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Health & Safety Policy

Managing Asbestos

HSP 9.17 - Managing Asbestos

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1.0 OBJECTIVE

The purpose of this policy is to set out the organisation and arrangements for managing asbestos in Essex County Council (ECC) buildings and other buildings used by Council employees.

The policy indicates the responsibilities of key personnel, including managers and contractors responsible for premises. Managers responsible for premises have a crucial role in ensuring the effective management of asbestos in their establishment.

2.0 SCOPE

All ECC staff (including Community and Voluntary Controlled), volunteers and contractors are required to comply with this policy, in order to enable the Council to meet its legal duties under the Control of Asbestos Regulations 2012 (CAR 2012).

3.0 SUMMARY OF CHANGES SINCE THE PREVIOUS VERSION OF THIS POLICY

This document replaces HSP 9.17 Managing Asbestos (V1.0 January 2016).

It has been amended to reflect a change in training requirements for Community and V/C schools where at least one person must be trained in asbestos management within the previous 3 years (section 8.0).

4.0 DEFINITIONS

Asbestos Cement – Cement containing asbestos (mainly chrysolite).

Asbestos Coating – A surface coating which contains asbestos for fire protection, heat insulation or sound insulation but does not include textured decorative coatings.

Asbestos Insulation – Any material containing asbestos which is used for thermal, acoustic or other insulation purposes, including fire protection.

Asbestos Insulation Board (AIB) – Compressed board made from asbestos fibre and hydrated Portland cement or calcium silicate with other filler materials.

Asbestos Register – A formal written record of the location and condition of known asbestos and/or presumed asbestos containing materials (ACMs) within the premises including:

- the condition of ACMs;
- an assessment of the likelihood of them being disturbed; and
- how they are to be managed.

It can be in written or in electronic form (see section 7.2 for what a register should include).

Control limit – the concentration of asbestos in the atmosphere when measured by a method approved by the Health and Safety Executive (HSE), of 0.1 fibres per cubic centimetre of air averaged over a continuous period of 4 hours.

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Control measure – the method needed to prevent or reduce exposure to asbestos fibres.

Non-domestic premises – the duty to manage asbestos covers all non-domestic premises. This includes all industrial and commercial buildings, such as factories, warehouses, offices and shops. The duty also covers public buildings such as hospitals, schools, museums, libraries, leisure centres, churches and other religious buildings. In addition, premises include structures and installations such as bridges and street furniture, such as street lighting.

Domestic premises – are classed as premises such as private houses. The duty to manage will apply to the ‘common parts’ of multi-occupancy domestic premises, such as purpose-built flats or houses converted to flats. This may include parts such as foyers, corridors, lifts staircases and garages but not the private domestic area inside each flat.

Dutyholder – Any person who has, by virtue of a contract or tenancy, an obligation of any extent in relation to the maintenance or repair of non-domestic premises or any means of access or egress to or from those premises; or, in relation to any part of non-domestic premises where there is no such contract or tenancy, every person who has, to any extent, control of that part of those premises or any means of access or egress to or from those premises.

Dutyholder’s may nominate others to carry out all or part of the work to assist in meeting the duties under CAR 2012 **however** the dutyholder’s legal responsibilities cannot be delegated.

Licensable work with asbestos – is work:

- a) where the exposure to asbestos of employees is not sporadic and of low intensity; or
- b) in relation to which the risk assessment cannot clearly demonstrate that the control limit will not be exceeded; or
- c) on asbestos coating; or
- d) on asbestos insulating board or asbestos insulation for which the risk assessment-
 - i. demonstrates that the work is not sporadic and of low intensity, or
 - ii. cannot clearly demonstrate that the control limit will not be exceeded, or
 - iii. demonstrates that the work is not short duration work.

This work can only be undertaken by a company who has an appropriate and current license issued by the HSE.

