

Governance and Business Resilience –  
Health & Safety Policy

# The Management of Asbestos Policy

VERSION 10



**North Kesteven**  
DISTRICT COUNCIL

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Executive Board

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Existing



## Policy Statement

North Kesteven District Council firmly believes that the health, safety and wellbeing of all those who may be affected by its activities is of paramount importance.

The Council, through its Corporate Management Team, Heads of Service, Unit Managers and Elected Members, in consultation with the Unions will ensure that its activities in relation to The Management of Asbestos are conducted in a manner which identifies and controls foreseeable risks in accordance with current legislation, recognised guidance and best practice.

In order to achieve excellence in delivering the Asbestos Management Policy the Council has the following objectives;

- Conduct regular inspections and produce asbestos management plans for all relevant property in their charge and take steps necessary to comply with any recommendations made by such inspections.
- Identify materials that contain asbestos (and those presumed to contain asbestos) and take steps to communicate this information of the location, type and condition to employees, contractors, Managing Agents and tenants that may be affected by it.
- Assess the risk of exposure to asbestos containing materials and identify and implement appropriate control measures to reduce the risk identified.
- Prepare and maintain in accordance with the Control of Asbestos Regulations 2012 an Asbestos Management Plan for the Council's assets. The plan shall set out how the risks from asbestos containing materials will be managed and prioritised. The Council will annually review and periodically monitor and update the plan following any change in circumstances and ensure the plan remains relevant and up to date.
- Ensure information regarding the survey findings is accessible to all employees, contractors and other interested parties as necessary and who may be brought into contact with asbestos as part of their activities.
- Presume materials contain asbestos unless there is strong evidence that they do not.
- Identify the role and function of the 'duty holders' for all Council and premises (domestic and non-domestic) and ensure they are fully aware of and competent to carry out this role.
- Allocate sufficient resources to ensure the effective management of asbestos.

North Kesteven District Council, its Directors and Elected Members give full backing to this policy and support all those who take action to implement it.



Ian Fytche  
Chief Executive

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# Definitions

## Asbestos Containing Materials (ACM's)

ACM's are materials such as lagging for pipes, boilers, insulation boards, ceiling and floor tiles, fire proofing on doors, walls, ceilings, fire breaks and linings, building materials such as cement sheeting, roof tiles, gutters, drain pipes, roofing felts, mastics and artex or any other material which have an asbestos fibre content.

## Asbestos Management Plan (AMP)

The **Asbestos Management Plan** identifies potential **asbestos** exposure hazard, notification to employees and occupants of the presence of ACM, employee awareness and operational training, recordkeeping and **management** of renovations and maintenance operations

## Asbestos Surveys

Any property constructed prior to 2000 will undergo an asbestos survey or be subject to an archi-type survey proportionate to the building, its use, purpose and known or unknown ACM content.

The type of survey necessary will be identified by either a competent contractor or competent Council employee. All surveys will be undertaken by a competent council appointed sub-contractor.

Management surveys of non-domestic properties will be the basis for the Asbestos Register and Asbestos Management Plan.

Management surveys of domestic properties will be the formal record of Asbestos in those premises and the source of Asbestos information supplied to contractors and residents. Testing of samples taken during surveys will be undertaken to establish actual content.

## Corporate Asbestos Risk Assessment

The Corporate Asbestos Risk Assessment is an overall assessment of the risks associated with the general release of or exposure to ACM's. It is not specific to a property and is conducted with regard to the generic hazards associated with exposure.

## Domestic Premises

Domestic Premises are places of residence and include the Councils housing stock. They are a place of work for repair, maintenance and refurbishment projects.

## Non-Domestic Premises

Non domestic premises are premises which are used as a place of work, visitor venues, premises which provide support, garage blocks outside the curtilage of domestic properties or service facilities for members of the public, communal areas of sheltered schemes and any other council owned and managed premises where responsibility for Asbestos has not been specifically devolved as a Council responsibility through a lease contract or other agreement.

