



## **APPENDIX B**

# Stockton Borough Council Asbestos Management Policy

Approved by: Corporate Management Team

Signed:

Position:

Date:

## Contents

1. Introduction	3
2. Legal Implications	3
3. Position Statement	4
4. Responsibility for Implementing Council Policy	4
5. Assessing Risk	6
6. Asbestos Management Plans	6
7. Training & Qualifications	7
8. Monitoring Regime	7
9. Auditing	7
10. Procedures	8
Appendix 1: Asbestos Risk Management Organisational Structure	10

## 1. Introduction

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

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

Asbestos is composed of small fibres, which can only be detected by using a microscope under laboratory conditions. Asbestos fibres are hazardous, and principally cause harm to the lining of the lungs when inhaled. As Asbestos ages, weathers or is worked upon, it becomes more “friable” and fibres may be released more easily.

The main aim of this policy is to ensure that any asbestos located within Council buildings is managed in accordance with relevant legislation. There will also be a requirement on contactors to demonstrate that all staff have sufficient knowledge to recognise asbestos if they encounter it.

Specific objectives of the Asbestos Policy are:

- To take steps to locate Asbestos Containing Materials (ACM's) and assess their condition;
- Presume materials in the premise contain asbestos, unless there is strong evidence to suggest it does not.
- To maintain records of the location and condition of ACM's found and assess the risk from them;
- To provide information (Asbestos Management Plan) and advice on the location, type and condition of the material to anyone who could be in a position to disturb it;
- To ensure via appropriate training that all building managers and contactors appointed by the Council understand the risks involved in disturbed asbestos containing materials;
- To implement detailed procedures and agreed practices uniformly across the service

And

- To take all reasonably practicable steps to prevent our employees and others from exposure to asbestos fibres.

## 2. Legal Implications

The Council will ensure that the Asbestos Policy complies with current legislation, promotes good practice and ensures that all employees and contractors working in Council Buildings clearly understand the risks involved in disturbing asbestos containing materials.

The Council will ensure that the application of the Asbestos Policy is in compliance with the Control of Asbestos Regulations 2006 (CAR) – Statutory Instrument No 2675, which revises the previous CAR and Health & Safety at Work Act (HSW).

Failure to comply with these laws is a criminal offence that could result in unlimited fines for the Council (e.g. Section 3 HSWA) and possibly fines and

imprisonment for individuals found to be individually culpable (e.g. Section 7 HSWA).

### 3.0 Position Statement

- 3.1 Stockton Borough Council accepts that under law it is the employer and in accordance with the Control of Asbestos Regulations 2006 (CAR), acknowledges that it is the Duty Holder with responsibility to protect its employees and others from the risk of exposure to Asbestos.
- 3.2 Stockton Borough Council will take all reasonably practicable steps to prevent exposure to Asbestos Containing Materials. To achieve this, the Council, through its managerial organisation, will allocate specific roles and functions to designated employees to manage and control the risk.
- 3.3 External expertise is procured for specialist elements of works which includes; surveys, risk assessments, issue of clearance certificates etc.
- 3.4 Summary of current position is detailed as follows:
  - Surveys, sampling and assessment of Asbestos Containing Materials (ACM's) have been undertaken for all Council Buildings. The surveys were carried out by approved licensed surveyors and in accordance with MDHS 100.
  - All 'high risk' ACM's material have been removed.
  - ACM's will be managed in situ where they are in good condition, located out of casual access and can be managed effectively. A maintenance/inspection regime has been established for materials retained.
  - Work has been completed to reduce the specific risk associated with ACM's in System Buildings (i.e. CLASP - 9 No. Schools).
  - Information relating to any ACM's discovered will be held in a central Asbestos Register, maintained and developed by the Maintenance Services Section within Technical Services.
  - All Council buildings have a copy of the Asbestos Survey Reports. It is essential that this information is available to all Contractors prior to carrying out work on Council property.
  - In accordance with the latest CAR works are on going to update the Asbestos Management Plan documents for each building as part of the periodic inspection programme.
  - Likewise in accordance with the latest CAR comprehensive surveys are undertaken for all refurbishment works and demolition projects.

