



Gardeen Housing Association Ltd
Building a Better Future

GARDEEN HOUSING ASSOCIATION

ASBESTOS MANAGEMENT POLICY

Implementation	2023/24
Next Review	2026/27

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1.0 Introduction

Asbestos is the collective name given to a group of fibrous materials that are flexible, mechanically strong and resistant to stretching, heat and chemicals. It has been used in various building products and materials for some considerable time, but was more commonly used in building construction in the periods between 1950 and 1980.

Gardeen Housing Association Limited (the Association) recognises the risks to the health of those who have to work with asbestos containing materials (ACMs) in whatever form that takes.

The presence of ACMs does not in itself represent a danger. However, asbestos is hazardous when damaged or disturbed, even where exposure is for a short duration and must be treated accordingly. Activities which give rise to airborne dusts e.g. breaking, sawing, cutting and drilling ACMs are the most likely to present risks.

2.0 Policy Objectives

This document sets out the Association's policy for identifying and managing ACMs in our properties.

The purpose of this policy is to effectively manage all ACMs across our properties and to reduce the asbestos related risks to as low a level as is reasonably practicable and ensure that no persons are exposed to risk to their health due to exposure to ACM's. It also seeks to ensure all asbestos works are scoped, serviced and managed in accordance with legal requirements and best practice.

The overall aim of the policy is to ensure the health, safety and wellbeing of all people in properties owned by the Association which may have ACMs within the fabric of the property. This also includes the fabric of any common areas of multi-tenure buildings managed by the Association. We aim to protect the occupants and visitors to our properties, including staff and contractors, as far as reasonably practicable because regular exposure, even at relatively low levels, can present a risk. It is essential, therefore, to have an effective management system in place which minimises the potential for exposure to asbestos.

Key outcomes of operating an effective Asbestos Management Policy include:

- Ensuring that properties are well maintained, safe, secure and in line with the SHQS;
- Providing assurance in relation to the safe management of asbestos containing materials; and
- Delivering value for money

3.0 Policy Statement

The Association's Policy for dealing with asbestos risk is to:

- ensure the prevention of exposure to risks associated with asbestos containing materials.
- ensure that any asbestos containing materials that may be present in any of its buildings are maintained in a condition so as to prevent the possibility of any harm to health occurring.
- promote awareness of the risks from asbestos containing materials and the Management Plan [procedures] through training and induction of relevant staff. Key staff involved in the delivery of this Policy will receive annual re-training.
- provide adequate resources to ensure the provision of appropriate information, instruction and training.
- ensure a commitment to comply with all relevant asbestos legislation, Approved Codes of Practice, Health and Safety Executive Guidance Notes and to commit to the safe disposal of any asbestos waste in accordance with the appropriate legislation.
- ensure that an appropriate asbestos surveying process remains in place, taking account of the need for Asbestos Management, Refurbishment and Demolition Surveys in accordance with current legislation and maintain an Asbestos Register.
- implement an effective asbestos management procedure in order that appropriate measures such as encapsulation, labelling, inspection, working with, or removal of, the material can be undertaken.
- ensure that an appropriate system is implemented and maintained for the management of all asbestos containing materials identified in the Register. Such a system is to be capable of recording the risk, the needs and priorities for treatment and/or removal.
- ensure that all Contractors and Sub Contractors engaged to carry out work on any of the Association's buildings are provided with adequate information on asbestos which may be disturbed by their works.
- ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate.
- ensure Licensed Contractors and/or Sub Contractors carry out ALL Asbestos Major Works and Competent Contractors carry out all Asbestos Minor Works.
- ensure all Non-Licensed Contractors carrying out Asbestos Minor Works are trained in safe working procedures and have appropriate insurance cover for the work being carried out.
- ensure that relevant staff of the Association and contractors (as identified by a Training Needs Analysis) have appropriate training in our Asbestos Policy and Management Plan [procedures].
- regularly review the Asbestos Management Policy and Plan [procedures].

