Information for Contractors**

All officers with the responsibility for issuing works orders will ensure that prior to the works commencing the asbestos register is consulted and the existence of asbestos is brought to the attention of the contractors in writing, clearly identifying areas which are known/presumed to have asbestos containing materials. In addition a **“Permit to**

**Work”** will be issued to all contractors prior to commencement of both licensed and non-licensed work activities.

Where contractors arrive on site, they must be under instruction to report their presence and identify the tasks that they are to carry out to the responsible property officer. At this point the Asbestos Register located at the Old Road or Phoenix House must be accessed and the premises must be checked to confirm either way the information previously issued by the ordering officer.

Should the contractors discover any variances to the information contained in the asbestos register, this must be reported to the Manager responsible for Asbestos management to enable him to update the Register.

### **19. Asbestos Licensed Contractors**

A system of vetting and appointing suitable applicants for inclusion on the Council’s standing list of asbestos contractors is operated. Contractors carrying out work on behalf of the Council are subject to performance monitoring and recording.

Only contractors who have been vetted and approved by MDDC Housing and Property Services shall be eligible to tender for asbestos work. All Contractors shall be reviewed by the Housing and Property Services Manager every five years.

Housing and Property Services shall ensure that prior to any asbestos removal works being undertaken, the appointed contractors provide all relevant documentation required for works with asbestos.

This shall include:

- ASB5 notification form and plan of work
- Copy of their Asbestos Licence
- Company insurance document
- Company Health and Safety policy
- CDM Health and Safety plan as notified to the HSE
- Training records
- Medical Certificates
- RPE face fit test certificates
- Plant examination and test certificates
- Permit to work
- COSHH data
- Waste disposal arrangements

Documentation required on completion of the removal works shall include:

- Site diary
- Site induction records
- Daily enclosure and air lock inspection records
- Daily negative pressure units and vacuum inspection records
- Respirator inspection records
- Daily decontamination unit inspection records

- Operative showering records
- Working platform inspections
- Air monitoring and clearance certificates
- Personal air monitoring records
- Asbestos exposure records
- Waste consignment notes

## **20. Disposal of Asbestos Waste**

The contractor used for the disposal of asbestos must be licensed for this by the Environment Agency.

All asbestos containing material shall be disposed of by double wrapping in labelled 1000 gauge polythene sheeting or bags, and transported by a licensed carrier to a landfill site correctly licensed to receive asbestos waste.

The disposal of asbestos material shall be the responsibility of the appointed contractor. As such, evidence of appropriate documentation for the consignment and disposal of asbestos waste shall be required prior to payment.

## **21. Disposal of Fly-Tipped waste containing Asbestos**

The Council (Environmental Services) will be responsible for the arranging for the removal of fly-tipped waste, which is suspected of containing asbestos. Where large amounts of fly-tipped waste (which is suspected of containing asbestos) are reported, the Environment Agency should be consulted on the collection and disposal methods to be used. A contractor appropriately licensed for the collection of this waste will be used and the costs of this re-claimed from the offender where possible.

## **22. Training**

All staff who may encounter asbestos during the course of their work shall be given the necessary training to be able to identify the situations in which asbestos may be present, to be able to recognise asbestos or similar suspect materials and to set out safe working practice to minimise risks to health and safety.

Persons in charge of buildings will be provided with appropriate training and information regarding accessing information from the Asbestos Register.

Induction training will be provided to all new staff falling into these groups.

## **22. Advice**

The Head of Housing and Property Services responsible for Asbestos management, Head of Environmental Services or the Corporate Health and Safety Advisor can be contacted for advice relating to management of materials suspected of containing Asbestos. If in doubt the rule is to leave it alone until risk assessed by a competent person.

If during the course of normal work practices suspected asbestos-containing material is encountered, the following procedures should be followed:

### **23. Contractors / Employees**

#### **Action to take on the disturbance of asbestos containing materials:**

1. **STOP ANY WORK**, remove and keep all persons out of the area. Where practicable close or seal or lock off the area. Do not remove any equipment or material.
2. Stop other people entering the area e.g. prepare and display a 'potential Asbestos hazard keep out' sign.
3. If there is any dust present on clothing or on the person – remove clothing and place in a plastic bag and seal – and take a shower or wash thoroughly as soon as possible. Seek advice from the Corporate H&S Advisor.
4. Inform the line manager who will report the discovery to the Facilities and Corporate Buildings Manager or the Housing and Property Services Manager who will inform the MDDC Corporate Health and Safety Advisor.
5. The Responsible Manager will arrange for the property to be inspected and for any samples or air tests to be taken if required and will keep the premises management and the Corporate Health and Safety Advisor informed. Depending on the type and extent of the asbestos contamination - a specialist licensed asbestos contractor will be required to carry out the cleanup.
6. Following laboratory analysis the responsible Manager will advise the premises management and the Corporate Health and Safety Officer of the outcome and the proposed action.
7. On completion of any repair or removal work the respective Manager will advise the premises management and the Corporate Health and Safety Advisor when the area has been made safe.