## **Property Task Specific Asbestos Risk Assessment**

Property task specific Asbestos risk assessments are conducted by the competent contractor appointed by the Council with regard to the specific asbestos hazards associated with a particular property.

The findings of the Property Asbestos Risk Assessment are used to form the asbestos management plans for each property and the control measures necessary to eliminate or reduce the risk of exposure to ACM's.

# 1.Introduction

There are three main types of asbestos, Chrysotile (white), Amosite (brown) and Crocidolite (blue).

Anyone who becomes exposed to and inhales the respirable fibres released from asbestos containing materials (ACMs) is at risk of developing related lung diseases. Symptoms are not immediately apparent; there being a latency period between first exposure and the manifestation of symptoms.

**Typical work activities at risk include:** maintenance, refurbishment, fire, collapse or structural failures, low level work such as IT installations, contact with fly tipped waste or waste materials, normal occupancy (commercial or domestic) resulting in accidental exposure to ACMs through everyday activities.

**Occupation groups at risk include:** refurbishment or demolition workers, construction workers, electricians, plumbers, telecommunication engineers, waste clearance workers, joiners, gas fitters, etc. This list is not exhaustive.

## 2.Purpose and Scope

The purpose of the North Kesteven District Council's Asbestos Management Policy is to ensure that, as far as reasonably practicable, no occupant of, or visitor to Council controlled premises could be exposed to asbestos risk as a result of activities being undertaken within such premises or from its presence.

The Council recognise their obligations under the Control of Asbestos Regulations 2012 and accepts their responsibilities as Duty Holder under Regulation 4 of the Control of Asbestos Regulations 2012

Premises falling under the scope of this policy are all North Kesteven District Council owned or managed properties and those which North Kesteven District Council manages on behalf of Lafford Homes Ltd.

## 3.Legislation

Principal legislation to managing the risks associated with Asbestos, but are not limited to are;

