



# Asbestos Policy 2024

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## **1. INTRODUCTION**

- 1.1 Breathing in air containing asbestos fibres can lead to asbestos-related diseases, mainly cancer of the lungs and chest lining. Asbestos is only a risk to health if asbestos fibres are released into the air and breathed in. Past exposure to asbestos currently kills around 4,500 people a year in Great Britain.
- 1.2 There is usually a long delay between first exposure to asbestos and the onset of the disease (15-60 years). Only by preventing or minimising these exposures now can asbestos-related disease eventually be reduced.
- 1.3 Any Granville Community Homes (GCH) owned and/or managed home or building built or refurbished before the year 2000 may contain asbestos. As long as the asbestos containing material (ACM) is in good condition and is not going to be disturbed or damaged, there is negligible risk. However, if it is disturbed or damaged it can become a danger to health, because people may breathe in any asbestos fibres released into the air. Workers who carry out repairs and maintenance work are at particular risk. If asbestos is present and can readily be disturbed, is in poor condition and not managed properly, others who may be occupying the homes or buildings could also be put at risk.
- 1.4 GCH is responsible for the maintenance and repairs to homes, non-domestic (communal blocks) and 'other' properties (e.g. offices, commercial shops, depots, etc.), many of which will have been constructed using asbestos containing materials. As such, the organisation has a legal 'duty to manage' asbestos in its homes and buildings and this must be done in accordance with The Control of Asbestos Regulations (CAR) 2012.

## **2. SCOPE OF THE POLICY**

- 2.1 GCH must establish a policy which meets the requirements of The Control of Asbestos Regulations (CAR) 2012, which came into force on 6th April 2012. In addition to this, the policy must provide assurance to GCH that measures are in place to identify, manage and/or mitigate risks associated with asbestos. In addition, GCH must establish an Asbestos Management Plan (AMP), which outlines key information on roles and responsibilities, and the management of information, works, and ACMs. This policy should be read in conjunction with the AMP.



- 2.2 GCH must also ensure that compliance with asbestos is formally reported at Senior Management Team (SMT) and Board level, including the details of any non-compliance and planned corrective actions.
- 2.3 The policy applies to all companies within GCH and therefore is relevant to all Group employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.
- 2.4 It should be used by all to ensure they understand the obligations placed upon GCH to maintain a safe environment for customers and employees within the homes of each customer, and within all communal areas of buildings and 'other' properties (owned and managed).

### 3. RESPONSIBILITY

#### 3.1 Key Roles and Responsibilities

- 3.1.1 In order to ensure that this Asbestos Policy, and the supporting Asbestos Management Plan are adhered to, GCH will appoint suitably competent personnel to act as the 'Responsible Person' on behalf of the individual Duty Holder and oversee the implementation and review of these documents.
- 3.1.2 Although the organisation has an appointed Duty Holder, GCH Chief Executive will be ultimately responsible for ensuring compliance with current legislation and to ensure that the organisation fulfils its duties and responsibilities as outlined in this policy document and the supporting Asbestos Management Plan.
- 3.1.3 **Appointed Duty Holders** – GCH Directors will fulfil the role of the appointed 'Duty Holders' on behalf of GCH in order to ensure the appropriate management of the risks associated with asbestos. As a result, the Directors will hold responsibility for the implementation of this document, and supporting Asbestos Management Plan, as well as ensuring compliance is achieved and maintained.
- 3.1.4 **Acting Responsible Persons** – GCH Directors shall ensure that there are suitable arrangements in place for the implementation of the Asbestos Management Plan, as well as overseeing the delivery of the agreed survey inspection programmes and the prioritisation and implementation of any works arising from the surveys.