The responsible Manager will ensure that all actions including areas where asbestos has been removed and analytical reports are included in the Asbestos register and copies forwarded to premises management and the Corporate Health and Safety Advisor.

For more information on asbestos go to [www.hse.gov.uk/asbestos](http://www.hse.gov.uk/asbestos)

## Where can I find out more information about asbestos?

- Information regarding asbestos can be found by visiting the Health and Safety Executive website at [www.hse.gov.uk](http://www.hse.gov.uk) or by contacting them over the telephone on **0845 345 0055**.
- Alternatively, please contact Mid Devon District Council on **01884 233024**.



**Address:** Mid Devon District Council  
Phoenix House  
Phoenix Lane  
Tiverton, EX16 6PP

**Telephone:** 01884 233024

**Fax:** 01884 234318

**Email:** [plannedmaintenance@middevon.gov.uk](mailto:plannedmaintenance@middevon.gov.uk)

Please note: Mid Devon District Council is presenting this leaflet to tenants to help provide information about asbestos. It provides advice and information available at the time of writing which may change. It is intended for guidance only and does not provide authoritative legal advice.



For large print, audio version or other languages please call 01884 233024



Your guide to help you deal with

# Asbestos in your home

- Facts about asbestos
- What should I do if I think I have asbestos in my home?
- What can be done about asbestos?
- Will Mid Devon District Council remove the asbestos?
- Common locations of asbestos
- Where can I find more information regarding asbestos?

[www.middevon.gov.uk](http://www.middevon.gov.uk)

## Facts about asbestos

- Building materials containing asbestos were widely used between 1950 and 1980, particularly from 1960 onwards, as its fibres are strong and resistant to heat and chemicals.
- When asbestos is damaged it releases fibres into the air which can cause problems if breathed in.

## What should I do if I think I have asbestos in my home?

- Don't panic as it is very unlikely that the levels of asbestos fibres found in the building will be harmful.
- Don't attempt to remove the asbestos lagging, spray coatings or large areas of insulation board yourself. Nobody should undertake the removal of asbestos unless they have obtained the HSE license to do so.
- If you are planning to carry out any DIY, painting or alterations (this includes drilling and sanding) and it has been confirmed your home has asbestos, please contact Mid Devon District Council for advice and guidance before proceeding with this work.
- If you are at all concerned that you might have damaged or aging asbestos, please do not hesitate to contact one of our members of staff trained in dealing with asbestos on **01884 233024**.

## What can be done about asbestos?

- As a landlord, we have a legal duty to register each property that has asbestos.
- We have carried out a representative survey of all properties and identified all known locations of asbestos.
- Depending on the severity of the asbestos material found in your home, we will either repair the material usually by sealing or enclosing it, or we will remove it, especially where it is badly damaged or deteriorated.

## Will Mid Devon District Council remove the asbestos?

- We will manage and regularly monitor all asbestos found in your home.
- Not all asbestos will be immediately removed. However, we will carry out a programme of removal where asbestos is found to be in disrepair and needs replacing.
- Asbestos materials in a good condition that can not readily be damaged are often best left where they are.
- The general rule for asbestos removal is: if undamaged and completely sealed, leave it alone.

## The common locations of asbestos in the home



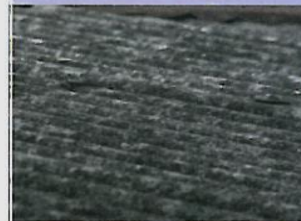
◀ Asbestos cement bath panels

- ▶ Insulation panels to the inside of the doors to warm air boiler cupboards



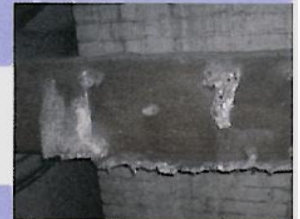
◀ Ceiling tiles and textured coatings

- ▶ Artex and vinyl floortiles up until 1999



◀ Asbestos cement on garage or shed roofs and wall panels

- ▶ Sprayed coatings for insulation and fire protection



◀ Asbestos cement drain pipes, gutters, soil outpipes, soffits and fascias.

- ▶ Watertanks in roof space



◀ Asbestos cement insulation boards, infill panels and partitions