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Classification	Policy (sitting as an appendix to H&S Policy)
Title	Management of Asbestos Policy
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Revised by	Director of Assets Head of Assets Procurement & Compliance Team Leader Health & Safety Advisor
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Related Documents	Health & Safety Policy
Location of Electronic Copy	F:/LIVE POLICIES

## 1. Policy Statement

Viewpoint places a high importance on and recognises its duty of care for ensuring a safe and healthy environment for all employees, customers, contractors, visitors and members of the public under the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 and the Control of Asbestos Regulations (CAR) 2012.

We are committed to providing robust processes and procedures to meet all relevant asbestos legislation, approved Codes of Practice, and Health and Safety Executive Guidance Notes to minimise the risks associated with exposure to asbestos, namely, the serious and fatal lung diseases of mesothelioma, asbestosis, asbestos related lung cancer and pleural thickening.

Viewpoint accepts that asbestos is likely to be present in the majority of our properties built prior to the year 2000 and will therefore manage these properties accordingly. Viewpoint recognises the importance of following a systematic approach to ensure asbestos is robustly managed and includes a commitment to the safe disposal of any asbestos waste in accordance with the appropriate legislation.

This Policy will be used to formulate the Viewpoint Asbestos Management Plan (AMP) which will document the controls in managing asbestos safely and an Asbestos Register which will hold records of the assets with Asbestos Containing Material (ACMs) in them.

Viewpoint will promote a positive asbestos culture amongst employees and tenants and will seek to foster a positive attitude towards asbestos safety and its importance.

## 2. Purpose

The purpose of this policy, the associated Asbestos Management Plan, Asbestos Management Procedure and Asbestos Register, is to clearly outline the arrangements for asbestos management at Viewpoint in line with all legal and regulatory obligations and best practice guidance and to allow Viewpoint to effectively manage all asbestos containing materials and to reduce the asbestos related risks to as low a level as is reasonably practicable.

Viewpoint is a 'Dutyholder' as defined within regulation 4 of the Control of Asbestos Regulations 2012 (CAR). Detailed below are the key policy principles relating to Viewpoint's duty to manage asbestos.

- Viewpoint has a duty to manage asbestos as defined in regulation 4 of the CAR. To ensure asbestos is managed effectively, a suitably qualified and competent appointed person will be identified.

- All reasonable steps will be taken to identify whether there is asbestos present or liable to be present within properties owned or managed by Viewpoint.
- It will be assumed all materials contain asbestos unless there is strong evidence to suggest otherwise (for example, the building was built post-2000).
- An appropriate asbestos surveying process will remain in place, taking account of the need for Asbestos Management, Refurbishment and Demolition Surveys in accordance with current legislation. Viewpoint will provide the surveying body with appropriate details and information.
- It is Viewpoint policy to have all premises built before the year 2000 surveyed to management standard as a minimum (as per HSG264). The purpose of the management survey is to locate, as far as reasonably practicable, the presence and extent of any suspect ACMs in the building which could be damaged or disturbed during normal occupancy, including foreseeable maintenance and installation, and to assess their condition.
- A refurbishment and demolition survey is needed to locate and describe, as far as reasonably practicable, all ACMs in the area where the refurbishment work will take place or in the whole building if demolition is planned.
- Viewpoint will make all reasonable enquiries to ensure asbestos surveys are undertaken by technically competent, UKAS (United Kingdom Accreditation Service) accredited individuals. Any information gathered on behalf of Viewpoint about ACMs within its assets must be freely shared with Viewpoint in a timely manner.
- Where asbestos is identified, an assessment will be undertaken by the surveyor to consider its condition and the risk posed by the material.
- The risk assessment will help determine how Viewpoint manage the ACM, assessing whether it will be maintained in a condition so as to prevent the possibility of any harm to health occurring, and regularly monitored, or alternatively if there is a risk of exposure, assessing whether appropriate measures such as encapsulation, labelling, inspection, working with, or removal of, the material will be undertaken.
- Asbestos will be removed during refurbishment programmes and where the risk cannot be appropriately managed.
- Where asbestos is identified, records of the location and condition of the ACMs or presumed ACMs will be held within the Viewpoint Asbestos Register. The Asbestos Register will hold records of periodic reviews, re-

inspections and removals, along with details on how best to manage/remediate the material.

- Ensure that an appropriate system is installed, maintained and implemented for the management of all asbestos containing materials identified in the Register. Such a system is to be capable of recording the risk, the needs and priorities for treatment and/or removal.
- An AMP will be produced with the purpose of ensuring asbestos is maintained in a condition so as to prevent the possibility of any harm to health occurring.
- All reasonable steps will be taken to ensure the arrangements and procedures formed in the AMP are put into action, and are periodically reviewed and monitored so that the plan remains relevant and up-to-date.
- Viewpoint will make information and guidance, regarding asbestos management, available to all relevant personnel, including employees, contractors and emergency services, to enable them to manage and/or work safely with asbestos.
- Viewpoint will provide advice to customers regarding asbestos containing materials.
- Viewpoint will provide appropriate training to ensure our employees are competent to carry out their duties. Awareness of the risks from asbestos will be promoted to staff along with the policies and management procedures, through training and induction of relevant staff. Details of required training is outlined in the Asbestos Management Procedure.
- Viewpoint is committed to ensuring adequate resources are in place to implement and maintain the requirements for sufficient asbestos management, including the provision of appropriate information, instruction and training.

