

# Asbestos Policy

## 1.0 Introduction

- 1.1. Southern Housing places significant importance on the health, safety and welfare of staff, residents, visitors, and others who may be affected by its business. We aim to achieve an environment compatible with the provision of the highest quality services where health hazards are minimised so far as is reasonably practical.
- 1.2. The risks associated with exposure to asbestos are well documented, especially in relation to the construction and maintenance industries. In recognition of these risks and to fulfil its duties under the [Health and Safety at Work etc. Act, 1974](#), the [Management of Health and Safety at Work Regulations 1999](#) and the [Control of Asbestos Regulations 2012](#) (CAR 2012), Southern Housing is committed to minimising these risks.
- 1.3. In addition to this Policy, Southern Housing has an Asbestos Management Plan that documents the controls in managing asbestos safely and an Asbestos Register which holds records of any asbestos-containing material (ACMs) and their condition.
- 1.4. This Policy should also be read in line with Southern Housing's [Health & Safety \(H&S\) Policy](#).

## 2.0 Objectives and scope

- 2.1 Our main objective is to ensure asbestos containing materials are suitably managed at all levels throughout the organisation and everyone understands their duty, to appropriately contribute to the effective management of asbestos. The key objectives of this Policy are to establish:
  - The Duties of Southern Housing, as an Employer and Landlord (the dutyholder)
  - Maintaining an Asbestos Management Plan
  - Competent persons & training
  - An Asbestos Register
  - Our approach to responsive, voids, and planned maintenance
  - Our approach to asbestos remedial work
  - The sharing of asbestos Information
  - Record keeping
  - Dealing with any non-compliance.
- 2.2 This Policy relates to all buildings and properties owned and managed by Southern Housing. However, where we are certain buildings were built after the year 2000,

there is unlikely to be asbestos and surveys will not be carried out. This includes domestic dwellings, both single and multi-occupancy, specialised housing such as sheltered, retirement living, extra care and supported housing, and non-domestic premises such as offices, commercial units, and community centres.

- 2.3 Where properties are managed by third parties (e.g. agency managed), the management of asbestos will fall under the scope of this Policy, so far as the Southern Housing statutory responsibilities detailed in the terms of the management agreement.
- 2.4 We're completing a review of properties managed by external managing agents during 23/24 and will update this Policy as required.

We will:

- Make available, as far as practicable, a system to provide information about suspected/known asbestos to anyone who is liable to disturb it within an Asbestos Register
- Carry out an intrusive refurbishment or demolition survey to domestic and non-domestic properties as and when required, as per HSG264
- Not use asbestos labels, however some historic labels may be present. Absence of a label must not be relied upon as an indicator of asbestos content; the Asbestos Register must be consulted in all cases.
- Ensure there is a robust process in place to manage immediately dangerous situations identified during asbestos related works
- Manage high-risk ACMs, identified on any survey, by controlled removal or encapsulation
- Manage medium & low risk ACMs in-situ
- Commission a new (or if necessary, repeat) survey including in any dwelling in any of the following circumstances:
  - where there is risk of asbestos being disturbed by works or other activity
  - when dwellings become void and have not previously had a survey
  - on demand, on request from a resident.
- Survey 100% of all non-domestic buildings and the common areas of blocks including external areas (e.g. fascias, soffits) for ACMs and hold the results within the Asbestos Register
- Reinspect all known ACMs in non-domestic buildings and the common area of blocks including the external areas at the following intervals:

<b>High risk – 1 year</b>	<b>Low risk – 3 years</b>
<b>Medium risk – 2 years</b>	<b>Very low risk – 5 years</b>

- Place a duty on all staff/contractors who may disturb asbestos to:
  - carry out on-site risk assessments, to establish the likelihood of asbestos being disturbed *and, in any event*
  - check the Asbestos Register, and if there's a risk asbestos may be disturbed, request an appropriate survey, then
  - act on the findings of any survey before any work is carried out.
- Only utilise asbestos-removal contractors licensed by the Health and Safety Executive (HSE) for any asbestos related work
- Only utilise asbestos surveying contractors that are United Kingdom Accreditation Service (UKAS) accredited
- Operate effective contract management arrangements with the contractors responsible for delivering the service, including:
  - ensuring contracts/service level agreements are in place
  - conducting client-led performance meetings
  - ensuring contractors' employee and public liability insurances are up to date on an annual basis.
- Use the legal remedies available within the terms of the tenancy and lease agreement should any resident refuse access to carry out essential asbestos related inspection and remediation works.

