

Cheltenham Borough Council

Housing Asbestos Policy – July 2024

Version control

Document name: Housing Asbestos Policy

Version: 1.0

Responsible officer

- Property Compliance Manager

Approved by: Cabinet

Next review date: July 2027

Retention period: 6 months from replacement

Revision history

Revision date	Version	Description
July 2024	1	

Table of Contents

1.	Policy Summary.....	3
2.	Policy Objectives.....	3
3.	Policy Details	3
4.	Related Procedures	4
5.	Key Outcomes	4
6.	Roles and Responsibilities	5
7.	Training	6
8.	Equality and Diversity	6
9.	Review	6
10.	Reference Legislation	7
11.	Related Policies and Procedures	7
12.	Glossary (of Terms and Abbreviations)	8

1.0 Policy Summary

- 1.1 This Policy establishes how Cheltenham Borough Council (CBC) will ensure compliance with legislative duties in relation to asbestos, and in particular, CBC's duty to manage Asbestos Containing Materials (ACMs) in the properties it manages and to consider its responsibilities to customers (particularly those tenants/ leaseholders occupying/ visiting our buildings), Employees, contractors (including the Building Services [BS] team) and other stakeholders.
- 1.2 This policy applies to all buildings and associated structures either owned or leased by CBC's Housing Revenue Account (HRA). It also relates to work commissioned, managed by CBC, or undertaken directly by the CBC 'in-house' BS team.
- 1.3 The Asbestos Policy is supported by the Asbestos Management Plan (AMP) 2022
- 1.4 The asbestos compliance provisions relating to other properties owned, occupied or managed by CBC (civic and public buildings for example) are entirely separate from this Asbestos Policy.

2.0 Policy Objectives

- 2.1 The overall objective of this policy is to ensure that CBC meets its obligations under the Control of Asbestos Regulations 2012 (CAR 2012) in particular the 'duty to manage asbestos' requirements of Regulation 4. CBC will also ensure that any ACMs identified within its HRA properties are managed in accordance with the CAR 2012 and all other associated and relevant legislation.

A comprehensive list of relevant legislation and guidance is provided within the AMP.

3.0 Policy Details

- 3.1 CBC will ensure that all material identified as likely to contain asbestos is managed in accordance with relevant legislation.
- 3.2 CBC will not undertake (directly via the BS team, or via external contractors/ agents), or contract out any work to a property owned, leased, occupied, or managed by us without adequate information on the nature, condition and extent of any ACM likely to be disturbed.
- 3.3 CBC will maintain an up-to-date record* of the location, condition, extent and nature of any asbestos containing materials (ACMs) relevant.

*All non-domestic (communal) areas of relevant properties have been surveyed and all domestic properties/ areas are subject to an ongoing programme of survey.

- 3.4 CBC will ensure that it contracts with competent asbestos survey companies who will possess the expertise to undertake management surveys, refurbishment and demolition surveys and monitoring (re-inspection) surveys.

- 3.5 CBC will ensure that any ACM removal/ abatement work will be undertaken by an approved, accredited and competent contractor. This to include any task approved and endorsed to be undertaken directly by the BS non-licensed asbestos works operatives.
- 3.6 CBC will engage specialist external consultants/auditors to periodically carry out independent assessments of the contractors employed to undertake Asbestos Surveys and Asbestos Removals.
- 3.7 It should be noted that this document is specifically drafted in relation to CBC's duty to manage asbestos, as described within CAR 2012. Therefore, it does not comprehensively describe or dictate what the policy (or practical interpretation/ procedures) should be for the BS team in relation to practically 'working' with asbestos containing materials. The BS team's equivalent compliance documentation is therefore listed at section 11.

4.0 Related Procedures

- 4.1 A new clear tiered suite of asbestos compliance documentation is being collated as part of the wider CBC asbestos compliance review including alignment with term procurements, software systems and procedures.

The associated documents provide the detail to deliver the Asbestos Policy objectives and outcomes. A full list of all associated CBC procedures / compliance documents is listed at section 11.