- 3.1.5 The Board will have overall governance responsibility for ensuring the asbestos policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice. As such, the Board will formally approve this policy and review it periodically. The first review will be undertaken 18 months after the approval of this new policy, and then every two years thereafter (or sooner if there is a change in regulation, legislation or codes of practice).
- 3.1.6 The board will receive regular updates on the implementation of the Asbestos Policy and asbestos performance along with notification of any non-compliance issue which is identified. This is so they have assurance that the policy is operating effectively in practice.
- 3.1.7 The SMT will receive reports in respect of asbestos management performance and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 3.1.8 The housing teams will provide key support in gaining access into properties where access is proving difficult and use standards methods to do so. They will also facilitate the legal process to gain access as necessary.

### **3.2 Competent Persons**

- 3.2.1 GCH will ensure they appoint a competent person/persons and they are suitably qualified holding the industry standard qualification in the management of asbestos in buildings; a P405, P402, or P407 qualification. If they do not have P405, they should obtain this within 12 months of the approval of this policy.
- 3.2.2 GCH will ensure that competent (as per the Health and Safety Executive's publication HSG264) contractors are procured and appointed to deliver asbestos management surveys.
- 3.2.3 GCH and or competent contractors will ensure that competent licensed asbestos removal contractors are appointed for all notifiable non-licensed work or licensed works.



- 3.2.4 The operational team with responsibility for delivery will check the relevant qualifications of employees working for these contractors on an annual basis and evidenced appropriately.

## **4. POLICY**

### **4.1 Obligations**

- 4.1.1 The duty to manage asbestos is included in The Control of Asbestos Regulations (CAR) 2012. The duty requires GCH to manage the risk from asbestos by:
- Finding out if there is asbestos present, where GCH has an obligation to do so, in the homes and buildings owned and/or managed by the organisation (or assessing if asbestos containing materials are liable to be present and making a presumption that materials contain asbestos, unless the organisation has strong evidence that they do not). As well as, identifying its location and identifying what condition it is in. If the home or building was built prior to the year 2000 the organisation will assume asbestos is present. If the home or building was built after the year 2000 asbestos is unlikely to be present and no further action will be required.
  - Making and keeping an up-to-date record (referred to as the 'asbestos register') of the location and condition of the asbestos containing materials or presumed asbestos containing materials in the homes and buildings owned and managed by the organisation.
  - Assessing the risk from the asbestos containing materials found.
  - Preparing an Asbestos Management Plan that sets out in detail how the organisation is going to manage the risk from the asbestos containing materials and taking the steps needed to put the asbestos management plan into action.
  - GCH must also review and monitor the asbestos management plan and the arrangements made to put it in place; and set up a system for providing information on the location and condition of the asbestos containing materials to anyone who is liable to work on or disturb these materials.
- 4.1.2 Anyone who has information on the whereabouts of asbestos in homes and buildings is required to make this available to the organisation as the 'duty holder', but the organisation then have to assess its reliability.



## 4.2 Statement of Intent

- 4.2.1 GCH recognises that the main hazard in relation to asbestos is the non-identification of ACMs and as such will protect those persons potentially exposed to asbestos as far as is reasonably practical by minimising the exposure through the use of appropriate control measures and working methods.
- 4.2.2 GCH accepts that asbestos is likely to be present in the majority of its properties built prior to the year 2000 and will therefore manage these properties accordingly.
- 4.2.3 In order to fully comply with the legislation, GCH will have a Board approved Asbestos Policy. In addition, the organisation will have an Asbestos Management Plan and an Asbestos Register which will hold records of the assets which have asbestos containing materials in them.
- 4.2.4 GCH will hold accurate records against each property it owns or manages, identifying whether the property has had its initial asbestos management survey and when the next re-inspection is due, if applicable.
- 4.2.5 Survey and re-inspection dates, details of ACM's and asbestos management survey reports will be held electronically in a secure and backed up system.
- 4.2.6 GCH will employ competent external contractors (in line with HSG264) to undertake asbestos management surveys. Licensed asbestos removal operatives and/or contractors will be employed to carry out licensed remediation works (where necessary) to non-domestic (communal blocks/'other' properties) and domestic properties as outlined in section 4.4 of this policy.
- 4.2.7 GCH will employ suitably competent persons or contractors to undertake asbestos re-inspections and the removal of non-licensed asbestos.
- 4.2.8 GCH will also undertake an intrusive refurbishment and demolition (R&D) survey to domestic and non-domestic properties as and when required as per HSG264. This will also be in accordance with the criteria set out in the Group Asbestos Management Plan, which should be read in conjunction with this policy.
- 4.2.9 GCH considers good communication essential in the safe delivery of asbestos management and will therefore ensure that information about asbestos containing materials (known or suspect) is provided to every person liable to disturb it, accidentally or during the course of the work. This includes employees and tenants.