### 3.0 Policy principles

- 3.1 Detailed below are the key policy principles relating to asbestos management: The duty to manage asbestos is included in the Control of Asbestos Regulations (CAR) 2012.

The Duty requires Southern Housing to manage the risk from ACMs by:

- Appointing a competent and qualified Responsible Person(s) to coordinate the management of asbestos
- Taking reasonable steps to find materials likely to contain asbestos
- Presuming materials contain asbestos, unless there is strong evidence to support that the material is not asbestos containing
- Maintaining an up-to-date record of the location and condition of any asbestos containing materials or presumed asbestos containing materials in buildings owned and managed by Southern Housing
- Assessing the risk from any ACMs found
- Assessing the likelihood of anyone being exposed to asbestos

- Producing a written record of the location and condition of ACMs and presumed ACMs and keeping it up to date
- Preparing a plan that manages the risk and putting into effect to ensure that information on the location and condition of ACMs is given to those persons who may disturb them, and any material known or presumed to contain asbestos is kept in a good state of repair
- Repairing or removing any material that contains or is presumed to contain asbestos, if necessary, due to the likelihood of disturbance or its location or condition
- Regularly reviewing and monitoring the plan.

## 4.0 Asbestos surveys

- 4.1 We'll carry out and document surveys in accordance with HSG264 - Asbestos: The survey guide. The survey shall contain recommended actions that will detail any remedial action necessary to deal with the asbestos material. This may be removing, repairing, encapsulating, or leaving in place, depending on the likelihood of disturbance, its location, and its condition.
- 4.2 We'll carry out a management survey on (the non-dwelling parts and fabric of) non-domestic buildings and the common area of blocks including the external areas and establish, as far as is reasonably practicable, if asbestos is present. We'll add the results to the Asbestos Register.
- 4.3 We'll assess asbestos information provided by the seller of any newly acquired stock and, if satisfactory, add this to the Asbestos Register. Otherwise, we'll complete a management survey within three months of transfer.
- 4.4 We'll action the recommendations set out within an asbestos survey within the timescales given. If the ACM is in good condition, it will be left in-situ and re-inspected in accordance with the timescales set out in the survey.
- 4.5 We'll commission a management survey with a targeted refurbishment survey prior to any intrusive building work starting (including dwellings), where an on-site risk assessment has determined there is a risk asbestos may be disturbed.
- 4.6 We'll commission a demolition survey prior to any demolition work starting (including dwellings).
- 4.7 We'll carry out a management survey of empty properties (domestic dwellings) before re-letting (unless already held on file), and issue the results in a simplified format to the new resident prior to occupation.
- 4.8 Management surveys are not required where a building is known to be built after the year 2000. We will remain vigilant to the possibility that some buildings built after the year 2000 may still contain asbestos and to apply caution where this is suspected.

## **5.0 Maintaining an Asbestos Management Plan (AMP)**

- 5.1 The Asbestos Management Plan (AMP) should be read in conjunction with the Asbestos Policy. The plan details the measures in place to identify, manage, and/or mitigate risks associated with asbestos. The AMP is relevant for maintaining a safe environment for all residents, employees and contractors. 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.
- 5.2 The AMP will primarily cover the following areas of asbestos management:
- Allocation of specific roles and responsibilities to staff and contractors
  - The means of populating and disseminating the Asbestos Register
  - The competencies and responsibilities of contractors
  - Reviewing asbestos surveys and establishing follow-on action
  - Training requirements
  - Processes for incident management/emergencies
  - Contracting and subcontracting arrangements
  - Arrangements for management of asbestos in-situ.

## **6.0 Roles and responsibilities**

- 6.1 Southern Housing will ensure:
- The Chief Operating Officer oversees sign off and agreement of all H&S policies and chairs the Health and Safety Group where new policies get agreed
  - The Executive Director of Assets and Sustainability (EDAS) retains overall accountability for this Policy and implementation, whereby the related management plan is a key instrument outlining specific processes and tasks by colleagues across the business
  - The Executive Team is responsible for ensuring adequate resources are made available to meet the policy objectives. Southern Housing is the dutyholder.
  - The Director of Asset Compliance is responsible for delivery of the key policy objectives and for achieving the associated targets
  - The Head of Asset Compliance is responsible for overseeing operational delivery, including the management of all contractors carrying out any works on asbestos containing materials
  - The Compliance Managers (asbestos) are responsible for the operational delivery
  - The Director of Health & Safety will direct Southern Housing in meeting the requirements of relevant legislation and is responsible for ensuring the Policy is reviewed and updated in line with legislation

