



Stockton Borough Council Asbestos Management Policy

Signed:

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1. Introduction

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. 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 (owned or leased) 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, inclusive of a 'Permit to Work' process for all buildings owned and leased by the Council.
- 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 (owned or leased) 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 2012 (CAR 2012) as detailed in the Health and Safety Executive (HSE) publication L143 'Managing and Working with asbestos – Control of Asbestos Regulations 2012 – Approved Code of Practice and guidance'. It is enforced via Statutory Instrument 2012, No 632 which revises the previous CAR (2006).

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 2012 (CAR 2012), 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 (ACM's). 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, remedials, issue of clearance certificates etc.
- 3.4 Summary of current position is detailed as follows:
 - Surveys, sampling and assessment of ACM's have been undertaken for all Council Buildings (owned or leased). The surveys were carried out by qualified surveyors in accordance with the HSE publication, HSG 264 Asbestos: The Survey Guide (Second edition published 2012) and/or MDHS 100.
 - All 'high risk' ACM's material have been removed.
 - All known 'low risk' ACM's are managed in situ where they are in good condition, and located out of casual access. A maintenance/inspection regime has been established for materials retained; the visits are monitored in accordance with a planned programme and recorded within the Central Asbestos Register.
 - 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 is held in a Central Asbestos Register, maintained and developed by the Design Services Section within EGDS.
 - All Council buildings have a copy of the Asbestos Survey Reports and an 'Asbestos Management Summary Sheet (AMSS)' has been produced which details the location of all known 'low risk' ACM's. Procedures have been established to ensure this information is available to all Contractors prior to carrying out work on Council property.
 - In accordance with the latest CAR 2012 comprehensive surveys are undertaken for all refurbishment works and demolition projects.
 - To reduce the risk of disturbing ACM's for all minor works a 'Permit to Work' procedure is now fully operational. The Nominated/Deputy persons for each building has to ensure a 'Permit' is completed and forwarded to Design Services for any type of building works they may wish to organise directly. The Council's Health & Safety Unit stress the importance of the process when Asbestos Awareness training is provided and also when they undertake H&S audits.
 - With regards training, in addition to the standard Asbestos Awareness Training which is compulsory for all Nominated/Deputy persons, 'eBook' style

refresher training is now provided and completion of the training is monitored by the Council's Health & Safety Unit.

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 – Director of Economic Growth & Development

The Director of Finance and Business Services can be viewed as purposefully 'owning' all property, on behalf of the Council, for the avoidance of any doubt in relation to the management of Asbestos.

The associated corporate responsibility for ensuring that the duties relating to Asbestos Management are met have been delegated to the Director of Economic Growth & Development and will be undertaken in consultation with the Corporate Management Team and the Council's Health and Safety Manager."

c) Compliance Management – Highways, Transport & Design Manager and Construction and Facility Services Manager

The management of asbestos for all Council buildings falls into the area of Compliance Management, with the role being designated by the Director of Economic Growth & Development Services to the Highways, Transport & Design Manager and Construction and Facility Services Manager.

The Highways, Transport & Design Manager is responsible for ensuring that all obligations detailed in the Asbestos Management Policy are met with monitoring and compliance checks undertaken to ensure this is happening corporately, and recorded in the Highways, Transport and Design Services - Business Unit Plan.

The Construction and Facility Services Manager (Community Services) is responsible for ensuring all obligations detailed in the policy, relating to the maintenance and inspection of all Council the buildings are fully met. This includes carrying out the annual inspections of all Council buildings, and recording all the associated information.

d) The Responsible Person – Design Services Manager

The Design Services Manager (Economic Growth & Development Services) shall be the 'Responsible Person' for the 'day to day' operational requirements associated with asbestos management. This will be undertaken with support from Senior Surveyor (Asbestos) to ensure that:

- 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 all premises and stored within the central asbestos register.
- Appropriate monitoring systems are in place and implemented to ensure that the risks are being effectively managed.
- Formal arrangements are established with individual budget holders i.e. Community Services 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.

5. Assessing Risk

5.1 Survey reports have been completed for Council building in accordance with HSE publication, HSG 264, Asbestos - The Survey Guide (Second edition published 2012) and/or MDHS 100

5.2 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.

6 Asbestos Management Plan

In accordance with the Approved Code of Practice - Regulation 4 (Duty to Manage), where an assessment shows that asbestos is or liable to be present, in addition to the risk assessment, a Management plan has to be established and communicated to all parties responsible for managing the asbestos risk. This is achieved via an AMSS for each premise that contains the following information;

- Details of the Nominated/Deputy persons.
- Details of Technical Officers who can be contacted for advice or in the event of any incident that may involve the accidental release of ACM's.
- Instruction that a 'Permit to Work' is required for all building works.
- A schedule of all known low risk ACM's in the building, with details of how each element is identified and monitored. Also includes reference to the survey that identified the ACM's, the room numbering and any related drawings.
- Comments on any specific 'operational' requirements i.e. no access to ceiling voids if applicable.
- Details of the review and update arrangements, with inspection dates.

All properties have a copy of the most up to date AMSS and a copy is also kept within the Central Asbestos Register.

To support the Department for Educations latest policy (March 2015) on asbestos management in schools, each school also has its own Asbestos Management Plan which includes all the essential information detailed above.

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, where required at least two people within each premise 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/Councils 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. Training is undertaken via the Councils Health & Safety Units, Asbestos Awareness Course and follow-up refresher training is via internet based training (eBook format). 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 Community Services under the direction of the Construction & Facility Services Manager or alternatively suitably qualified external specialist Consultants. An inspection form which includes all the items in the AMSS is completed and signed by the Technical Officer and this includes confirmation of the details of the Nominated/Deputy Persons. The AMSS is then updated and circulated to all parties.

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

8.3 All inspections and any associated remedial works are recorded in the Central Asbestos Register.

8.4 The Central 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, all the performance measures associated with Asbestos Management, will be monitored and recorded in the Highways, Transport & Design Services - Business Unit Plan. This will provide assurance that the Council is complying with its statutory responsibilities.

10 Asbestos Management Procedures

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

- Establishment of an AMSS for each premise to include; documented identification of ACM's and measures for managing the associated risk as indicated by the 'assessment' which is based upon the survey and re-inspection.
- Application of the Council's Permit to Work to process.
- 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 including Four Stage Clearance Documentation.
- Periodic inspection of identified ACM's.

- Control of all documents (including development and operation of an electronic register) that form part of the central asbestos register.
- Appointment of qualified Surveyors, HSE Licensed Asbestos Contractor, and qualified Asbestos 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 2012 (CAR 2012), reference documents include:
 - Managing asbestos in buildings: A brief guide (INDG 223).Rev 5 04/12.
 - Asbestos essentials A task manual for building, maintenance and allied trades of non-licensed asbestos work. HSE publication.
 - 'Managing and Working with asbestos – insert Control of Asbestos Regulations 2012 – Approved Code of Practice and guidance' (L143).
 - A comprehensive guide to Managing asbestos in premises (HSG227).
 - Asbestos – The Survey Guide Second edition 2012 (HSG 264).
 - HSE Guidance for Duty Holders – Asbestos in System Buildings.
 - The 'Management of Asbestos in Schools' – March 2015.
- iii) Highways, Transport and Design, Construction & Facility Services and Health & Safety 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