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Non-licensed (asbestos) Work – In most cases, work on asbestos such as asbestos insulation, asbestos coatings and asbestos insulation board will easily release asbestos fibres and will therefore need to be carried out by a licensed contractor. Licensing will not apply to short-duration work where the risk assessment shows the work will only produce sporadic and low intensity exposure and will not exceed the control limit. All work will need to be checked against the criteria set out in the definition of licensable work above.

Notifiable Non-licensed Work (NNLW) – Work being carried out on asbestos which does not require a license from the appropriate enforcing authority. This work must still meet the requirements of CAR 2012. The employer must:

- Notify the work with asbestos with the relevant enforcing authority;
- Designate the area where work with asbestos is being done;
- Ensure medical examinations are carried out for workers doing NNLW;
- Maintain health records for employees carrying out NNLW;
- Ensure NNLW is only carried out by trained and competent workers in accordance with a plan of work, using appropriate control measures to prevent exposure and the spread of asbestos.

Short duration work of low intensity – work with asbestos is not “short duration work” if, in any seven day period:

- a) That work, including any ancillary work (set up, cleaning and clearing up etc.) liable to disturb asbestos, takes more than two hours; or
- b) Any person carrying out that work for more than one hour.

Exposure to asbestos is not sporadic or low intensity if the concentration of asbestos in the atmosphere exceeds or is liable to exceed the control limit of 0.6 fibres per cubic centimetre (f/cm³) in the air measured over a ten minute period.

United Kingdom Accreditation Service (UKAS) – the sole accreditation body recognised by government to assess, against internationally agreed standards, organisations that provide certification, testing, inspection and calibration services. Accreditation by UKAS demonstrates the competence, impartiality and performance capability of these evaluators.

Work with Asbestos – includes:

- Work which removes, repairs or disturbs asbestos;
- Work which is ancillary to such work (supplementary i.e. preparation work);
- Supervising the work referred to above.

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5.0 STATEMENT OF INTENT

ECC acknowledges the health hazards arising from the exposure to asbestos and recognises its responsibilities to protect employees, contractors, clients/pupils and other third parties from exposure to asbestos, so far as is reasonably practicable.

The Council shall:

- Carry out an initial Management Survey of all ECC premises built before 1999 to identify the location and condition of asbestos containing materials (ACMs) (see **Appendix 2**);
- Where ECC premises are built after 1999, seek a statement from the architect that no ACMs were used in the construction;
- Ensure that managers responsible for premises have a system in place to ensure work is not undertaken on Council buildings without the prior assessment for asbestos ACMs;
- Provide information, guidance and training for managers responsible for premises and other key managers to ensure they are aware of their role with regard to the management of asbestos;
- If an emergency arises (i.e. if asbestos is damaged or disturbed by accident) ensure that premises managers take all practicable steps to eliminate any risks to persons occupying the areas;
- Ensure that managers responsible for premises have a written asbestos management plan for premises under their control.

6.0 RESPONSIBILITIES

6.1 The Council

The following apply where the Council is the employer or has responsibilities under the term of the lease.

6.2 Chief Executive

Ultimate responsibility and accountability for the management of asbestos rests with the Chief Executive. The Chief Executive is responsible for ensuring the responsibilities of the dutyholder are carried out through the management structure of the organisation.

6.3 Executive Directors

Executive Directors have overall responsibility for ensuring arrangements are in place in their Functions for the effective management of asbestos. They are responsible for ensuring that this policy is implemented, and that appropriate training is provided for those with local responsibility for compliance.

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6.4 Directors and Heads of Service

Ensuring that arrangements are in place for the effective management of asbestos in premises under their area/service control. In particular, they are responsible for ensuring this policy is implemented and appropriate resource/training is provided.

