

# **BOLSOVER DISTRICT COUNCIL**

## **Asbestos Management**

### **Policy**

~~April 2010-December 2013~~



**This Policy addresses the following Corporate Aims**



COMMUNITY  
SAFETY



CUSTOMER  
FOCUSED SERVICES



ENVIRONMENT



STRATEGIC ORGANISATIONAL  
DEVELOPMENT

## **Bolsover District Council Equalities Statement**

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

- The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Strategy.
- The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing its functions.

This document is available in large print and other formats from any of the Council offices or by contacting the Chief Executives Directorate on 01246 242323. Please bear in mind we will need a few days to arrange this facility.

If you need help to read this document please do not hesitate to contact us.

Our Equality and Improvement Officer can be contacted via [Email](#) or by telephoning 01246 242407.

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## CONTROL SHEET

Details of Document	Comments / Confirmation
Title	Asbestos Management Plan, Policy and Guidance
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## 1. INTRODUCTION

The Control of Asbestos ~~at Work~~ Regulations 2012~~06~~ imposes a duty on these responsible for maintenance of non-domestic premises a requirement to manage **Asbestos Containing Materials (ACM's)** in them, to protect anyone using them or working in them from the risks to health that exposure to asbestos causes. buildings for which it has a 'Duty to Manage'

This document sets out the policy and guidance for the management of **Asbestos Containing Materials (ACM's)** at all Bolsover District Council premises, and forms the Council's Asbestos Management Plan.

### Duty Holder Responsibilities

The Council itself is '**Duty holder**' under the regulations. The Duty holder responsibilities will be undertaken by **The Head of Regeneration**

### Operational Responsibilities

**The Head of Regeneration** takes operational responsibility for all 'commercial' Council property. This will include boiler rooms in group dwellings, to which tenants and wardens have no access.

**The Head of Housing** will take responsibility for the 'domestic' part of the housing stock (as defined by Control of Asbestos ~~at Work~~ Regulations ~~2006~~2012). This will include all tenancies and flats, and all lounges, kitchens, corridors to the group dwellings.

This document should be read in conjunction with the regulations and published guidance on asbestos and the management of ACMs in buildings, given in S.11.2 & 13).

### 1.1 Asbestos background Information

Asbestos is a mineral that is resistant to heat, fire and corrosive chemicals. There are three main types:

- Crocidolite (blue)
- Amosite (brown)
- Chrysotile (white)

Asbestos is composed of small fibres, which can only be detected by using a microscope under laboratory conditions (not by the naked eye). Asbestos fibres are hazardous, and principally cause harm to the lining of the lungs when inhaled. As Asbestos ages, weathers or becomes damaged, it becomes more brittle and/or "friable" and fibres are released more easily.

Asbestos material were last legally imported or used in the UK in 1999, however imported goods or products may still contain asbestos.

## 2. SCOPE

This policy governs the management of ACM's in the Councils properties and all work activities on all the Councils' properties where there is a risk from exposure to asbestos.

The policy applies to all projects, maintenance work, installation of plant, equipment, and telephone or computer cabling.

The policy applies to all employees, contractors and volunteers carrying out work on behalf of the Council.

The policy applies in full to all properties managed by Bolsover District Council, including the common parts of any housing tenancies.

Asbestos will be managed on a risk basis, taking into account:

- the potential for fibre release
- the condition of the material
- the location of the material
- the likelihood of the material being damaged or disturbed.

Asbestos not considered to be creating a risk will not normally be removed; a management system will be introduced to monitor and record its condition.

## 3. PRINCIPLES OF THE POLICY AND LEGAL REQUIREMENTS

The purpose of the Policy is to minimise the risk to any person using or working in Bolsover District Council buildings and provide guidelines for the recording, management and where necessary the safe disposal of ACMs.

### 3.1 Principles

The policy seeks to address the following corporate aims:

**Community Safety** – Ensuring communities are safe and secure, by safely managing and disposing of asbestos material.

**Customer Focused Services** – Providing excellent customer focused services – by controlling the risk of exposure to tenants, clients, service users, employees and contractors from asbestos.

**Environment** – Promoting and enhancing a clean and sustainable environment – by removing and disposing of asbestos material in a way that does not harm or pollute the environment.

**Strategic Organisational Development** – Continually improving our organisation – by ensuring that we comply with current asbestos legislation and best practice.

### 3.2 Legal Requirements

The policy seeks to meet the legal requirements of the following legislation

**The Control of Asbestos at Work Regulations 2006-2012 (CAR 2006-2012)\***

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And seeks to comply with the following approved codes of practice and guidance.