The Health & Safety at Work etc Act 1974

The Control of Asbestos Regulations 2012

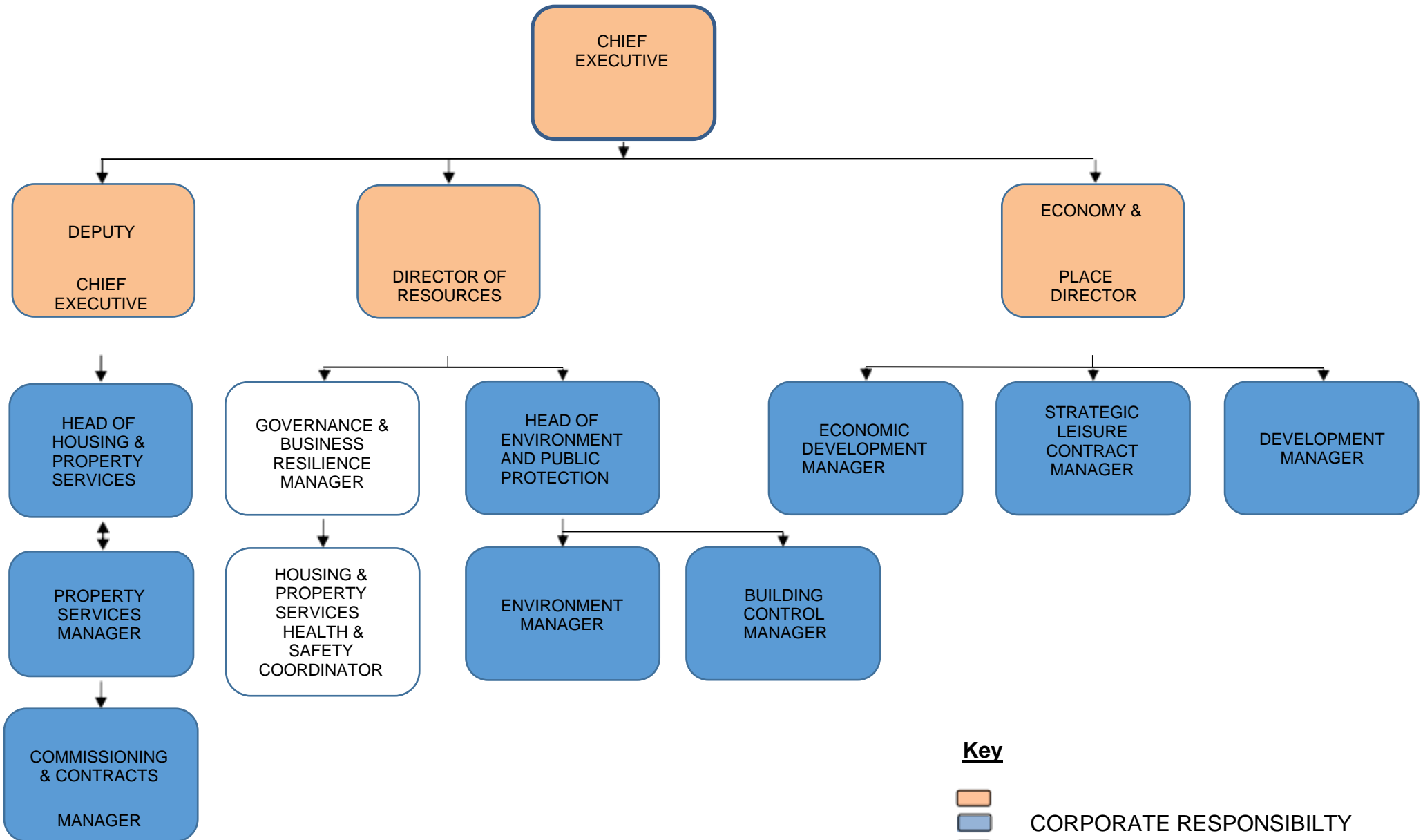
Management of Health and Safety at Work Regulations 1999

Construction, Design and Management Regulations 2015

Environmental Protection Act 1990

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

# ASBESTOS MANAGEMENT CONTROL – POLICY ORGANISATION



## Key



CORPORATE RESPONSIBILITY  
MANAGEMENT RESPONSIBILITY  
H&S ADVISORY



## 4. Policy Ownership

Ultimate responsibility for this policy rests with the Council as the employer. The council will require the Chief Executive to ensure that the policy is effectively applied. As with all matters relating to health & safety, the Directors, Heads of Service and Unit Managers have devolved responsibility for the application of the policy.

## 5. Arrangements

### a) Chief Executive

The Chief Executive will have ultimate ownership of this policy and arrangements described within. The delegation of responsibility can be made to the Deputy Chief Executive and/or Director of Resources in the absence of the Chief Executive either through leave or other absence.

### b) Deputy Chief Executive and Director of Resources

The Deputy Chief Executive and Director of Resources will take ownership of the policy and the arrangements described within the absence of the Chief Executive either through leave or other absence.

- Provide sufficient resources to enable the effective implementation of the Management of Asbestos Policy, procedures and arrangements.
- Provide adequate resources to enable the necessary control measures as identified in this policy, accompanying procedures and arrangements to be implemented.
- Provide support to all those who take action to implement the Control of Asbestos Policy.
- Receive appropriate training as necessary to keep themselves aware of and informed of issues affecting the health, safety and welfare of individuals who may be affected by the Councils acts or omissions.
- Provide adequate resources for the monitoring, reviewing and auditing of the Control of Asbestos Policy, procedures and arrangements.