4.0 Legal Duties & Statutory Guidance

The Association has several specific legal duties which relate to harmful materials present in our properties, and in particular, Asbestos risk management. These include:

- Identifying and assessing locations of ACM's;
- Preparing procedures for preventing or controlling the risk;
- Implementing and managing the plan & procedures; and
- Keeping records and checking what has been done is effective.

The Association shall take reasonable steps to comply with all current legislation, Codes of Practice and Health and safety Executive (HSE) Guidance, as follows:

- Health and Safety at Work Act 1974 (as subsequently amended and updated);
- Management of Health and Safety at Work Regulations 1999;
- the Control of Substances Hazardous to Health Regulations 2002 (as amended);
- Construction (Design & Management) Regulations 2015;
- Public Health (Scotland) Act 2008;
- The Housing (Scotland) Act 2006;
- INDG 233 A Short Guide to Managing Asbestos in Premises;
- HSG264 Asbestos- A Survey Guide;
- Control of Asbestos Regulations 2012 and any other relevant regulations currently in force.

5.0 The Scottish Social Housing Charter

This policy statement supports Gardeen Housing Association in achieving the following relevant Charter Outcomes and Standards:

Housing Quality, Maintenance & Value for Money:

Quality of Housing Social landlords manage their businesses so that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.

Repairs, Maintenance & Improvements Social landlords manage their businesses so that tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done

Value for Money tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

6.0 Management Plan: Key Outcomes

A summary of the key outcomes is as follows, for more detailed information refer to our Asbestos Management Procedure. The Association will make arrangements to ensure the following:

- Any relevant risk assessments, method statements and statutory notices are in place before works commence;
- Copies of all test certificates, surveys and evidence of correct waste disposal are received and stored with the Asbestos Register;
- That all employees are adequately informed and instructed regarding the identification, management and risk from exposure to ACMs;
- Any maintenance/refurbishment contractors are adequately informed and instructed regarding the identification, management and risk from exposure to known or suspected ACMs prior to works commencement;
- All tenants/residents are adequately informed and instructed regarding the identification, management and risk from exposure to ACMs;
- So far as is reasonably practicable, other people who are not employees but who may be at risk from the danger of exposure to ACMs also receive adequate information and instruction.

The Association will ensure that no ACMs are used in the construction of new buildings or in the alteration, extension or improvement to existing buildings.

Where the presence of ACMs are suspected, the Association will, depending on the condition and other factors, either:

- Take no action, as the ACM is in a safe condition; or
- Encapsulate to otherwise protect the material but not remove it;
- Encapsulate to otherwise protect the material prior to eventual removal;
- Arrange for its immediate removal.

All information regarding the presence of ACMs in the Association's properties, general or specific surveys carried out, and any action taken to deal with ACMs, will be recorded in the Asbestos Register (designated database).

On at least an annual basis the Association will inspect a sample of properties where ACMs are known to be present, and will also inspect when it is known that a 'material change' has occurred to an ACM. Appropriate actions will be implemented where the condition of ACMs present in the property has deteriorated. Inspection results will be added to the Asbestos register.

7.0 Management Responsibilities

It is the overall responsibility of the Management Committee to ensure that the Association complies with all statutory duties placed on it by Health & Safety Legislation.

The Management Committee shall receive ongoing quarterly reports on relevant aspects of Asbestos management and control within the Association's properties.

The Association's Director's duties and responsibilities include:

- To act as "Duty-holder" under the Asbestos Regulations;
- Implementation and the continuing review of this policy;
- Ensuring adequate finance is secured for the delivery of this service;
- Ensuring that all staff who have a responsibility in implementing this policy are kept fully informed of developments in legislation and good practices relating to the management of Legionella;
- Ensuring competent staff are employed in delivering the policy and procedure;
- Ensuring that the duty of care to our tenants, employees and contractors is met; and
- Ensure via appointed staff responsibility for the day to day delivery of the process and continuing audit.