Duty To Manage

~~L127 Duty to Manage Asbestos in Non-Domestic Properties~~  
~~L143 Working with Materials Containing Asbestos~~  
~~HSG 227 A Comprehensive Guide to Managing Asbestos in Premises~~

Surveying and Sampling

~~HSG 264 Asbestos – The Survey Guide~~  
~~MHDS 100 Surveying and Sampling of Asbestos in Buildings~~

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Licensed Works

~~HSG 247 Licensed Contractors Guide~~  
~~HSG 248 Guidance for Analytical Laboratories....~~

Non-Licensed Works

~~HSG 189/2 Work with Asbestos Cement~~  
~~HSG210 Asbestos Essentials – A Task Manual for Building Maintenance and Allied Trades on Non-Licensed Asbestos Work.~~  
~~[www.hse.gov.uk/asbestos/essentials/index.htm](http://www.hse.gov.uk/asbestos/essentials/index.htm)~~

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Disposal of waste

~~The Waste (England and Wales) Amendment Regulations 2012~~  
~~Hazardous Waste Regulations 2005~~

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These documents and are available from the Health and Safety ~~Officer~~ Advisor

~~\*This revokes and replaces the following:~~

~~The Control of Asbestos at Work Regulations 2002~~  
~~The Asbestos Licensing Regulations 1983~~  
~~The Asbestos (Prohibitions) Regulations 1992~~

### 4. POLICY STATEMENT

Bolsover District Council's policy is to have clear systematical procedures for the ~~m~~Management of ~~a~~Asbestos in Council buildings, including the identification of Asbestos Containing Materials (ACM's), monitoring of their ~~ir~~ condition ~~of ACM's~~, provision of relevant information and the removal, repair or disposal of ~~ACM's~~ these where necessary.

Specifically we will:

- Act as 'Duty holder' under the Control of Asbestos Regulations ~~2006~~2012

This duty to manage asbestos is contained in regulation 4 of the ~~Control of Asbestos Regulations 2006 (link)~~ **Control of Asbestos Regulations 2012**.~~It~~ Under these regulations it requires the person -who has the duty (ie the "dutyholder") to:

- Take steps to identify any asbestos containing materials, presuming all materials ~~to~~ contain asbestos unless there is strong evidence ~~otherwise~~ to refute this.
- Assess the risk of anyone being exposed to asbestos fibres.
- Maintain an up to date a register of the locationss and condition of ACM's.
- Prepare a plan that sets out in detail how the risks will be managed.
- Maintain ACM's in a safe condition, remove ACM's where risk assessment shows that it poses an unacceptable risk.
- Provide appropriate training, information and advice on the location, type and condition of the material to anyone who could be in a position to disturb it;
- Take all reasonably practicable steps to prevent employees and others from being exposed to or breathing in asbestos fibres.
- Only use licensed asbestos contractors formally approved by the Council to undertake such work for any work with asbestos which requires a specialist contractor.
- Restrict sampling and analysis of suspected ACMs to competent personnel.
- Review the plan, policy and guidance every two years.

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## 5 RESPONSIBILTIES

### 5.1 Chief Executive Officer

The Chief Executive Officer is responsible for ensuring that there are effective control measures in operation to protect employees and others from exposure to asbestos fibres.

### 5.2 Senior Management Team

Directors are accountable to the Chief Executive Officer for the operations and activities carried out within their areas of responsibility and for ensuring that effective arrangements are in place to prevent exposure to asbestos fibres. Specifically they will ensure:

- Compliance with the Council's Asbestos Management Policy and Guidance within their area of responsibility.
- Employees in their area are aware of, accept and carry out their responsibilities under the Policy.



### 5.3 Heads of Service

Heads of Service are accountable to their Director for ensuring that the Asbestos Management Policy, Plan and Guidance is complied with in their Service Area. Additionally they will ensure:

- That the Control of Asbestos at Work Regulations ~~2006-2012~~ (~~CAR2006~~CAR2012) are implemented within their area of responsibility.
- Adequate resources are available to manage asbestos.
- Risk assessments are carried out ~~and~~ appropriately recorded.
- There is a safe system of work for any work which may disturb the fabric of a building, and appropriate use is made of the Asbestos Register.
- Employees who are exposed to asbestos fibres are subject to appropriate health surveillance programme to monitor any effects on their health.
- Employees have appropriate training and information.
- Reasonable adaptations are made to work equipment, procedures and processes to meet the needs of disabled employees.