6.5 Director of Corporate Operations

The Director in charge of Essex Property and Facilities management (EPF) is responsible for ensuring that EPF commission services to competent contractors in order for ECC to fulfil its legal responsibilities in managing asbestos risks on behalf of the Chief Executive in EPF/Mitie Managed ECC non-school premises. This includes:

- Ensuring adequate resources are provided to identify, access, control and monitor the arrangements for managing asbestos risks within EPF/Mitie Managed non-school premises, through EPF;
- Ensuring that where asbestos containing material within EPF/Mitie Managed non-school premises is reported as damaged or are liable to release fibres posing a risk to occupants, appropriate action is taken to make safe or remove within deadlines as per the advice of a competent asbestos survey company;
- In the event of a suspected/confirmed release of asbestos fibres within EPF/Mitie Managed non-school premises, ensure that the appropriate action is taken to mitigate the risks of exposure.

6.6 Essex Property and Facilities

Essex Property and Facilities management (EPF) have various responsibilities relating to managing ECC sites and buildings, including for the statutory health and safety compliance for the management of asbestos on relevant properties. EPF must ensure the following for ECCs EPF/Mitie Managed non-school property portfolio:

- Adequate resources are provided to identify, control and monitor the arrangements for managing asbestos risks within EPF/Mitie Managed non-school premises;
- Only the services of competent contractors are commissioned, as defined in the Health and Safety Executives ACOP, L143, 'Managing and working with asbestos' and HSG264, 'Asbestos the Survey Guide';
- Where the premises (or any part) was built before 1999, there is an up to date asbestos register which reflects the premises and its use;
- An up to date 'management plan' is available and shared with appropriate staff;
- Where asbestos containing material is identified, the risk from these are assessed and the appropriate controls actioned, including condition monitoring with records kept;
- A 'refurbishment and demolition' survey is carried out for any planned destructive works, only using a competent asbestos survey company, who follow the requirements of HSG264, 'Asbestos the Survey Guide' and are UKAS accredited to produce management or refurbishment and demolition surveys.

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- Asbestos removal is carried out by a HSE licensed contractor and records are kept including licensed waste consignment notes;
- Where asbestos containing material within EPF/Mitie Managed non-school premises is reported as damaged or are liable to release fibres posing a risk to occupants, appropriate action is taken to make safe or remove within deadlines as per the advice of a competent asbestos survey company;
- In the event of a suspected/confirmed release of asbestos fibres within EPF/Mitie Managed non-school premises, ensure that the appropriate action is taken to mitigate the risks of exposure;
- Records of associated asbestos works are kept for the life of the building or it is demolished or until ownership is transferred to another organisation.

6.7 Essex County Council's Property Facilities Service Provider

Essex County Council's chosen partner for the provision of its facilities management services is Mitie. As part of this partnership, Mitie are responsible for ensuring that asbestos risks within EPF/Mitie managed premises (excluding ECC maintained schools) are identified and the appropriate controls for minimising asbestos risks are implemented on the authority of EPF, so that ECC meets its statutory obligations in relation to managing asbestos. This includes ensuring that;

- All EPF/Mitie managed premises built before 1999 have an asbestos register carried out by a UKAS accredited asbestos survey company, meeting the requirements of the Health and Safety Executives ACOP, L143, 'Managing and working with asbestos';
- All EPF/Mitie managed premises have an asbestos 'Management Plan'. Where built after 2000 and there is no ACM then this should be noted on the plan;
- Where ACMs are identified, the risk from these are assessed and the appropriate controls actioned, including condition monitoring with records kept;
- The asbestos register and associated documentation is kept up to date, reflecting any changes such as removal works and are available at each premises;
- Where commissioned, only use competent asbestos survey companies, who follow the requirements of HSG264, 'Asbestos the Survey Guide' and are UKAS accredited to produce management or refurbishment and demolition surveys;
- Where commissioned, ensure that only an appropriately HSE licensed asbestos removal company is used, the asbestos register is updated and that all records of removal, including licensed waste consignment notes are provided to ECC EPF.
- Assurance is provided that where removal works have been carried out that it is safe to reoccupy that part or parts of the building;
- Where asbestos containing material within Mitie managed ECC non-school premises is reported as damaged or are liable to release fibres posing a risk to occupants, EPF are notified and the appropriate action is agreed and taken to make safe or remove within deadlines as per the advice of a competent asbestos survey company.