5.0 Key Outcomes

- 5.1 The AMP will interpret this Asbestos Policy and set out strategically how CBC will:
- Keep and maintain an up to date record (Asbestos Register) of the location, condition, maintenance and removal of all ACMs. This to include survey programme for domestic properties previously not surveyed.
 - Repair, seal or remove ACMs if there is a risk of exposure due to their individual condition or location.
 - Implement a re – inspection procedure and programme for identified ACMs.
 - Maintain ACMs in a good state of repair and regularly monitor condition.
 - Inform anyone who is liable to disturb the ACMs about their location and condition.
 - Have arrangements and procedures in place for the appointment and management of specialist Asbestos Surveying Consultants and Asbestos Removal Contractors.
 - Inform relevant Employees of the contents of the AMP at regular intervals.
 - Identify relevant management procedures and the roles and responsibilities of CBC Employees (including the CBC BS team Employees and operatives).
 - Inform customers, tenants, leaseholders, Employees, contractors (including the CBC BS team) and any other relevant persons, whose actions may cause a disturbance, of the nature and extent of any known or suspected ACMs.
 - Review the AMP at regular intervals and no less than 12 monthly.

- 5.2 Contractors (and their sub-contractors) employed by CBC will be required to provide risk assessments (pre work RAMS) and safe systems of work prior to working in areas containing ACMs. This includes the activity of the BS team. These risk assessments and safe systems of work must be approved by the relevant CBC Responsible Person (RP) prior to any work commencing.
- 5.3 Customers (tenants/ leaseholders) will be provided with summary asbestos guidance and information in a variety of ways, including new tenancy 'information packs', the CBC website, periodic asbestos articles. Further detail is provided within section 5.18 of the AMP.
- 5.4 In addition to CBC's own monitoring of the performance of the appointed Asbestos Surveying Contractor (ASC) and Licensed Asbestos Removals Contractor (LARC), external asbestos consultant specialists will be instructed to periodically carry out independent assessments/ audits of the appointed contractors. The assessments are to verify that the contractors are carrying out the allocated works in accordance with the performance specification within the terms of the contract, to include, but not limited to, the standard/quality of the service, the quality and accuracy of the data collected onto CBC's data management systems and the contractor's management and accredited systems.

6.0 Roles and Responsibilities

- 6.1 The Chief Executive is the principal duty holder in terms of achieving compliance with Health and Safety legislation, CAR 2012 and the safe management and prevention of risk.
- 6.2 The Deputy Chief Executive, Directors and Heads of Service have responsibility for ensuring that this Policy is implemented within their directorates/service areas. They will also ensure that adequate resources are available to meet the requirements of this Asbestos Policy.
- 6.3 The Deputy Chief Executive is responsible for the review of proposed changes to the Asbestos Policy. Meetings are attended by senior representatives from all areas of the business.
- 6.4 The Housing Cabinet Committee is responsible for the overview, scrutiny and challenge of compliance and health and safety activities across housing at CBC and for reporting to and making recommendations to Cabinet.
- 6.5 The practical implementation and co-ordination of the Asbestos Policy (via the AMP and procedures) is the responsibility of the Property Compliance Team (PCT) together with the Asbestos Working Group (AWG) and they will be guided and advised by relevant CBC employees and external agencies as deemed appropriate.
- 6.6 The AMP will set out the roles of Employees, contractors and other stakeholders who will have responsibility for the operational application and service delivery of this policy and its associated procedures.

- 6.7 In accordance with the Health and Safety at Work Act 1974 and the CBC Health, Wellbeing and Safety Policy all employees (including BS) are required to:
- take reasonable care for their own Health and Safety and that of other persons who may be affected by their acts or omissions, including members of the public, visitors and contractors
 - co-operate with CBC and its managers to enable compliance with statutory duties, objectives and targets.

7.0 Training

- 7.1 CBC shall ensure that adequate information; instruction and training are given to all relevant employees and will undertake regular training of managers and Employees, regular building users and contracted third parties, where necessary to ensure that the information is effectively disseminated and to ensure that training has been undertaken (at the appropriate level and frequency).
- 7.2 Asbestos awareness training is to be undertaken for Employees and those who manage Employees who through their role within CBC may come into contact with asbestos containing materials. Training is mandatory as required under regulation 10 of the CAR 2012, and all identified Employees must attend a suitable course.
- 7.3 Asbestos Non-Licensed Works (previous category 'B') training is to be undertaken for operatives and those who supervise/ manage them who through their role within the BS team are endorsed to undertake the limited number of non-licensed asbestos work (NLW) tasks listed within the corresponding BS team NLW procedure. Training is mandatory as required under regulation 10 of the CAR 2012, and all identified Employees must attend a suitable certified course no less than annually.