### 5.4 Managers and Team Leaders

Are accountable to their Head of Service for ensuring that the Asbestos Management Policy and Guidance is complied with in their area of responsibility. Additionally they will:

- Understand the scope and content of the Control of Asbestos at Work Regulations ~~2006-22012~~ (CAR ~~2006~~2012) and Council Policy where this is relevant to work in their area, and to undertake any necessary training.
- Ensure employees understand their duties under this Policy.
- Bring to the attention of their line manager / Head of Service asbestos issues of which they are aware, including damage to asbestos materials and any non-compliance with this policy.

### 5.5 All Employees

All employees at **all** levels have a responsibility to take care of their own and others health and safety. Employees will:

- Work in accordance with instruction and training.
- Report any damage to asbestos containing materials to their line manager
- Cooperate with any programme of health surveillance which is identified as necessary following risk assessment.
- Report any symptoms of possible asbestos related ill health to Human Resources.
- Report any exposure to asbestos fibres to their line manager.
- Report any unsafe working practices to their line manager
- Report any training needs to their line manager
- Report to their line manager all instances where they uncover or suspect asbestos that is not labelled or on the register.
- Report to their line manager the presence of asbestos whose condition or location is such that it is likely to pose a health risk.

## 5.6 Duty Holder

### The Asbestos Duty Holder responsibilities will be undertaken by the Head of Regeneration

The **Duty Holder** is responsible for compiling and maintaining a central asbestos register. This will be used to provide current status of asbestos for the whole of the Councils building portfolio and will be reviewed annually.

**The Head of Housing Services** will provide information for Group Dwellings, Housing Stock and any premises controlled by the Housing Service, with the exclusion of Group Dwelling boiler houses to which Housing personnel and tenants have no access.

The **Duty Holder** will:

- Take reasonable steps to find out if there are materials containing asbestos in Council premises; and if so, assess its quantity~~amount~~, location and condition.
- Presume materials contain asbestos unless there is strong evidence that they do not.
- ~~Make~~Produce, maintain-keep up-to-date and make available, a register of the locations and condition of the asbestos containing materials - or materials which are presumed to contain asbestos.
- Assess the risk of anyone being exposed to fibres from the materials identified;
- Prepare a plan that sets out in detail how the risks from these materials will be managed.
- Take the necessary steps to put the plan into action.
- Review and monitor the plan annually.
- Provide information from the register to anyone who is liable to disturb them.
- Ensure that the Council has access to competent asbestos surveyors.
- Ensure that work identified as necessary by asbestos surveys is undertaken.

## 5.7 Head of Community and Street Services

Is responsible for the provision of the service to safely remove and dispose of fly tipped asbestos waste and will –

- Ensure that all works are carried out accordance with the Policy and the requirements of the Control of Asbestos Regulations ~~2006-2012~~ and the relevant portions of the Asbestos Task Manual, particularly sheet A38.
- Ensure that all works have a suitable and sufficient risk assessment, method statement and safe system of work in place before they commence.

## 5.8 Project Managers (Including Contractor Works)

- Will ensure that all works are carried out accordance with the Policy, legislation and associated codes of practice.
- Will draw up permits to work for '**high risk**' work.

- Will draw up an appropriate specification for the contract and works, setting out precisely what is to be done, ~~our the~~ standards ~~expected when for~~ carrying out the work, who is to carry the work and any restrictions ~~which will be -we wish to~~ placed on the contractor.
- Will ensure that ~~there is no subcontractors subcontracting of work by the subcontractor without the are not used without their~~ written permission ~~of the Council~~.
- Will ensure that all works have a suitable and sufficient risk assessment, method statement and safe system of work in place before they commence.
- Will ensure that any works undertaken that could disturb the building fabric (i.e. I.T. installations, fixtures and fittings, specialist and building works), does not proceed until they are satisfied it is safe to continue.
- Will appoint a suitably competent agent to manage projects which are beyond their competence.
- Will actively manage and supervise contract and internal works.

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Please refer to flow chart in the Guidance:

## 5.9 Head of Human Resources & Payroll

The Head of Human Resources & Payroll will ensure:

- That there are adequate policies and procedures in place to govern the management of ACM's.
- That there is an adequate occupational health surveillance programme in place to support employees who have asbestos related medical conditions or are involved with asbestos related activities.
- Relevant health records are kept for 40 years.
- Adequate training is made available to employees.

## 5.10 Health and Safety ~~Officer~~ Advisor

The Health and Safety ~~Officer~~ Advisor in Human Resources and Payroll will assist managers and employees in carrying out their roles under this policy by:

- Reviewing and update policies governing the control ACM's at not less than two year intervals.
- Assisting with asbestos risk assessment.
- Advising on asbestos control measures.
- Advising whether health surveillance is appropriate.
- Assisting in the provision of training.
- Auditing compliance with this policy and the underpinning regulations.
- Assist in drawing up specifications and risk assessments.