The Association's Senior Housing Officer's duties and responsibilities include:

- Ensure suitably competent and qualified contractor(s) are procured on behalf of the Association who will be available to undertake all works, surveys, removals, samples and risk assessments in order to comply with the Asbestos Regulations;
- To ensure surveys are undertaken in accordance with the Asbestos Policy and procedures;
- That the Asbestos register is kept up to date;
- Ensuring all construction; refurbishment; planned, cyclical & reactive maintenance; and void works fall are undertaken in accordance with this policy;
- Ensuring there is effective communication with tenants and contractors, regarding Asbestos Management; and
- Carrying out training needs analysis for the members of staff involved with Asbestos Management.

The Association will appoint a member of staff to be Asbestos Co-ordinator, whose duties and responsibilities include:

- Day-to-day responsibility for the Gardeen HA asbestos management system;
- Being the first point of contact for all matters relating to ACMs;
- Provide an internal source of information on all items relating to ACMs;
- Manage and co-ordinate asbestos surveys and samples;
- Manage and maintain the Asbestos Register, including:
co-ordinating the input of new survey data and localised sampling results; and
co-ordinating the updating of existing records to include all remediation works carried out.
ensuring initial surveys are carried out within timescales;
- Co-ordinate the procedures for informing persons at risk as identified in this document;
- Liaise with internal and external contacts, surveyors, suppliers and contractors to provide and maintain a comprehensive Asbestos Register, capable of providing all information required by us to comply with our policy and Plan [procedures]; and
- Be the point of focus within the Association for all matters relating to ACMs and the Asbestos Register

8.0 Information & Training

Staff

The Association will ensure that relevant employees receive the required level and frequency of training or 'awareness' in asbestos issues and the management of risks associated with asbestos.

Prohibition on Staff Handling Asbestos:

- Unless properly trained to do so, no Association staff will be permitted to handle or work on asbestos containing materials (ACM's).
- In the event that the Association opts to handle ACM's (e.g. for the purposes of sampling), appropriate training will be provided, insurances obtained and these procedures updated to reflect the acceptable process.

It is the responsibility of all staff to report to the Asbestos Coordinator if they suspect that disturbed or damaged asbestos containing materials may be present in a building owned or let by the Association. In a case where an accessible material is suspected of containing asbestos, and where this material may reasonably become disturbed, this would also apply.

Tenants & Factored Owners

The Association will ensure that full and clear explanations and information are provided to our tenants, and to any factored owners involved, regarding any proposed work to protect and/or remove ACMs from their property.

Wherever possible the removal of any ACM will be carried out without the need to decant the current tenant, subject to the normal safety constraints of working within occupied properties.

Where it is necessary to arrange for residents to vacate their property for a designated period while removal works are in progress, the Association will ensure that the proposed arrangements are discussed fully and agreed with each resident involved, and will aim to keep such periods to the shortest possible, subject always to health and safety requirements.

Freedom of Information

In providing information the Association will ensure compliance with the Environmental Information (Scotland) Regulations 2004 (EISR's). These cover the provision of any information considered to be environmental information, which includes anything in or entering the atmosphere such as asbestos particles.

Tenant Alterations

When granting approval to tenants who wish to carry out approved alterations, the Association will ensure that:

- Any details we have regarding the presence of ACMs are passed on for their information or that of any contractor they may use;
- The requirement not to use materials with ACMs is clearly stated in the permission letter;
- The tenant is advised that if the proposed work will disturb any ACM present, they must comply with current regulations at all times and should they suspect the presence of any ACM they have not been informed of, they should stop work and inform the Association immediately.

Transfer of Properties

Properties being considered for purchase or sale will have a Refurbishment Survey carried out for the presence of ACMs, including those in textured coatings and any suspect materials will be sampled and tested. Further action will depend on the outcome of these surveys etc.

Contractors

For the contractors involved in any services, works or repairs on a property, the Association will ensure that information on the presence or possible presence of ACMs is provided at the earliest opportunity before commencement, i.e. either at tender stage, pre-contract start meetings or when individual works orders are issued.