8.0 Equality and Diversity

- 8.1 This policy and supporting procedure will be applied in a non-discriminatory and consistent way.
- 8.2 We undertake to treat all employees fairly to ensure that no discrimination takes place in line with CBC's Equality and Diversity policy ensuring that this is applied fairly and consistently.

9.0 Review

- 9.1 This Policy shall be reviewed and updated by CBC every three years, or if there are any major changes to current Asbestos Legislation, HSE approved codes of practice and guidance or relevant CBC practices or structure. Any interim revisions proposed will be reviewed, noted and recorded via the Wellbeing and Safety Group (WASG).

10.0 Reference Legislation, Approved Codes of Practice (ACoPs) and Guidance Documentation.

The following documents have been identified as being significantly relevant to managing risks from asbestos containing materials, and further information on any document below can be obtained directly from the HSE.

10.1 Legislation.

- The Health and Safety at Work Act 1974.
- Control of Asbestos Regulations 2012.
- The Management of Health & Safety at Work Regulations 1999.
- Workplace (Health, Safety and Welfare) Regulations 1992.
- Hazardous Waste Regulations 2005.
- Construction (Design and Management) Regulations 2015.

10.2 Approved Codes of Practice (ACoP) (Health & Safety Executive).

- ACoP L143 - 'Managing and working with asbestos' (December 2013).
- HSG 264 – 'Asbestos: The survey guide', holds ACoP status.

10.3 Guidance Documents (Health & Safety Executive).

- HSG247 – 'Asbestos: The licensed contractors' guide.
- HSG248 – 'Asbestos: The analysts' guide' (second edition 2021).
- HSG189/2 – 'Working with asbestos cement'.
- HSG213 – 'Introduction to asbestos essentials (First Edition)'.
- HSG210 – 'Asbestos essentials task manual (Second Edition)'.
- HSG33 – 'Health and safety in roof work (First Edition)'.
(Covers asbestos cement roof demolition).
- HSG227 – 'Comprehensive guide to managing asbestos in buildings'.

11.0 Related Policies and Procedures

- Asbestos Management Plan (AMP)
- *Asbestos Compliance + Quality Audit Procedure
- *Asbestos Survey Procedure
- *Asbestos Removal and Remediation Works Procedure
- *Asbestos Emergency Works Procedure
- *CBC Building Services (BS) Team Asbestos Non-Licensed Works Procedure
- Health, Wellbeing and Safety Policy
- Repairs & Maintenance Procedure
- *CBC 'No or Refused Access' Policy/ procedure'.

**WIP or re-draft.*

12.0 Glossary (of terms/abbreviations)

ACM -	Asbestos Containing Material
ACoP -	Approved Code of Practice
AMP -	Asbestos Management Plan
LARC -	Licensed Asbestos Removal Company (appointed by CBC)
ASC -	Asbestos Survey Company (appointed by CBC)
AWG -	Asbestos Working Group
BS -	Building Services team, the in-house CBC workforce (DSO)
CAR 2012 -	Control of Asbestos Regulations (2012)
CBC -	Cheltenham Borough Council
CDM -	Construction Design Management Regulations 2015
Customer -	Meaning tenant, resident, occupant, shared owner, leaseholder
PCT	Property Compliance Team, including Health and Safety aspects
HSE -	Health and Safety Executive
NLW -	Non-Licensed Work (lower risk HSE defined work category)
RAMS -	Risk Assessment and Method Statement
Responsible Person (RP) -	CBC role which applies to: the Property Compliance Manager, Property Compliance Officer, Development Officers, Health and Safety Manager, Repairs Manager, Voids Manager, Repairs Supervisor, Planned Maintenance Manager, Asset and Investment Manager, Project Managers, Surveyors/ Technical Employees, Service Delivery Employees.