### 4.3 Compliance Risk Assessment/Inspection Programmes

- 4.3.1 **Non-Domestic Stock** – GCH will review existing asbestos management survey information prior to carrying out any repairs or planned maintenance works which may involve working on, or adjacent to, any asbestos containing materials within a non-domestic (communal block) or 'other' properties (e.g. offices, commercial shops, depots, etc.). This is to ensure that any asbestos containing materials likely to pose a risk are identified prior to works commencing and the details passed onto the relevant operatives or external contractors and managed in an appropriate way. Where required a new hybrid R&D/management survey should be commissioned prior to work commencing.
- 4.3.2 GCH will ensure that all non-domestic (communal blocks) and 'other' properties in ownership or management have an initial asbestos management survey carried out. All surveys will comply with the CAR 2012 legislation and therefore be dated after 6th April 2012 when the legislation came into effect. Any management surveys which currently pre-date 2012 will be updated as part of a staged programme of works. This programme will have a targeted completion date of 12 months following the approval of this policy.
- 4.3.3 Thereafter all non-domestic (communal blocks) and 'other' properties will have a re-inspection survey and an assigned re-inspection date where applicable. This date will be in accordance with the specific needs of the building. It will either be annually or at a period dictated by the previous survey/re-inspection. Re-inspection dates may change following the re-categorisation of a property or a building.
- 4.3.4 GCH will not need to re-inspect any non-domestic (communal blocks) or 'other' properties built after the year 2000, or where the initial asbestos management survey confirms that there are no asbestos containing materials present.
- 4.3.5 **Domestic Stock** – GCH will review existing asbestos management survey information prior to carrying out any void repairs, day to day repairs, or planned maintenance works which may involve working on or adjacent to any asbestos containing materials within a domestic property. This is to ensure that any asbestos containing materials likely to pose a risk are identified prior to works commencing and the details passed onto the relevant operatives or external contractors and managed in an appropriate way.





- 4.3.6 Where there is no previous asbestos related information in respect of a domestic property which requires an asbestos survey ahead of void repairs, day-to-day repairs or planned maintenance work, a survey will be undertaken, and the scope of the survey agreed in accordance with the works due to be carried out. If the void only requires the standard safety checks (gas, electric and EPC) and there is no intrusive repair work, an asbestos survey is not required.
- 4.3.7 GCH will not need to re-inspect any domestic properties built after the year 2000, or where the initial asbestos management survey confirms that there are no asbestos containing materials present.
- 4.3.8 **Supported Living Stock** - As a property owner or manager, GCH has general obligations under CAR 2012 to identify asbestos and manage its impact on employees, tenants and others in non-domestic properties. As per the guidance provided by the Health and Safety Executive (HSE). GCH will only undertake a management survey to its supported properties in instances where the property constitutes as a workplace to which it is sending its employees or contractors.
- 4.3.9 Where GCH employs or sub-contracts staff to be present in a supported living property to carry out works then it will take all reasonable steps to identify if there are any asbestos containing materials (ACMs) in the relevant areas and take all necessary steps to inform anyone likely to disturb them of their location and condition. GCH has inspected or risk assessed for asbestos in all its Supported Living Properties in order to ensure that it is able to comply with this commitment.
- 4.3.10 **Refurbishment Work** – GCH will undertake an intrusive refurbishment and demolition (R&D) survey to domestic, non-domestic (communal blocks) and 'other' properties prior to any planned maintenance or major works including adaptation works taking place to the areas of the property that are likely to be disturbed as part of the proposed works. They will also undertake a management survey to the remainder of the property as part of the same survey if this has not been previously completed (post 6 April 2012 as per paragraph 4.3.2). This will be in accordance with the criteria set out in GCH Asbestos Management Plan, which should be read in conjunction with this policy.
- 4.3.11 **Leased or managed properties** – GCH will liaise with property owners/landlords of accommodation we lease or manage on their behalf to ensure that evidence of compliance is received.