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6.8 Infrastructure Delivery

The Infrastructure Delivery team have various responsibilities relating to the management of asbestos when commissioning capital expenditure projects, including ensuring that:

- Adequate resources are provided to identify, control and monitor the arrangements for managing asbestos risks as part of the project scope of works;
- Only the services of competent contractors are commissioned, as defined in the Health and Safety Executives ACOP, L143, 'Managing and working with asbestos' and HSG264, 'Asbestos the Survey Guide';
- Where the premises (or any part) was built before 1999, the current premises asbestos register and its limitations is shared with relevant parties such as the Principal Designer;
- A 'refurbishment and demolition' survey is carried out and communicated to relevant parties for any planned destructive works, only using a competent asbestos survey company, who follow the requirements of HSG264, 'Asbestos the Survey Guide' and are UKAS accredited to produce management or refurbishment and demolition surveys.
- Where asbestos removal is carried out, it is only done by a HSE licensed asbestos removal company and records are kept;
- Asbestos waste is disposed of in accordance with the Hazardous Waste Regulations and the ECC 'Waste Management Procedure' [HSP 9.15];
- Post works, copies of any documentation relating to asbestos works is passed to the premises occupier;
- Records of associated asbestos works are kept for the life of the building or it is demolished or until ownership is transferred to another organisation.

6.9 Essex County Council Community and Voluntary Controlled Schools

Headteachers have responsibility for ensuring that this policy is implemented within their premises. As the person in control of the premises, they are the designated 'Dutyholder' and must ensure:

- Where the premises (or any part) was built before 1999, there is an up to date asbestos register available. This should include a suitable and sufficient Asbestos Survey and risk assessment that reflects the premises and its use;
- An up to date 'management plan' [HSF126] is available and shared with appropriate staff;
- Where staff, visitors or contractors could potentially disturb known ACMs, they are informed of the location(s) and instructed not to disturb it;
- All contractors sign that they have read and understood the asbestos survey, including noting its limitations (i.e. it is a non-intrusive survey) on the contractors monitoring sheet [HSF128];
- Appropriate arrangements are in place for monitoring and recording the condition on known ACMs on an asbestos monitoring sheet [HSF127] and that the appropriate action is taken should there be any noted deterioration or disturbance of ACMs;

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- Where there are any building works undertaken within the school, there must be certainty that asbestos fibres will not be disturbed. A 'refurbishment and demolition' survey of the areas where the work is to take place is usually needed in order to identify the presence of less easily accessible asbestos. Only a competent asbestos survey company, who follow the requirements of HSG264, 'Asbestos the Survey Guide' and are UKAS accredited to produce management or refurbishment and demolition surveys are to be used to produce this;
- Where asbestos removal is carried out, it is only done so by a HSE licensed asbestos removal company and records are kept;
- Asbestos waste is disposed of in accordance with the Hazardous Waste Regulations and the ECC 'Waste Management Procedure' [HSP 9.15];
- They and staff with responsibilities for managing asbestos are competent to do so (see section 8.0);
- Records of associated asbestos works are kept for the life of the building.

Where the school is under a PFI contract, the Headteacher will need to work closely with the PFI provider and seek assurance that the ECC requirements above are being met with records kept and available.

Further guidance is available on HSG 011 'Additional School Asbestos Guidance'.

6.10 Employees

Employees have a duty not only for their own health and safety but also to co-operate with their employer (the County Council) in the implementation and maintenance of its arrangements to satisfy its statutory duties for health and safety. Employees therefore have a responsibility to:

- Avoid damaging or disturbing asbestos-containing material;
- Report any damage to known or suspected ACMs to their line manager;
- Stop any work that has damaged or disturbed any known or presumed asbestos-containing material and report it to their manager without delay;
- Attend training on asbestos if identified as a requirement to carry out their role.