### c) Heads of Service

- Provide support to all those who take action to implement the Asbestos Policy, accompanying procedures and arrangements.
- Receive appropriate training as necessary to keep them aware of and informed of issues affecting the health, safety and welfare of individuals who may be affected by the Councils acts or omissions.
- Implement the Control of Asbestos Policy, accompanying procedures and Asbestos Risk Assessment within their area of control.
- Ensure all employees and contractors within their area of control understand and fully comply with the Asbestos Policy and accompanying procedures.
- Keep themselves informed of the findings of Asbestos Site Surveys and the management recommendations made within these documents for all sites under the control of their service.

- Ensure Asset Management Group are kept informed of any acquisition or disposal of assets.

#### **d) Housing and Property Services Department**

The Housing and Property Services Department are responsible for undertaking assigned activities of the Duty Holder.

**The Property Officer** is responsible for non-housing premises and the **Architectural Design and Investment Manager** is responsible for domestic premises including garages, and shall:

- Take reasonable steps to find out if there are materials containing asbestos in both non-domestic and domestic premises and if so, its amount, where it is and its condition.
- Ensure adequate asbestos surveys are conducted for all Council non-domestic property, garages, communal areas and domestic premises when they are likely to become a place of work by a competent person.
- Ensure the asbestos surveys which are conducted make clear indication that non identified materials should be presumed to contain asbestos unless otherwise indicated.
- Make, and keep up-to-date, a record of the location and condition of the asbestos containing materials - or materials which are presumed to contain asbestos on the asbestos register, as detailed in the procedures.
- Ensure arrangements are in place to assess the risk of anyone being exposed to fibres from the materials identified and take steps to reduce these risks.
- Put in place arrangements to produce plans that sets out in detail how the risks from ACM's will be managed and take the necessary steps to put the plan into action; (this may be contracted out to an expert contractor).
- Periodically review and monitor the asbestos management plan and the arrangements contained therein so that the plan remains relevant and up to date.
- Select a competent contractor to conduct asbestos surveys and assessments on the Councils behalf and implement steps necessary to ensure the approved contractor is periodically monitored and their performance measured.
- Provide information on the location and condition of the materials to anyone who is liable to work on or disturb them.
- Conduct a rolling programme of surveys to domestic properties and ensure the materials suspected of containing asbestos are communicated to the tenants.
- Carry out regular visual inspections of labelled contained ACM's as per the risk assessments findings, and record onto the Asbestos Register.
- Only engage competent licensed and non-licensed asbestos contractors who are listed on the approved contractors list held on the council intranet.
- Ensure the asbestos removal contractor engages a competent contractor to carry out air sampling on behalf of North Kesteven District where identified as necessary.

## **e) Housing Renewals Team – (Disability Facilities Grants)**

- Ensure contractors are made aware of the known location of asbestos containing materials or make it clear to any contractor carrying out work on domestic (non-council housing stock) that the presence of asbestos must be presumed.
- Ensure Contractors who carry out work through the grant allocation scheme will be advised of the location of any known asbestos containing material (ACM) through the issue of an R&D survey.

## **f) Those who Design or Commission Work (including design/commissioning contractors)**

Those who design or commission work on behalf of North Kesteven District Council must adhere to this policy and the accompanying procedures and all current health and safety legislation in full. The Council insist all those who design or commission work adopt the measures outlined in the approved codes of practice in full.

Those who design or commission work are expected to consider the asbestos related risks all groups may face early in the design process and take steps to eliminate those risks through sustainable design practices and/or manage out the asbestos risks effectively.