As part of the preparation for planned maintenance capital projects, unless all the required information is already available, the Association will carry out representative Refurbishment Survey(s) of the area to be covered by each contract, and will include the survey results together with any other information held on the presence or possible presence of ACMs in the Asbestos Register and tender documentation.

Where identified as being required following the awarding of a contract, the Association will carry out a targeted Refurbishment Survey of the room involved before work starts, including where necessary the taking and testing of sample materials from areas likely to be affected by the proposed works.

The Association will ensure that all contracts for work or services in existing premises contain clauses:

- Requiring tenderers to provide confirmation that operatives who will be carrying out the work have received the necessary asbestos awareness training; and
- Advising that if they discover or suspect ACMs in any area they are working in, they must cease work in that area and immediately contact the appropriate contract supervisor.

9.0 Asbestos Management

Asbestos Management Plan

The regulations require the Association to protect the public, and any operatives who may come into contact with ACMs, from any health and safety risk associated with asbestos. Unless there is clear evidence that material does not contain asbestos, e.g. copper pipework, glass, salt glazed earthenware, exposed timber with clear graining; the Association will assume that all materials encountered may contain asbestos.

The Association will manage our duty of care to any employee, tenant or contractor's operative through our Asbestos Policy and Asbestos Management Plan [procedures]. The Plan will take reasonable steps to identify any ACMs in our properties and establish the condition of any such material through surveys carried out by appropriately qualified personnel. The Plan will be reviewed annually and updated as required.

The Association will take appropriate action to manage the risk of anyone disturbing the material, taking into account the condition, type, exposure to contact or likelihood of the need to work on the material in the future.

Where ACMs have been identified, any work ordered which will involve the area or item concerned will be assessed to establish the risk of disturbing the material. The contractor will be asked to provide an action plan of work, with clear work instructions to the operatives who will be working in areas where ACMs are known to be present.

Removal From or Work in Existing Buildings

ACMs that may pose a risk will be encapsulated or protected from disturbance until they can be removed. So far as is possible, the Association will aim to remove any such ACMs when carrying out a planned maintenance project involving the item or the area concerned.

In such cases, an external consultant having UKAS (United Kingdom Accreditation Service) accreditation for asbestos sampling and analysis, will be contacted to carry out a localised sample and report.

Any work involving the disturbance or removal of ACMs will be carried out by competent, registered contractors, as required by current regulations. All reasonable and practical steps will be taken to control any risk to the health of contractors' operatives, tenants and employees.

10.0 Budget Provision

The Association will establish a budget for asbestos management within the overall maintenance budget and ensure that sufficient funds are provided each year for this purpose.

11.0 Insurance

The Association will ensure that our insurance cover, in particular the cover for Employer's and Public Liability, is sufficient to include cover for any possible claims arising from exposure to asbestos materials.

As part of the annual review of insurance cover the Association will consider whether or not cover for specific activities relating to the management of asbestos risk is required.

12.0 Risk Management Strategy

The Association will ensure that the Risk Management Strategy includes relevant references to the managing of risk related to ACMs, and that these references are reviewed and updated regularly.

13.0 Equal Opportunities

We aim to ensure that all services, including the delivery of this policy, provide equality of opportunity.

We will respond to the different needs and service requirements of individuals. We will not discriminate against any individual for any reason, including: age; disability; gender re-assignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex or sexual orientation, or other status.

14.0 Data Protection

The Association recognises that confidentiality is important to tenants and others and will treat tenancy and personal information in the strictest confidence under General Data Protection Regulation (GDPR).

15.0 Implementation & Review

The Senior Housing Officer is responsible for ensuring that this policy is implemented. The Senior Housing Officer will ensure that regular reports on the progress of specific contracts for the removal of ACMs are submitted to the Management Committee as part of current reporting arrangements, and that a report on the overall management of asbestos is included in the quarterly reports submitted to the Management Committee.

The Senior Housing Officer will ensure that this policy is reviewed by the Management Committee at least every three years, or earlier if required by a change to the regulations.