## 4. Responsibility for Implementing Council Policy

4.1 Accountability and responsibility for managing the risks is as follows:

### a) Duty Holder – Chief Executive

Legal accountability for compliance with legislative requirements rests with the Council. However, responsibility for establishing a health and safety framework for the management of Asbestos risks on behalf of the Council sits at the Executive level and as such recognises the importance that is given to

the management of the Council's assets from a health and safety as well as a commercial perspective. The Chief Executive as 'Duty Holder', will therefore advise the Executive (Corporate Management Team) on the way of delivering and ensuring that all Asbestos Management duties are met and cascaded through the management framework detailed in **Appendix 1**. This includes ensuring adequate resources/funding is available.

#### **b) Strategic Management – Head of Finance & Assets**

The Head of Resources can be viewed as 'owning' all property, on behalf of the Council, and takes on the corporate role for managing the assets via the Capital Strategy and Asset Management Group.

Corporate responsibility for ensuring that the duties relating to Asbestos Management are met will be overseen by the Head of Finance & Assets and reported to Capital Strategy and Asset Management Group on an annual basis via a report produced by the Head of Technical Services. The Council's Health and Safety Manager will be fully consulted in the production of the annual report.

#### **c) Portfolio Manager – Head of Technical Services**

The day-to-day management of the Council's property falls into the area of Corporate Governance, with the role of 'Managing Agent' being fulfilled by the Technical Services Division (see Appendix 1). The Head of Technical Services (or his designate) is responsible for ensuring that all obligations detailed in the Asbestos Management Policy are met, and in respect of any issues relating to the development/maintenance/inspection of the buildings/properties that this is done through the appropriate 'Responsible Person' see Appendix 1. This ensures a consistent and coordinated approach.

Monitoring and compliance checks will ensure this is happening corporately with the appropriate 'Responsible Person' (see Appendix 1) undertaking the required programme of inspections and maintenance work as required on behalf of and in conjunction with Head of Technical Services.

#### **d) The Responsible Person – Maintenance Services Manager**

The Maintenance Services Manager – Technical Services Consultancy Practice (see Appendix 1) shall be the 'Responsible Person' for day to day operational requirements and shall assume overall managerial responsibility for all premises for which the Council retains ownership to ensure that:

- All maintenance work, including Asbestos risk assessments and specialist monitoring services shall only be commissioned through the Responsible Person.
- Premises are identified and assessed for risks of Asbestos. Where expertise is not available internally the Responsible Person will appoint suitably qualified and competent external expertise to undertake this function.

- The buildings operational requirements or building works that give rise to a foreseeable risk of Asbestos contamination is avoided or, where this is not reasonably practicable, a written assessment for minimising the risk from exposure is prepared.
- Appropriate statutory and evidential records are maintained for each of the premises within their portfolios.
- Appropriate monitoring systems are in place and implemented to ensure that the risks are being effectively managed.
- The results of any assessments, monitoring and improvement/maintenance work undertaken by the Consultancy Practice Team and any contractor commissioned by the appropriate 'Responsible Person' (see Appendix 1), will be recorded and reported to the appropriate Portfolio Manager as part of the compliance checks.
- Formal arrangements are established with individual budget holders i.e. schools to ensure full compliance of the Council's Asbestos Management Policy.

#### **e) The Nominated Person – Premise Manager**

Premises managers or occupiers of Council owned/leased premises including schools have a duty to cooperate with the responsible persons to ensure the duties placed upon the Duty Holder to control the risk of Asbestos can be fulfilled.

Premises' managers or occupiers shall implement a local scheme whereby a number of specified precautionary actions in accordance with the Asbestos Management Plan will be implemented on behalf of the Responsible Person.

It will be necessary for premises' managers or occupiers to nominate one or more deputies as 'Nominated Persons' with whom the Responsible Person can liaise to ensure these obligations are implemented.

#### **f) Deputy Cover**

For day to day operational requirements deputy cover is detailed as follows:

- Responsible Person – Senior Building Surveyor (Assets).
- Nominated Person – Each premise will have a nominated deputy person.

### **5. Assessing Risk**

- 5.1 A risk assessment has been carried out in accordance with the standard Council criteria for assessing the overall risk associated with Asbestos. The risk score has been identified as Medium Risk.
- 5.2 Survey reports have been completed for Council building and defined the risk scores established in accordance with the approved code of practice MDHS100.

### **6 Asbestos Management Plan**

In accordance with 4.8 (CAR) where an assessment shows that asbestos is or liable to be present;

- A determination of the risk from that asbestos is made;
- A written plan identifying those parts of the premises concerned is prepared and
- The measures, which are to be taken for managing the risk, are specified in the written plan.