In particular, those who design or commission work are responsible for:

- Reducing the risks posed by asbestos containing materials to all groups likely to be exposed at the design stage and in all cases prior to work commences. A written evidence of how asbestos risks have been considered and the risks assessed and managed is expected.
- Including asbestos information in pre-contract communications to contractors and all those who are likely to be affected by the presence of ACM or its unexpected release.
- Ensuring any works undertaken comply with and are undertaken in accordance with current legislation the Asbestos Policy procedures and arrangements.
- Ensuring no work, maintenance or alteration, takes place on Council owned premises without notifying the Building Responsible Person.
- Periodically monitoring contractors for compliance with legislation, approved safe systems of work and HSE guidance with specific regard for (but not limited to) asbestos risks.
- Updating or arranging for an update in the premises asbestos risk register as appropriate.
- Ensure all those working at the building for which they are responsible are:
  - made aware of the location of any asbestos containing material
  - made aware of the actions necessary to ensure the material is left undisturbed
  - made aware of the emergency procedures to take in the event of an unauthorized or unexpected release of asbestos containing materials
  - made aware of and understand the importance of communicating the location of asbestos to contractors and subcontractors who may be carrying out works.
  - All work on ACM's will be carried out by a competent contractor or appropriately qualified NKDC staff.

## • **Tenders and Work Orders**

Prior to the letting of any tender or the issue of works orders for any work involving ACM's, contractors will be asked to prove their competency by completing a standard competency assessment check successfully, and provide supporting evidence including but not limited to:

- Appropriate licences
- Membership of approved bodies
- Training records
- Method Statements of similar work

## **g) Building Managers & Those in Control of Premises**

Building Managers and those in control of premises will have due regard for asbestos risks with the premises for which they are responsible. They will make themselves aware of the type, location, condition and management procedures for asbestos containing materials within their buildings and in particular will:

- Allow reasonable access to enable the asbestos contractor to conduct any assessment and sampling as they consider necessary and to allow remedial work to take place
- Liaise with Property Services on the management of asbestos within their premises
- Ensure no repair, maintenance or alteration work takes place within the building(s) for which they are responsible without notifying Property Services of the planned work so an assessment can be made as to the potential asbestos related risks.
- Ensure no repair, maintenance or alteration commences until site operatives have signed to confirm they have read and understood the site Asbestos records. A copy of the asbestos records will be held and remain on site.
- Ensure all those working at the building for which they are responsible are;
  - made aware of the location of any asbestos containing material
  - made aware of the actions necessary to ensure the material is left undisturbed
  - emergency procedures to take in the event of an unauthorised or unexpected release of asbestos containing materials as per the accompanying procedure
  - made aware of and understand the importance of communicating the location of asbestos to contractors and subcontractors who may be carrying out works
- Ensure that all incidents of damage or disturbance to asbestos or materials presumed to be asbestos is reported to the Governance and Business Resilience Team and the Housing and Property Services Team as soon as possible.
- Ensure that all employees under their control understand their responsibilities under the Corporate Management and Control of Asbestos Policy and accompanying procedures.

## **h) Operational Services Manager – Waste and Street Scene**

- Will ensure fly tipped material which contain asbestos (or are suspected to contain asbestos) are addressed in the Environmental Health Department procedures to include storage, distribution, and labelling of raw asbestos, and correct removal of waste.
- Engage asbestos removal contractors from the approved contractors list held on the Orange.

## **i) Leisure Contracts Manager – Arts and Leisure**

- Appoint competent contractors to manage the council's Leisure service.
- Obtain assurance that suitable arrangements are in place which allow for full legal compliance, report incidents and attend the Asbestos Health and Safety Working Group.

## **j) Economic Development Manager – Workshops/Commercial Units – Council Owned and Leased**

- Ensure competent Managing Agents are appointed
- Obtain assurance that suitable arrangements are in place which allow for full legal compliance, report incidents and attend the Asbestos Health and Safety Working Group.