- Colleagues across Southern Housing will support in delivering the requirements of this Policy and contractors in gaining access to carry out asbestos related activity
- Residents are responsible for allowing access to their homes that Southern Housing are responsible for maintaining asbestos materials
- The Responsible Person(s) for asbestos management is trained to a minimum standard of BOHS P405 'The Management of Asbestos in Buildings'
- Operational managers, team leaders, and supervisors whose service area has direct contact with asbestos materials will undertake 'Duty to Manage' Asbestos Training
- Southern Housing employees and contractors who have direct, or potentially indirect, contact with asbestos containing materials will complete Asbestos Awareness Training
- Southern Housing will ensure that competent (UKAS accredited) contractors and surveyors are procured and appointed to undertake asbestos management, refurbishment, and demolition surveys
- The Compliance Team will check the competency of approved asbestos contractors and surveyors on an annual basis
- Southern Housing will ensure that competent licensed asbestos removal contractors are procured and appointed for all non-licensed, notifiable non-licensed, and licensed works
- The Compliance Team will check the relevant qualifications of employees working for these contractors on an annual basis.

## **7.0 Asbestos Register**

- 7.1 Southern Housing holds information on ACMs within an Asbestos Register. This register has been developed and holds surveyed data on our pre-2000 dated built properties. The Asbestos Register is currently held in both APEX and Keystone.
- 7.2 Southern Housing has an established and maintained Asbestos Register which details every non-domestic (communal) and domestic property. The Asbestos Register is used to record the details of all asbestos surveys and re-inspections undertaken on our buildings. This will include the date of any survey, inspection, the findings/outcomes, and any remediation works identified and subsequently completed.

## **8.0 On-site risk assessments**

- 8.1 We will give all staff/contractors who may carry out works which may disturb asbestos a copy of the AMP. We'll provide training on the requirements of the AMP to staff/contractors' staff.

- 8.2 Staff/contractors must check the Asbestos Register and conduct an on-site risk assessment before carrying out any maintenance or building work where there's a risk asbestos may be present and disturbed (includes dwellings).
- 8.3 We will advise residents, in writing, ahead of any asbestos related work being carried out, explaining the implications, and keeping them fully informed.
- 8.4 An instruction or Works Order given to a Specialist Asbestos Contractor from our Approved Supplier List to carry out work is considered a permit to work.

## 9.0 Responsive, void, planned and asbestos remedial works

- 9.1 **Non-domestic properties (commercial/communal):** We will review existing asbestos management survey information prior to carrying out any responsive, void, or planned maintenance works which may involve working on or adjacent to any ACMs within a non-domestic property. This is to ensure that any ACMs likely to pose a risk are identified prior to works commencing and the details passed onto the relevant in-house operatives or external contractors and managed in an appropriate way. Southern Housing will ensure that all non-domestic buildings in ownership or management have an asbestos management survey and will be re-inspected annually or at a period dictated by the previous survey/re-inspection. Re-inspection dates may change following the re-categorisation of a property or a building.
- 9.2 **Domestic properties:** We will review the asbestos register and any existing asbestos survey information prior to carrying out any responsive, void, or planned maintenance works which may involve working on or adjacent to any ACMs within a domestic property. This is to ensure that any ACMs likely to pose a risk are identified prior to works commencing and are managed and dealt with appropriately. Where intrusive works is to be undertaken a refurbishment survey will be undertaken. Where there is no record of asbestos related information for a domestic property, a survey will be undertaken ahead of any works taking place should the contractor work within proximity of potential ACM.
- 9.3 **Refurbishment and demolition work:** We will carry out a refurbishment survey prior to any refurbishment or a demolition survey prior to any demolition work. If the refurbishment works are restricted to small areas e.g. kitchen or bathroom replacement, then a localised (targeted) survey of the area(s) likely to be affected may be completed and not the entire building.
- 9.4 **Asbestos remedial work:** We will ensure there is a robust process in place for the management of any follow-up works required following the completion of an asbestos survey. We will ensure that following asbestos surveys, any asbestos containing materials that are found to be in a poor condition or that are likely to be regularly/easily damaged or disturbed through the normal use of a dwelling will be repaired, protected, or removed at the earliest opportunity. Where there is any doubt as to the composition of the material uncovered, a sample will be taken and analysed to facilitate the instruction of remedial works where required. Where asbestos is positively identified and as a result of a risk assessment (conducted in accordance with published guidance) and removal, sealing or encapsulation is recommended, this will be carried out for:



- **Non-licensed works** – utilising a licensed asbestos removal contractor, licensed by the Health & Safety Executive.
- **Notifiable non-licensed works** – utilising a licensed asbestos removal contractor, licensed by the Health & Safety Executive.
- **Licensed works** – utilising a licensed asbestos removal contractor, licensed by the Health & Safety Executive. Where an asbestos containing material has been removed in whole or in part, it will be replaced with a material that has no asbestos content and fulfils the equivalent function of the original asbestos material, e.g. for fire protection.

## 10.0 Asbestos information

- 10.1 Southern Housing considers good communication essential in the safe delivery of asbestos management and will therefore ensure information about asbestos containing materials (known or suspected) is provided to every person liable to disturb it. We will ensure all employees and contractors have adequate asbestos survey information to enable them to manage and/or work safely.
- 10.2 Southern Housing will also provide advice to residents regarding asbestos containing materials primarily through information contained on Southern Housing's website.

## 11.0 Dealing with non-compliance

- 11.1 Any non-compliance issue identified at an operational level will be formally reported to the Compliance Manager(s) (Asbestos) in the first instance. The Director of Asset Compliance will agree an appropriate course of corrective action with the Compliance Team to address the non-compliance issue and report details of the same to the Executive and H&S Teams.
- 11.2 In cases of a serious non-compliance issue the Executive Team and Board will consider whether it is necessary to disclose the issue to the Regulator for Social Housing.

## 12.0 Performance

- 12.1 Detailed below are the performance indicators that are reported on the asset compliance scorecard. This will be reported to the Executive Team monthly, Board quarterly, and PAS HSG bi-monthly.
- % blocks with an asbestos survey
  - No. blocks with an overdue asbestos survey
  - Total no. blocks requiring an asbestos survey
  - % blocks with an asbestos re-inspection
  - No. blocks with an overdue re-inspection
  - Total no. blocks requiring a re-inspection
  - No. overdue asbestos actions (high risk)
  - No. overdue asbestos actions (non-high risk).



## 13.0 Regulatory & legislative compliance

### 13.1 Regulations:

- [Control of Asbestos Regulations 2012](#)
- [The Hazardous Waste \(England and Wales\) Regulations 2005 \(as amended\)](#)
- [Control of Substances Hazardous to Health Regulations \(COSHH\) 2002](#)
- [Hazardous Waste \(England & Wales\) Regulations 2005 \(as amended\)](#)
- [Housing Act 2004](#)
- [Landlord and Tenant Act 1985](#)
- [Health and Safety at Work etc. Act 1974](#)
- [The Management of Health and Safety at Work Regulations 1999](#)
- [The Workplace \(Health, Safety & Welfare\) Regulations 1992](#)
- [Personal Protective Equipment at Work Regulations 1992](#)
- [Construction, Design and Management \(CDM\) Regulations 2015](#)
- [Reporting of Injuries, Diseases and Dangerous Occurrences Regulations \(RIDDOR\) 2013.](#)

### 13.2 Approved Code of Practice:

- Approved Code of Practice (ACOP) Managing and Working with Asbestos L143 (Second Edition) 2013

### 13.3 Guidance notes:

- HSG264 - 'Asbestos: The survey guide' (Second edition 2012,)
- HSG248 – 'Asbestos: The analysts guide' (Second edition 2021)
- HSG247 - 'Asbestos: The licensed contractors' guide' (First edition 2006).

## 14.0 What have we done to make sure this Policy is fair?

- 14.1 We consider the needs of all occupants. Works are designed to ensure people are not treated differently or discriminated against because of their characteristics. We've carried out an Equality Impact Assessment to consider the positive and negative impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#).

## 15.0 Review

- 15.1 We will review this Policy to address legislative, regulatory, best practice or operational issues.

### Policy controls

Effective from	14 March 2024
Approved by	Health & Safety Group
Approval date	29 February 2024
Policy owner	Director of Asset Compliance
Policy author	Director of Asset Compliance

Version history			
Version no.	Date	Summary of change	Author and approver
1.0	14.03.24	New policy	Director of Asset Compliance Health & Safety Group