The Asbestos Survey reports and Asbestos Management Plans will be stored in the Council's Asbestos Register.

## 7 Training & Qualifications

7.1 It is a function of the 'Responsible Person' in liaison with the Council Health and Safety Manager to ensure that those who are appointed to carry out any form of control measure, whether or not internal employees or external organisations, are suitably trained and able to perform the functions within respective areas of responsibility.

7.2 So far as internal employees are concerned, at least two people within each premises shall be trained so that if one trained employee falls ill or leaves, there is another nominated, trained person to ensure that the line of communication is unbroken. It is for the Responsible Person/Health & Safety Managers' role to ensure suitable training, in conjunction with the premise manager, is arranged. Training should ensure employees are trained to an adequate standard of basic awareness relating to Asbestos Management to enable them to undertake their specific functions. Attendance of all training events will be suitably recorded.

7.3 The Responsible Person must ensure that reasonable enquiries are made to ensure that external organisation's employees are competent and suitably trained and have the necessary equipment to carry out their duties within the written scheme in a safe and adequate manner.

## 8 Monitoring Regime

8.1 Periodic inspections will be undertaken of all premises by suitably trained staff within the Maintenance Service Section or alternatively suitably qualified external specialist Consultants.

8.2 Any remedial works identified during the Periodic Inspection will be actioned immediately.

8.3 All inspections and any associated remedial works will be recorded in the Asbestos Register.

8.4 The Asbestos Register will also include; a register of 'premise' nominated persons, register of works carried out and registers of periodic inspections.

## 9 Audit

9.1 As part of the Council's compliance checks, annual reports will be presented to the Capital & Asset Strategy Group (CASG) confirming that the required checks and monitoring systems within Council premises are being carried out. This will not only provide assurance that the Council is complying with its statutory responsibilities, but will also demonstrate that the roles of the responsible person, and nominated persons are being correctly and effectively undertaken.

- A comprehensive assessment undertaken prior to all refurbishment/demolition works.

9.2 External consultation and review of best practice is undertaken via membership of the North Eastern Asbestos Management Group.

## 10 Asbestos Management Procedures

Procedures will be operated by all staff within the Consultancy Practice in accordance with Asbestos Regulations, Approved Codes of Practice and the Council's Asbestos Management policy and include:

- Establishment of an Asbestos Management Plan for each premise to include; documented indemnification of ACM's and measures for managing the associated risk as indicated by the 'assessment' which is based upon the survey and re-inspection.
- Procedure in the event of an accidental release of suspect fibres into the air caused by site based activities.
- Emergency notification procedures to cover the discovery of asbestos and to include any suspicious materials found in the building or any asbestos encountered as a result of any survey.
- Notification procedures for undertaking work that includes the removal/encapsulation of asbestos containing materials.
- Securing evidence of smoke test/air tests for commencement/completion of asbestos removal works.
- Periodic inspection of asbestos containing material.
- Control of all documents (including development and operation of an electronic register) that form part of the asbestos register.
- Appointment of licensed surveyors, asbestos removal/encapsulation contractor, and asbestos sample analysts.
- The selection and fixing of asbestos warning signings.

Note:

- i) All the above procedures will be developed in accordance with Technical Services ISO9001 – Quality Assurance requirements.
- ii) The Policy is based on existing Asbestos Regulations and Approved Codes of Practice but is subject to constant review in the light of Risk Management and Regulative development. In addition to Control of Asbestos Regulations 2006 (CAR), reference documents include:
  - A Short Guide to Managing Asbestos in Premises (INDG 223).
  - Introduction to Asbestos Essentials and Asbestos Essential Task Manual (HSG 213 and 210).
  - Working with Materials Containing Asbestos – Approved Code of Practice and Guidance (L143).



- The Management of Asbestos in Non-Domestic Premises Approved Code of Practice and Guidance (L127).
  - A comprehensive guide to Managing asbestos in premises (HSG227), and
  - Asbestos - The Surveyors Guide (HSG 264)
  - HSE Guidance for Duty Holders – Asbestos in System Buildings
- iii) All Consultancy Practice technical staff, where appropriate will be trained to be fully conversant with asbestos issues and SBC policy and procedures. This will include periodic training, inclusive of guidance any revisions to the policy or current procedures.

**Appendix 1**

**Asbestos Risk Management Organisation**