6.11 As a person with responsibility for premises built before 1999, what do I need to do?

Where a person(s) is responsible for a premises built before 1999, they must ensure that reasonable steps have been taken to determine the location of materials likely to contain asbestos. The following needs to be ensured:

- the premises has an asbestos register;
- other materials are presumed to contain asbestos, unless there are good reasons not to do so (see **Appendix 3** for information about asbestos);

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- assess and monitor the condition of known ACMs and presumed ACMs;
- assess the risk of exposure from ACMs and presumed ACMs and prepare a written plan of the actions and measures necessary to manage the risk (i.e. the management plan); and
- take steps to see that these actions are carried out.

The dutyholder may delegate certain responsibilities to a person regarding the management of asbestos but it must be ensured that the below actions are covered:

- keeping the asbestos register up-to-date, recording the location, condition, maintenance and removal of all ACMs on the premises;
- the repair, seal or removal of ACMs if there is a risk of exposure due to their condition or location;
- maintaining ACMs in a good state of repair and regularly monitoring their condition;
- informing anyone who is liable to disturb the ACMs about their location and condition;
- arrangements and procedures in place so that work which may disturb the ACMs complies with CAR 2012; and
- review the plan at regular intervals and make changes if circumstances change.

7.0 ASBESTOS REGISTERS, SURVEYS AND PLANS

7.1 What should the asbestos register include?

The asbestos register should be up-to-date and maintained. It should contain the following:

- A management survey carried out by a competent company that has, as far as reasonably practicable, located and recorded the location, extent and product type of any presumed or known ACMs;
- A colour plan/drawing of the premises with the locations surveyed clearly identifiable;
- A risk assessment of how any ACMs should be managed;
- The asbestos management plan [HSF126];
- Record of contractors' inspection of asbestos register [HSF128].

Records of asbestos condition monitoring, removal and licensed waste removal may be kept within the register however, in order to keep the register concise these should be kept safely in a separate folder.

7.2 Asbestos management survey

All buildings built before 1999 must have a management survey (previously known as 'Type 2' surveys) unless it can be determined that no ACMs were used in its build or within its plant.

In 1999 the Council started a comprehensive programme of asbestos surveys of all of its buildings which included all Community and Voluntary Controlled schools being surveyed and

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supplied with an asbestos register. Foundation and Voluntary Aided schools arranged for their own asbestos surveys to be carried out which were grant-aided by the Council. Further information on the history of how ECC have managed asbestos can be found in **Appendix 2**.

The management survey is restricted to reasonably accessible parts of the building and no intrusion is made into the structure or ducts. For example, areas above suspended ceilings will only be surveyed if easily removable “lay in” type ceiling tiles are in place. It is important that the limitations of the survey are communicated to anyone who is likely to carry out any intrusive works or maintenance.

Where it is decided to commission a new management survey, only a competent UKAS registered survey company must be engaged. The survey should be carried out following the requirements of HSG264, ‘Asbestos the Survey Guide’. The survey should include:

- executive summary;
- introduction covering the scope of work;
- general site and survey information;
- survey results (including material assessment results);
- conclusions and actions;
- bulk analysis results.

It is important that the survey is checked by the client to ensure that it is accurate including;

- it meets the original tender requirements;
- there are no unagreed caveats or disclaimers;
- it is the correct survey commissioned: management or refurbishment and demolition;
- the diagrams and plans are clear and accurate;
- all rooms and areas have been accessed;
- sufficient samples have been taken and that sample numbers are not disproportionate (e.g. dominated by one ACM type);
- the sample numbers reflect variations in the ACMs e.g. different ceiling tiles in the same room;
- if there are any obvious discrepancies or inconsistencies.