## **k) Governance and Business Resilience Team**

The Governance and Business Resilience Team are responsible for:

- Assisting the Corporate Management Team, Elected Members, Heads of Service, Unit Heads and all employees including Duty Holders in ensuring compliance with their legal obligations and that policy is fit for purpose.
- Monitoring compliance with the requirements of the Asbestos policy, procedures and arrangements, risk assessment and legislation as applicable and undertaking spot checks as appropriate.
- Investigating incidents of damage or disturbance to asbestos or materials presumed to be asbestos which have been reported and set up a response team.
- Producing the Corporate Asbestos Risk Assessment.
- Promote awareness of the hazards of asbestos and the Council's management procedures through development of this policy, induction and regular training as appropriate.
- Review the Asbestos Management Policy, support the development of procedures and attend the Asbestos Health & Safety Working Group

## **l) Employees of North Kesteven District Council**

Employees are responsible for;

- Complying with the Management of Asbestos Policy and Procedures.
- Ensuring that all incidents of damage or disturbance to asbestos or materials presumed to be asbestos are reported to their Manager, Head of Service or Housing and Property Services Team as soon as reasonably practicable.
- Reporting any concerns regarding health and safety to their Manager, Head of Service, Governance and Business Resilience Manager or the Housing Health & Safety Co-ordinator.

## **m) Council Owned Workshops and Commercial Units**

- North Kesteven District Council will provide the Council's appointed managing agents with a current asbestos survey and management plan, where appropriate to pass onto tenants.
- It will be the responsibility of each tenant to ensure they have suitable arrangements in place to carry out their responsibilities as listed in the "Management Control and Organisation" section of this policy "Responsibilities of Building Managers and Those in Control of Premises".
- The Council through the Property Services Department will review the surveys, management plans and risk assessments using a competent contractor periodically or, after significant changes.

## **n) Council Leased Workshops/Commercial Units**

- North Kesteven District Council, through its management agents will obtain a copy of the premises current asbestos survey and management plan for each of the buildings from the owner of the premises or via a direct survey.
- The Council, through its managing agents will communicate relevant information to the tenants to allow them to carry out their duties under current legislation.
- It will be the responsibility of each tenant to ensure they have suitable arrangements in place to fulfil their responsibilities as listed in the Management Control and Organisation section of this policy Responsibilities of Building Managers and Those in Control of Premises.

## **o) Leisure Contractors**

- Leisure Contractors are responsible for ensuring legal compliance and implementing appropriate asbestos management systems within the premises they manage on behalf of the Council.
- North Kesteven District Council will provide Leisure Contractors with Asbestos Surveys and the Leisure Contractors are responsible for the management plan for each of the buildings under their control.
- North Kesteven District Council's Governance and Business Resilience Manager may periodically instruct an audit of the procedures used by our Leisure Partnerships with regard to asbestos management.

## **p) Visitor Venues**

- North Kesteven District Council will ensure each of the visitor venues has an up to date asbestos survey for each site and management plan where required. The Economic Development Team will instruct the Housing and Property Services Team to facilitate the survey and plan through the Councils competent contractor.
- Copies of the asbestos survey and management plan will be held at each visitor venue and will be available to all persons including employees and contractors.
- Each visitor venue will have on site a signing in book for contractors and anyone conducting work on the fabric of the building. This signing in book will advise on the asbestos material known or assumed to be present.

## 6. Training

Training will be provided to Duty Holders, Building Mangers and any other North Kesteven employees who are identified as having a risk of possible contact with ACM's. The asbestos training matrix detailing type of training, frequency and for who, is held by North Kesteven's Human Resource department.

The Governance and Business Resilience Manager will liaise with Human Resources to establish a training programme for new and existing employees based on their roles and responsibilities under this policy and accompanying procedures;

Contractors appointed for work must demonstrate their competency to work safely including working with ACM's. Contractors carrying out work must ensure all of their employees are trained in asbestos control measures including but not limited to;

- How to identify ACM
- Procedure to follow if they disturb ACM
- Correct procedures and safe systems of work to follow when working on ACM

## 7. Notification to the Health and Safety Executive

At least 14 days prior to work commencing, the Health and Safety Executive must be notified of any work liable to give rise to asbestos of the type that is notifiable. The licensed asbestos contractor will be responsible for notifying the Health and Safety Executive and addressing any limitations or conditions they impose on the work.

