

**CAERPHILLY COUNTY
BOROUGH COUNCIL**

ASBESTOS MANAGEMENT POLICY

**June 2008
Issue 2**

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NOTE

Wherever the designation “manager” is used throughout this policy, it is taken to mean Head of Service, Head Teacher, Line Manager, Supervisor and the Officer in charge or anyone who has responsibilities for employees in the course of their work.

1. INTRODUCTION

1.1. This policy sets out the arrangements and responsibilities for managing asbestos and asbestos containing materials (ACM's) within Caerphilly County Borough Council.

1.2. This policy is cross referenced with the following:

- Asbestos Management Plan (there is a separate Asbestos Management Plan for Council Owned Domestic Premises and Communal Areas)
- Health and Safety Policy Statement
- Personnel Policies
- Health and Safety Policy for the Selection, Monitoring and Management of Contractors

2. POLICY STATEMENT

2.1. The Authority recognises that its employees are its most valuable resource in delivering high quality services to the community and will take all practical steps to ensure the safety of Authority employees, contractors and visitors to and users of council premises and services.

2.2. The effective control of these risks will be delivered through the correct management of asbestos and asbestos containing materials as set out in this policy and in the Asbestos Management Plan and the provision of appropriate training, instruction and supervision. To be effective this policy requires the full co-operation of management and employees at all levels.

2.3. The Authority accepts it has specific duties under the various pieces of legislation (as described in Section 4) enforced by the Health and Safety Executive.

3. SCOPE

3.1. This policy has been agreed with the Trade Unions and applies to all employees.

3.2. This policy will be reviewed at least annually to ensure it is in line with current legislation.

3.3. The effective date of the original policy was : 13th June 2006, issue 2 is effective from ?

4. LEGISLATION

4.1. This policy along with its supporting procedures is designed to ensure the Authority meets its legal obligation as stated in:

- The Health and Safety at Work etc. Act, 1974.
- The Management of Health and Safety at Work Regulations 1999.
- The Control of Asbestos Regulations 2006
- Personal Protective Equipment Regulations 1992.
- Hazardous Waste Regulations 2005.
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, (RIDDOR).

5. DEFINITIONS

5.1. Asbestos Survey Report - the report received from Building Consultancy specific to a building. This document identifies the presence of asbestos and asbestos containing materials in the building (in accordance with the specification of a type 2 survey as set out in MDHS 100 (Methods for the Determination of Hazardous Substances) and gives recommendations where necessary of the work that is needed to ensure control to an acceptable standard. Unless stated otherwise the asbestos surveys carried out on the Authority's premises are type 2.

5.2. Types of Asbestos survey:

5.2.1. Type 1 – Location and Assessment survey (presumptive survey)

5.2.2. Type 2 – Standard sampling, identification and assessment survey (sampling survey)

5.2.3. Type 3 – Full access sampling and identification survey (pre-demolition/major refurbishment surveys)

5.3. Asbestos register - the software database (currently ENVACS) which keeps up to date detail of all surveys undertaken across the Authority.

5.4. Asbestos log book – the logbook which must be used to keep a record of any contactors (including DLO or directly employed staff) working in/on the building. This demonstrates that those carrying out work have read the asbestos survey report and will work in accordance with the law.

5.5. Asbestos containing materials (ACM's) – any materials in a building that contain asbestos. Asbestos was used for many years because it is heat resistant, chemically inert and is easily woven into fabric. Asbestos is found in many materials including, roofing felt and flashing, gutter linings and damp-proofing, ceiling and floor tiles, toilet cisterns, heat seals, electric cables, fuse boards and fire protection materials, wall partitions, decorative coatings and cement roofing sheets etc.

6. RESPONSIBILITIES

NB Please note that all employees have a legal responsibility to comply with health and safety law and the provisions of this policy. Failure to do so could result in personal and / or Corporate liability.

6.1. The **Chief Executive Officer** will:

- 6.1.1 Be ultimately responsible for ensuring compliance with this policy and relevant asbestos management plans within Caerphilly County Borough Council.

6.2. **Directors** will:

- 6.2.1 Be responsible for ensuring the effective implementation of this policy and relevant asbestos management plans within their service areas.
- 6.2.2 Ensure that appropriate resources are made available for the effective operation of the policy including training.