Further guidance on surveying companies is available on the asbestos survey companies form [HSF124] and what should be included in a management survey, asbestos survey specifications guidance [HSG008]. Schools should always seek advice from their property consultant when they commission new surveys.

7.3 Risk assessing ACMs

Under CAR 2012, there is a requirement to assess the risk of exposure to asbestos fibres from ACMs. EPF are responsible for ensuring that all EPF/Mitie managed non-school buildings have had an assessment carried out and that appropriate action is taken, and plans to manage

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ACMs are in place. Asbestos registers contain information that assists in this process, and the following action should be taken:

- Access the risk from the asbestos-containing materials (the material assessment);
- Assess the risk of someone disturbing the asbestos-containing materials (the priority assessment);
- With this information, decide how you are going to manage the risk. You may need to take appropriate action such as sealing, protecting or removing the material. You must ensure that the register is available to anyone carrying out work on the premises;
- Produce an asbestos management plan.

Schools are advised to obtain advice from their property consultant when carrying this out.

7.4 Asbestos refurbishment and demolition survey

Where intrusive works are proposed such as alterations to building walls or ceilings, a 'refurbishment and demolition' (R&D) survey (formally known as a 'type 3' survey) must be commissioned against the scope of works being carried out. It must be commissioned to a competent company who are UKAS registered. The survey should be carried out following the requirements of HSG264, 'Asbestos the Survey Guide' before the works are carried out. Any work on identified ACMs that may be disturbed or need removing must only be carried out by an appropriately HSE licensed asbestos removal company. The survey should include the same sections as a management survey (section 7.2) but with samples specific against the proposed areas of refurbishment and scope of works. The R&D survey should then be used to update the management survey where appropriate.

Further guidance on surveying companies is available on the asbestos survey companies form [HSF124] and what should be included in a management survey, 'Asbestos survey specifications' guidance [HSG008]. Schools should always seek advice from their property consultant when commissioning new surveys.

7.5 Asbestos management plan

CAR 2012 requires the production of a written asbestos management plan that sets out how the risks from ACMs are to be managed on a day to day basis. It is recognised that there is no 'standard' plan for all premises but it should reflect the size and complexity of the building, the amount of asbestos present and the management and maintenance arrangements in place.

ECC have produced a generic template, 'Asbestos Management Plan Template' [HSF126] which may be used but for large or complex premises may not be appropriate. The following therefore gives more detail on what information the HSE expect to be included in an asbestos management plan:

- **Employee responsibilities** – Give the name of the person responsible for managing asbestos in the building, for keeping the register up-to-date and for producing and reviewing the plan. Give the name of the premises manager and state that they have been made of the plan's contents.

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- **Reviewing the plan** – You will need to check that the arrangements to control the risk, set out in your plan, have been put in place and are working effectively. You must also review the plan if there are significant changes that will affect these arrangements, for example if the use of a room is changed and an ACM becomes more likely to be disturbed as a result of this, or if new areas of asbestos are discovered that should have been identified in the original Asbestos Management Survey, or if any damage to ACMs occurs. The plan should also be reviewed following any removal of ACMs. State how often the plan will be reviewed. The frequency of review will depend on how likely the arrangements could go wrong (asbestos management plans should normally be reviewed every six months but for small, straight forward premises an annual review will be sufficient). The plan should be dated with a space for the date of the last review.

Reviewing the plan is independent of the need to monitor the condition of the asbestos in the building (see below).