#### 4.4 Compliance Follow up Work

- 4.4.1 GCH will ensure there is a robust process in place for the management of any follow-up works required following the completion of an asbestos survey.
- 4.4.2 Where asbestos is positively identified and as a result of a risk assessment (conducted in accordance with published guidance) removal, sealing or encapsulation is recommended, this will be carried out for:
- **Non-licensed works** – as defined in regulation 2 of the CAR 2012 – by specifically trained contractors (including operatives working for the in-house team) with appropriate equipment and working procedures in place which are sufficient to comply with the CAR 2012.
  - **Notifiable non-licensed works** – as defined in regulation 2 of the CAR 2012 – by a licensed asbestos removal contractor (LARC) licensed by the Health & Safety Executive in compliance with the CAR 2012, or
  - **Licensed works** - as defined in regulation 2 of the CAR 2012 – by a LARC, licensed by the Health & Safety Executive in compliance with the CAR 2012.

#### 4.5 Record Keeping

- 4.5.1 GCH will establish and maintain a programme of non-domestic (communal blocks) and 'other' property surveys and re-inspections and an Asbestos Register of all the asbestos containing materials by type, address, location and condition as defined in CAR 2012.
- 4.5.2 Survey and re-inspection dates, details of ACM's and asbestos management survey reports will be held electronically in a secure and backed up register.
- 4.5.3 An electronic register will be used to record the details of all asbestos surveys undertaken on 'Progress' non-domestic (communal), domestic and other properties. This will include the date of the most recent survey and/or re-inspection where applicable.
- 4.5.4 The findings from the asbestos survey, including any ACM's and remediation works identified and subsequently completed (including evidence of removal and encapsulation) should also be recorded in the electronic register.
- 4.5.5 Appropriate asbestos information will be made available to all interested stakeholders as required.



## 5. REGULATORY STANDARDS, LEGISLATION, AND APPROVED CODES OF PRACTICE

- 5.1 **Regulatory Standards** - the application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).
- 5.2 **Legislation** - the principle legislation applicable to this policy is The Control of Asbestos Regulations (CAR) 2012, which came into force on 6th April 2012. GCH has a legal obligation under Part 2, Section 4 of the legislation (Duty to manage asbestos in non-domestic properties) and is the 'Duty Holder' for the purposes of the legislation. Progress is the 'duty holder' by virtue of the fact that they own and manage over 10,000 homes and buildings housing tenants and leaseholders through the tenancy and lease agreement obligations it has.
- 5.3 **Approved Codes of Practice and Guidance** – the principle approved codes of practice and guidance (as updated) applicable to this policy are:
- ACoP L143 - 'Managing and working with Asbestos' (Second edition December 2013)
  - HSG264 - 'Asbestos: The survey guide' (Second edition 2012, this holds ACoP status)
  - HSG248 – 'Asbestos: The analysts guide for sampling, analysis and clearance procedures' (First edition 2006)
  - HSG247 - 'Asbestos: The licensed contractors' guide' (First edition 2006)
  - HSG227 - 'A comprehensive guide to managing asbestos in premises' (First edition 2002)
  - HSG210 - 'Asbestos Essentials – A task manual for building, maintenance and allied trades and non-licensed asbestos work' (Fourth edition 2018)
- 5.4 **Sanctions** – GCH acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation, and approved codes of practice, and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974, prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007 and via a serious detriment judgement from the Regulator of Social Housing (RSH).
- 5.5 **Tenants and Leaseholders** – GCH will use the legal remedies available within the terms of the tenancy and lease agreement should any tenant,



leaseholder or shared owner refuse access to carry out essential asbestos related inspection and remediation works.