## 8. Asbestos Incident Investigation and Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR)

An uncontrolled release of asbestos fibres or presumed asbestos fibres should be reported to the Governance and Business Resilience Team and a response team set up to:

- Identify remedial measures to reduce exposure
- Contain and control access to contaminated area
- Measure contamination
- Establish removal and decontamination
- Report to HSE
- Investigate cause
- Identify actions to prevent a reoccurrence
- Communication with affected persons, CMT and others as necessary

## 9. Emergency Procedures

Site specific emergency procedures for an accidental unplanned release of asbestos fibres or presumed asbestos release are detailed in the accompanying procedures. These procedures will be tested via the Asbestos Health & Safety Working Group at regular intervals.

## 10. Consultation

Executive Board Members, Members of the Corporate Management Team, Heads of Service, GMB, Unison, Property Services Officers and Lafford Homes Board will be consulted and given opportunity to make comment, recommendations, inclusions or changes to the Corporate Asbestos Policy prior to its adoption. All comments have been noted and where applicable used to produce this document.

## 11. Communication

The Corporate Management of Asbestos Policy and the accompanying procedures will be communicated to those who have a named responsibility in the policy. Publication of the policy will be via the intranet and copies of the surveys will be made available to all non-domestic premises affected.

Tenants of housing stock will periodically receive information about the presence and associated hazards of asbestos and in all cases at commencement of a tenancy as detailed in the procedures.

Tenants of non-domestic council property will periodically receive information about the presence and associated hazards of asbestos and in all cases at commencement of a tenancy as detailed in the procedures.

It is the Councils policy not to label asbestos materials. Labels have been known to cause confusion, misunderstanding of exact asbestos location and cannot be fixed securely to some surfaces. For all non-domestic commercial premises the Council occupies, (excluding communal areas of flats) the premises signing in book will be used to communicate the location or possible presence of asbestos containing material.

Contractors will also receive direct pre contract information about the location or possible presence of asbestos containing material as detailed in section F page 11 of this policy.



## 12. Policy Review

This policy will be subject to an annual review by the Governance and Business Resilience Team in conjunction with the Asbestos Health and Safety Working Group who:

- Ensure legal compliance with current legislation, specifically the Control of Asbestos Regulations 2012 and The Health and Safety at Work etc. Act 1974
- Identify significant asbestos risk.
- Make recommendation and implement arrangements to manage the identified risks in an effective and efficient way through the production of Action Plans
- Shape policy
- Identify and monitor appropriate performance indicators
- Develop, implement and communicate effective procedures
- Champion asbestos safety and contractor control across the Council
- Consider the impact of new and emerging health and safety risks, legislation and guidance
- Identify training needs
- Identify audit and assurance needs
- Identifying risks associated with the management of change
- Ensure effective communication with regard to planned, new and in progress projects
- Following a report of a non-compliance with the policy or any subsequent procedures
- Following accidental release or suspected release of ACM
- At the request of an officer of the Health and Safety Executive
- At the request of any member of the Corporate Management Team, Head of Service, Governance and Business Resilience Manager, Property Services Manager.
- Staff who have reason to believe a potential failing with the policy and procedures is likely, should raise policy issues with their line manager who will present to the Property Services Manager.

## 13. Policy Audit

The policy and the supporting procedures will be subject to appropriate competent external audit a calendar year from date of annual review.

Specific aims of the Audit review include:

- To report on the effectiveness of the policy and supporting procedures and identify areas of statutory non-compliance.
- Report on areas of non-compliance with British Standards or current health and safety legislation, guidance or approved codes of practice.
- To comment on the effectiveness of the performance management systems in place within the policy and recommend amendment/improvement where appropriate.



**North Kesteven**  
DISTRICT COUNCIL

District Council Offices, Kesteven Street, Sleaford, Lincolnshire NG34 7EF  
Telephone Number: (01529) 414155  
180912-JA2