- **How the location and condition of asbestos-containing material is recorded** – The asbestos register should include a survey of the premises which identifies known or presumed ACMs and their condition. State that there is an asbestos file that contains this survey and any other information on asbestos in the building that might be available. Also state where the register is kept.
- **Results of the risk assessments and action required (if any)** – You should produce an action plan, which will say what is going to be done, when and how. If the register contains priority assessment scores, use these to justify the decisions made. The action plan can be a simple list provided that it clearly shows the priorities and a timetable for action. Where decisions have been made about management options you include the rationale. There is no need to record in the plan any work on ACMs that has already been carried out. If there is no need to carry out any further work for the time being it will only be necessary to make a statement to that effect.
- **Monitoring of asbestos in the building** – State the arrangements for monitoring the ACMs left in place, including those that have been sealed or enclosed, in order to make sure that their condition has not changed. The time between inspections will depend on the type of material, where it is and its condition. As a minimum it should be every six to twelve months, but some materials may need inspecting more frequently, for example asbestos insulating board panels on the walls of a constantly used corridor may need inspecting once a month. Monitoring inspections should be recorded.
- **How information about asbestos in the building is passed to those that need it** – Where employees could disturb or damage ACMs, they should be informed of the relevant location of these. It should be stated how this is to be communicated. Also, state what arrangements are in place to make sure that no-one (including contractors, maintenance workers, voluntary workers or staff) carries out any work in the building without being informed that the materials they are working on may contain asbestos or about the limitations of the register i.e. it is a non-intrusive survey. This procedure should allow for staff absence due to illness etc. State whether warning labels have been used (see section 7.6 for further advice on the labelling of ACMs).
- **Training** – Provide information on who has received training on asbestos management,

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their job title and when it took place. Premises managers and Headteachers are normally required to receive this training but it is also appropriate for other staff with any delegated responsibilities. Any persons trained must have the experience and ability to implement this policy effectively (i.e. is able to set up and maintain a system for controlling work in the building, advise staff etc.) and should report directly to the premises manager any asbestos issues. See section 8.0 for further information.

7.6 Labelling of ACMs

Careful consideration must be given to the labelling of ACMs. Labelling may cause unnecessary concern and worry to people who may not be aware that when in good condition and handled properly ACMs are not a danger to health.

When considering labelling the following should be taken into account:

- Asbestos in public areas should not generally be labelled;
- Where labelling could result in damage by vandalism it should not be used;
- Where there are large areas of the premises containing ACMs, labelling should not be carried out;
- Labels are best used where contractors or maintenance personnel have unsupervised access to remote areas containing ACMs.

The management plan should reflect where labelling is used. Examples of labels to be used are:



7.7 Licensable or non-licensable work on ACMs in ECC buildings

It is ECC policy that any work in Council buildings that is likely to disturb ACMs including the removal must only be undertaken by a licensed contractor, regardless of whether the work is licensable or non-licensable. This applies to ECC Community and Voluntary Controlled schools.

Note: Non Community or V/C schools that purchase a service from ECCs Corporate Health and Safety should adapt this policy. If the school wishes to work on asbestos it should always engage the school's Property Consultant for advice. A flowchart to aid the decision on whether work on asbestos is licensable or non-licensable is provided in **Appendix 1**. Where the premises decide to carry out Notifiable Non-licensed Work (NNLW), they need to ensure that medical examinations are carried out for workers doing the NNLW.

7.8 Management of asbestos waste

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Asbestos waste is classed as 'hazardous waste' in accordance with the Hazardous Waste Regulations and must be disposed of in accordance with the ECC 'Waste Management Procedure' [HSP 9.15].

8.0 COMPETENCE AND TRAINING

Employees who have responsibilities for managing asbestos within ECC premises must be competent to do so. In order to carry out these duties, they must:

- Have read this policy and associated documentation;
- Attended ECCs 'Managing Asbestos' training;
- Recognise the limitations of their competence and obtain further advice from their property consultant where required;
- Keep their skills and knowledge up to date.

Community and V/C schools (if all or part of the premises was built before 2000 and there is no architects statement available that asbestos was not used) are required to have at least one member of staff who has been trained in asbestos management within the previous 3 years. This would normally be the site supervisor and/or a member of the senior management team.