6.3. **Building Managers** will:

- 6.3.1 Receive and control a copy of the asbestos management plan, which includes the asbestos survey report for the premises. To implement and ensure compliance with the Asbestos Management Plan, to communicate its findings and implications to all relevant employees and ensure employees receive appropriate asbestos awareness training, including those who may deputise in their absence and will therefore need to have a full understanding of the asbestos management plan.
- 6.3.2 To receive and follow the procedures and arrangements set out in the asbestos management plan specific to their premises which set out the relevant information to allow ACM's to be managed safely. This would include ensuring the Asbestos Management Plan for the premises is kept up to date.
- 6.3.3 To Implement any recommendations as stated in the asbestos survey report, any subsequent amendments and any recommendations made following ACM's being identified/damaged.
- 6.3.4 To undertake and document regular visual inspections of the condition of any asbestos/presumed asbestos left in-situ and record this in the relevant section of the AMP.
- 6.3.5 To seek advice from Building Consultancy immediately if there is any damage/deterioration to the condition of any identified/presumed ACMs. Details of all incidents and actions must be recorded in the section of the AMP, 'Details of incidents involving Asbestos Containing Materials.'

- 6.3.6 Where work is to be undertaken ensure that details on the presence of asbestos in the building are provided to the contractors during the tender process and that they consult the asbestos survey report together with the contractor (or arrange for somebody competent to do so) and ensure that nobody (including contractors, DLO or employees e.g. caretakers) carry out work that affects the fabric of the building starts works without reading the asbestos survey report, signing the asbestos log book and preparing method statements where appropriate.
- 6.3.7 To ensure any contractor or employee engaged to carry out work which affects the fabric of the building is fully competent, trained, and if necessary licensed by the HSE to undertake the work. Checks to ensure the competence of the contractor must be carried out and the contractor must provide risk assessments and method statements for the work being carried out in accordance with the Authority's Policy on the Selection, Monitoring and Management of Contractors. This role may be delegated via Building Consultancy or the DLO Asbestos Team. Procurement Services are able to assist with evidencing the initial competence of contractors, however the responsibility for checking job specific risk assessment, method statements, monitoring and management would remain with the internal client.
- 6.3.8 When planning major refurbishment or demolition of a premises or part of a premises arrange (through Building Consultancy) for a type 3, full access and sampling asbestos survey to be carried out prior to any work commencing and information on the results made available to those undertaking the works.
- 6.3.9 To ensure that arrangements are made for an independent analyst to carry out the testing of enclosures and issue Air Clearance Certificates where required. Analysts appointed by the Contractor should not be used. Analysis can be arranged through Building Consultancy
- 6.3.10 To ensure that Building Consultancy are provided with details of any work carried out on ACM's to enable the asbestos software database (currently ENVACS) to be updated where necessary.
- 6.3.11 To ensure that the Corporate Health and Safety Unit are informed of any work with ACM's which is notifiable to the HSE.
- 6.3.12 Arrange for a consultation between the Occupational Health Department and any employee who has been exposed to asbestos containing materials where necessary. Advice may also need to be sought from Personnel and Health and Safety.
- 6.3.13 Immediately notify Directorate Health and Safety Officers and the Corporate Health and Safety Unit in the event of any damaged asbestos/suspected asbestos exposure.

6.4. **Line Managers** will:

- 6.4.1 Ensure that they and their employees are familiar with the asbestos management policy, Asbestos Management Plan and any limitations in place in accordance with the survey e.g. not affixing pins in asbestos containing materials such as asbestos containing ceilings or wall boards.
- 6.4.2 Ensure that any areas under their control are fully compliant with the asbestos policy e.g. if arranging contract work, ensure that the contractor reads the survey and signs the log book before commencing work.
- 6.4.3 If arranging building work direct, ensure that the contractor is fully competent (checks should be undertaken in line with the Contractor Selection, Monitoring and Management Policy) and if necessary, licensed by the HSE to undertake the work. Those contractors who carry out work on asbestos containing materials which do not require a licensed contractor to carry out the work should have specific Employer's Liability insurance for work involving asbestos or asbestos containing materials.
- 6.4.4 Arrange for a consultation between the Occupational Health Department and any individual (employee, pupil, visitor etc) who has been exposed to asbestos.
- 6.4.5 Immediately notify Directorate Health and Safety Officers and the Corporate Health and Safety Unit in the event of any damaged asbestos/suspected asbestos exposure.

6.5. **Each employee** of the Council will:

- 6.5.1 Comply with any working procedure or precautionary measure introduced to prevent or reduce potential exposure to asbestos.
- 6.5.2 Immediately report to their Line Manager and/or the Building Manager any damage to any material, which they suspect may contain asbestos (or ACMs) or any potential for exposure of themselves or others to asbestos.
- 6.5.3 Have due regard to the potential for the release of asbestos fibres which may result from the fixing of posters, decorations etc., or accidental damage to building fabric.
- 6.5.4 Stop work immediately where ACM's are suspected and check. If ACM's are confirmed only trained and competent persons are able to undertake the work.