### **Maintenance, repair or refurbishment work**

- No Viewpoint employee will handle or remove asbestos materials.
- Viewpoint will ensure robust processes are in place for the selection, control and monitoring of all contractors. Viewpoint will ensure approved contractors and sub-contractors engaged to carry out any work on Viewpoint premises have the appropriate level of asbestos training relevant to the work undertaken.
- Ensure that all contractors and sub-contractors engaged to carry out work on any of Viewpoint's premises are provided with adequate

information on asbestos which may be disturbed by their works. Ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate.

- Maintenance, repair or refurbishment works will not proceed where there is no or insufficient asbestos information available to make a proper assessment.
- Where work is non-intrusive and involves working upon existing and accessible building structure and/ or plant and equipment within, the management survey information should be sufficient to identify any potential asbestos risks.
- Where work is intrusive, prior to any work being carried out on the fabric of buildings, the asbestos register will be interrogated to determine whether asbestos may be encountered and appropriate precautions (including the use of HSE licensed contractors where necessary) will be taken. Where the works are likely to disturb material not included in the registers (e.g. behind wall panels, within voids, etc.) then a refurbishment/demolition asbestos survey will be commissioned.
- Viewpoint will ensure all non-licensed asbestos work (i.e. work which does not require a Health and Safety Executive (HSE) licensed-contractor or notified to the HSE) is undertaken in a safe manner, by appropriately trained personnel with appropriate insurance cover for the work being carried out. Viewpoint will undertake checks and review relevant documentation, method statements and risk assessments for such work.
- Most work likely to disturb or remove asbestos must be carried out by an HSE licensed asbestos removal contractor and notified to the HSE 14 days prior to commencement. Advice will be sought from a competent UKAS accredited asbestos management consultancy prior to any works being carried out on asbestos containing materials.
- Where licensed contractors are required to carry out asbestos works, Viewpoint will provide the surveying body with appropriate details and information as required.
- If, after any maintenance, repair or refurbishment work has commenced, any suspected asbestos containing material is found or disturbed, work should stop immediately, the area isolated and the Emergency Procedure within the AMP should be implemented.
- It is the responsibility of all staff to report to the Asset Team if they suspect that disturbed or damaged asbestos containing materials may be present in a building owned or occupied by Viewpoint. In a case where an accessible material is suspected of containing asbestos, and where this material may reasonably *become* disturbed, this would also

apply. The Asset Team will immediately isolate the area and the Emergency procedure within the AMP will be implemented.

### **Tenant Information and Work Procedures**

- Viewpoint will establish its policy on informing tenants of the possibility of ACM's being present in pre-2000 housing and on the requirements for undertaking work on their dwellings. Any such information will be subject to a formal distribution procedure.
- Prior to a tenant starting work which will interfere with the fabric and/or services of a property, tenants will be required to seek advance permission from Viewpoint. Before issuing permission, the Asbestos Register will be consulted and, where ACM's are identified within the proposed work zone the Asset Team will liaise with the tenant to ensure all appropriate actions are taken. Where the asbestos data is inconclusive (e.g. where a Refurbishment Survey has not been carried out, the Asset Team will review the request and decide whether to refuse permission or to arrange for a Refurbishment Survey to be carried out.
- In the event that tenants' works are liable to disturb ACM's, Viewpoint will make a decision on the appropriate course of action, ensuring that all asbestos works are subject to the normal Viewpoint asbestos work procedures.

### **Asbestos Register**

The sum total of asbestos information from all asbestos surveys undertaken at Viewpoint's premises and updated by inspection and review make up the Asbestos Register. The asbestos register information is held in Keystone Asset Management.

Asbestos Register Information showing locations and condition of known ACMs in Viewpoint's property is available to staff and contractors and any other relevant parties.

The asbestos register will be updated as surveys are completed and the condition of ACMs regularly inspected and updated as part of ongoing re-inspections. The Asbestos Register is also updated following asbestos abatement works to ensure that management actions do not continue for materials that are no longer present.

The Asset team are responsible for maintaining the Asbestos Register and for ensuring that information within it is updated when changes occur.

### **Asbestos Management Plan**

The asbestos management plan will manage the risk and will put into effect appropriate measures to ensure any material known or presumed to contain asbestos is kept in a good state of repair and managed appropriately, by methods such as inspection, repairing, sealing, labelling, or removal of the material.