**5.6 Additional Legislation** – This asbestos policy also operates in the context of the following additional legislation:

- 5.6.1 Health and Safety at Work Act 1974
- 5.6.2 The Management of Health and Safety at Work Regulations 1999
- 5.6.3 The Workplace (Health Safety & Welfare) Regulations 1992
- 5.6.4 Personal Protective Equipment at Work Regulations 1992
- 5.6.5 Hazardous Waste (England & Wales) Regulations 2005 (Amendment 2009)
- 5.6.6 Control of Substances Hazardous to Health (COSHH) Regulations (as amended) 2002
- 5.6.7 Construction, Design and Management Regulations 2015
- 5.6.8 Defective Premises Act 1972
- 5.6.9 Landlord and Tenant Act 1985
- 5.6.10 Data Protection Act 2018
- 5.6.11 RIDDOR 2013

**5.7** This policy also has links to other Group policies, including:

- 5.6.1 Health and Safety Policy
- 5.6.2 Data Archival, Retention and Disposal Policy

## **6. IMPLEMENTATION**

### **6.1 Training**

- 6.1.1 GCH will ensure that all staff working for, or on behalf of the organisation have the relevant training required for their role. This will be managed via periodic assessments of training needs and resulting programmes of internal and/or external training.

### **6.2 Performance Reporting**

- 6.2.1 Robust key performance indicator (KPI) measures will be established and maintained to ensure GCH is able to report on performance in relation to asbestos.
- 6.2.2 KPI measures will be produced and provided at SMT level on a monthly basis and at Board level on a quarterly basis. As a minimum these KPI measures will include reporting on:



6.2.3 The total number of:

**Data – the total number of:**

- Properties – split by non-domestic properties (communal blocks) and 'other' properties
- Properties on the asbestos management/re-inspection programme
- Properties not on the asbestos management/re-inspection programme
- Properties with a valid 'in date' survey/re-inspection. This is the level of compliance expressed as a number and a %
- Properties where the survey/re-inspection has expired and is 'out of date'. This is the level of non-compliance expressed as a number and a %
- Properties which are due to be surveyed/re-inspected within the next 90 days. This is the early warning system
- The percentage of domestic stock with full asbestos data

6.2.4 GCH will commission an independent audit of asbestos at least once every two years. This audit will specifically test for compliance with the regulation, legislation and codes of practice and identify any non-compliance issues for correction.

**6.3 Non-Compliance/Escalation Process**

- 6.3.1 Any non-compliance issue identified at an operational level will be formally reported to SMT, in the first instance.
- 6.3.2 SMT will agree an appropriate course of corrective action in order to address the non-compliance issues.
- 6.3.3 The SMT will ensure the Board are made aware of any non-compliance issue so they can consider the implications and take action as appropriate.
- 6.3.4 In cases of a serious non-compliance issue the SMT and Board will consider whether it is necessary to disclose the issue to the Regulator of Social Housing in the spirit of co-regulation as part of the Regulatory Framework.



## **7. CONSULTATION**

- 7.1 A series of consultation meetings have taken place when reviewing this policy, including a policy principles session with GCH Board.

## **8. REVIEW**

- 8.1 Ordinarily this policy will be reviewed following the GCH standard three yearly timeframe. However, an initial review timeframe of eighteen months (from February 2024, when the compliance roadmap is due to be completed) is being adopted to ensure that any changes required, following the implementation of new systems and processes, can be captured at the earliest opportunity.

## **9. EQUALITY IMPACT ASSESSMENT**

- 9.1 An EIA is currently being drafted alongside this policy review.