6.6. The **Corporate Health and Safety Unit** will:

- 6.6.1 Ensure that the Asbestos Policy is reviewed at least every 2 years to ensure it is in line with current legislation.

6.6.2 Provide advice and information on legislation or guidance relating to asbestos and asbestos containing materials.

6.6.3 Audit compliance with this policy.

6.7. Directorate Health and Safety Officers will:

6.7.1 (In conjunction with the Corporate Health and Safety Unit) ensure that asbestos reports and log books are provided to Building Managers with a full explanation of the report and their responsibilities.

6.7.2 Ensure that they develop Directorate specific arrangements where necessary in accordance with this policy and assist Manager is developing local arrangements. .

6.7.3 Provide information and advice on ACM's and arrange for suitable asbestos management training for Building Managers and any other identified employees as necessary.

6.7.4 Ensure the communication of the Corporate Policy and Directorate arrangements to all managers.

6.7.5 Monitor the effective implementation of the Corporate Policy and Directorate Arrangements.

6.7.6 Notify the HSE where an asbestos exposure is notifiable under the RIDDOR regulations following consultation with the Corporate Health and Safety Unit.

6.8. Occupational Health will:

6.8.1 Offer managers and employees guidance and advice on a range of matters affecting the health and well being of employees and on their working environment. This includes advice on potential health effects from exposure to asbestos.

6.8.2 On request from the Manager arrange for consultation with employees who have been exposed to asbestos containing materials (where required to do by so the line manager and where appropriate.)

6.8.3 Maintain records of health surveillance of employees involved in work with asbestos. These records will be kept for at least forty years.

6.9. Any Officer/Section instructing Contractors will:

6.9.1 Ensure that this policy, the Contractor Selection, Monitoring and Management Policy, the Asbestos Management Plan and their associated procedures are complied with in respect of all work involving asbestos containing materials, which they are responsible for managing.

- 6.9.2 Provide information in advance of any work commencing, of the location of any known or suspected asbestos containing materials when instructing contractors and agree how the work will be carried out safely.
 - 6.9.3 Ensure that any contractors appointed are fully competent and if necessary licensed by the HSE in the work they are undertaking. Those contractors who work with asbestos containing materials which do not require a license from the HSE, should have specific Employer's Liability insurance for work involving asbestos or asbestos containing materials.
 - 6.9.4 Co-operate with Building/Site Managers so that their obligations can be fulfilled.
 - 6.9.5 Ensure that any contractors are provided with a copy of this policy and are aware of its requirements.
 - 6.9.6 Ensure that where notifiable work is carried out on asbestos containing materials, an independent UKAS (United Kingdom Accreditation Service) accredited analyst is appointed who will issue a certificate of reoccupation. The independent analyst should be appointed by the Authority/ Client and not by the contractor. This can be arranged via Building Consultancy if necessary.
 - 6.9.7 Appoint of a 'Supervisory Licence Holder' or other suitably qualified people to project manage the work if they (the instructing or commissioning Officer) have insufficient knowledge or experience.
- 6.10. **Building Consultancy** will (in addition to the responsibilities listed above in section 6.9):
- 6.10.1 Manage and maintain the software database (currently ENVACS) and ensure that amendments are communicated to Building/Site Managers.
 - 6.10.2 Arrange for annual re-inspection of any asbestos or asbestos containing materials and update the database accordingly.
 - 6.10.3 Inform and advise Building/Site Managers of any urgent work required following re-inspection.
 - 6.10.4 When instructing contractors, monitor their activities on site to ensure that safe methods of work are in place.
 - 6.10.5 Ensure that labels are affixed where necessary following surveying or re-surveying of asbestos containing materials.

6.11. Contractors, Direct Labour Organisation and others carrying out work on the premises (e.g. caretakers) will:

- 6.11.1 Comply with the requirements of this policy, procedures and all relevant health and safety legislation, Approved Codes of Practice and guidance.
- 6.11.2 Read the Asbestos Survey and Sign the Asbestos log book in all cases prior to commencing any work.
- 6.11.3 Prepare risk assessments and method statements as required for the work being undertaken and agree with the Building Manager how the work will be carried out safely.
- 6.11.4 Work in accordance with the risk assessments and method statements and in full compliance with Health and Safety and Asbestos Regulations.
- 6.11.5 Remain vigilant throughout their work, and take particular care with regard to the possibility of uncovering asbestos or asbestos containing materials during their work
- 6.11.6 Stop work immediately on any suspected asbestos or asbestos containing materials being uncovered or damaged during the course of their work and report to the Building Manager and the person who initiated the work.