The AMP should be read in conjunction with the Asbestos Policy. It is designed to be a 'live document' that is to be regularly reviewed, amended and updated as changes happen within the organisation and its operating processes. It includes details on how Viewpoint intends to:

- Protect those working on the fabric of our properties;
- Protect those working and living in our properties;
- Effectively control any works likely to affect ACMs;
- Identify and categorise ACMs, and manage hazards based upon prioritisation and assessment of the risk that they present;
- Monitor and maintain the condition of identified ACMs that are assessed as being able to be left in-situ;
- Document emergency procedures.

The Viewpoint AMP will be reviewed as a minimum every 12 months but also following statutory or legislative changes.

### **3. Legislation/related policies**

The following information is not an exhaustive list of legislation and guidance. Instead, it is a reference point, signposting to those pieces of legislation and guidance that are most relevant to this policy.

- Health & Safety at Work etc. Act 1974
- Management of Health & Safety at Work Regulations 1999, as amended
- Construction (Design and Management) Regulations 2015
- RIDDOR The Reporting of incidents, diseases and dangerous occurrences Regulations 1995
- The Control of Asbestos Regulations 2012 (CAR)
- HSG264: Asbestos, The Survey Guide
- HSG 248 Asbestos: The Analysts' Guide for Sampling, Analysis and Clearance Procedures
- HSG 247 Asbestos: The Licensed Contractors' Guide
- HSE Guidance HSG227 Managing Asbestos in Premises
- HSG210 - 'Asbestos Essentials - A task manual for building, maintenance and allied trades and non-licensed asbestos work' (Fourth edition 2018)
- INDG 223 A Short Guide to Managing Asbestos in Premises
- ACOP L143: Managing and Working with Asbestos

## 4. Scope

The Control of Asbestos Regulations 2012 (CAR) introduced a duty to manage asbestos in non-domestic premises. Viewpoint recognises that it is responsible for complying with these regulations for these premises e.g. offices, common stairs/closes, corridors, lifts, common rooms, laundries.

The regulations specifically exclude the requirement to manage asbestos in domestic properties. However, other regulations such as the Health and Safety at Work Act, the Management of Health and Safety at Work regulations and the Construction (Design and Management) Regulations place additional duties to manage risks from asbestos in domestic premises. Therefore, all works undertaken by Viewpoint or on its behalf, which may create risks from asbestos containing materials (ACMs) must be managed to ensure risks are eliminated or controlled.

Under regulation 4 of the Control of Asbestos Regulations 2012 (CAR), viewpoint has responsibilities as the dutyholder.

### **This policy applies to:**

- Viewpoint employees, tenants, contractors and other persons or stakeholders who may work on, visit or use its premises or who may be affected by its activities and services.
- All Viewpoint properties, including workplaces, care homes and housing stock and all relevant work undertaken in these properties on Viewpoint's behalf.
  - Where Viewpoint own properties which are managed by a third party, Viewpoint retains the duty to manage asbestos under regulation 4, unless the third party are responsible for alterations, repairs and maintenance and it is specified otherwise in the lease or management agreement. The same standards as outlined in this policy will apply.
  - Where Viewpoint is the landlord in a block of flats with other flat owners, Viewpoint and the other flat owners will be jointly responsible for common areas.
  - Where Viewpoint acts as a Property Factor, the owners will retain the duty to manage asbestos under regulation 4. Responsibility is set out in the written statement of services.
  - For shared ownership arrangements, Viewpoint retains the duty to manage asbestos under regulation 4.

## 5. Roles and Responsibilities

A full outline of all roles and responsibilities for named individuals with accountability for any aspect of the asbestos management system is outlined within the AMP.



## **Board**

The role of Viewpoint's Board is to ensure that this policy, as well as any associated policies and procedures, and the asbestos management plan are regularly reviewed, as required, or in accordance with the usual cycle of policy review.

The Board will, in fulfilling its function, ensure that it complies as necessary with this policy, and the associated policies, procedures and documentation which support it.

## **Executive and Leadership Teams**

The role of the Executive and Leadership Teams is responsibility for ensuring that this policy, and the associated policies, procedures and documentation which support it, are implemented within Viewpoint.

The Executive and Leadership Teams shall ensure that Asbestos Management processes and systems are in place, and that they are operated properly from day-to-day. The Executive and Leadership Teams shall also ensure that relevant managers and team members familiarise themselves with this policy, and the associated policies, procedures and documentation which support it, as well as undertaking any associated training.

The Director of Assets is the main dutyholder for the Management of Asbestos Policy.

Viewpoint has designated the Head of Assets as the Appointed person and the Procurement and Compliance Team Leader as the deputy Appointed person.

## **Staff**

All staff are responsible for ensuring that they familiarise themselves with this policy, and the associated asbestos management plan and asbestos register, procedures and documentation which support it, as well as undertaking any associated training.

All staff with specific asbestos management responsibilities should understand the significance and importance of their role and ensure all processes outlined within the asbestos management plan and procedures are robustly followed.

All staff must co-operate with the dutyholder so far as is necessary to enable the dutyholder to comply with required duties

## **6. Monitoring & Evaluation**

This policy will be reviewed every three years unless a material change in the prevailing legislation necessitates an earlier review. The accompanying AMP and procedures will be reviewed on an annual basis.