In order to meet the required training standard, it should have been delivered either:

- By ECC Corporate Health and Safety; or
- If arranged through another competent provider of asbestos management training. Proof of completion of the training (such as an attendance certificate) must be sent to the ECC Corporate health and Safety Team by e-mail at hs@essex.gov.uk

Line managers need to ensure that where staff have responsibilities for managing asbestos, they are provided with sufficient information and support, including attending appropriate training as required by ECCs 'Training, Awareness and Competency' [HSP 6.0]. For school establishments, asbestos training is available through EES <https://www.eescpdportal.org/>

9.0 MONITORING AND REVIEW

The following is required;

- The management plan, including records and drawings should be reviewed every 12 months; or
If there is reason to believe that it is no longer valid i.e. change of use of building, ACMs removed.
- Any identified ACM or suspected ACM must be inspected and its condition assessed periodically, checking that there has been no deterioration or damage. The frequency should be determined as per the risk assessment and records kept.

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- The asbestos risk assessment should be reviewed by a competent person if:
 - There is reason to suspect it is no longer valid;
 - There is doubt about the efficiency of the control measures i.e. there has been a disturbance of ACMs;
 - There have been significant changes in the premises.

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10.0 RECORD KEEPING

The following records must be kept and where noted for the frequencies indicated.

- **Health records for *Non-notifiable licensed work*** – From May 1st 2015, anyone carrying out NNLW should be medically examined under CAR 2015. Workers carrying out NNLW for the first time must have the examination before the work commences. The examination does not need to be carried out by an HSE-appointed doctor and should be repeated every 3 years (or shorter if advised by a doctor) whilst the employee continues to carry out NNLW. From this there should be a health record that the employee can access on request. This should be kept for 40 years from the last date of entry or until the employee reaches 80 years old. The employer must:
 - Enter the employees carrying out the work in a register or record, indicating the nature and duration of the activity and the exposure to which they have been subjected;
 - Have a recording and planning system which records the date of the last examination and brings forward the next required medical examination date for each individual;
 - Keep the certificate of examination for at least 4 years from the date of issue.
- **Uncontrolled release of asbestos** – Where an employee has potentially been exposed to asbestos fibres in an incident, a note that the exposure has occurred must be made on that employee's health record. If the employee does not have a health record, the note must be made on that employee's personal record. It should be kept for 40 years from the last date of entry or until the employee reaches 80 years old whichever is longest.
- **ACM monitoring records** – As per the frequency determined by the risk assessment.
- **Asbestos management plan** [HSF 126]
- **Record of Contractors' inspection of asbestos register** [HSF 128]
- **Training records and certificates**

11.0 EMERGENCY PROCEDURES IF ASBESTOS IS DAMAGED OR DISTURBED

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If material containing or is suspected of containing asbestos is damaged or disturbed by accident or during maintenance works, the following should be followed:

- **STOP** all work in progress in the area. Do not attempt to clear up suspected debris;
- Clear everyone from the affected area
- Close the area off;

- Prevent access to or through the area;
- Notify:

Essex County Council Non-school Properties

- 1) Contact the Mitie helpline – 03330 013 22 88 - Out of hours: 0845 0709709
- 2) Mitie are to inform EPF and Corporate Health and Safety relating the incident
- 3) The Function Director

Essex County Council Community and Voluntary Controlled schools and other schools purchasing a service from ECC Corporate Health and Safety

- 1) The schools Property Consultant or Competent Asbestos Surveyor (action may involve analysis of samples, removal of asbestos and air tests)
- Inform your line manager;
 - Retain all documentation relevant to the work being carried out;
 - Complete a list of people in the area at the time of the incident and who may have been exposed to dust released from the material; **and**
 - Complete an ECC online accident / incident form.

12.0 PROCEDURES IN THE EVENT OF ACCIDENTAL EXPOSURE

In the event of an incident in which any person becomes contaminated with asbestos (or suspected asbestos) dust or debris, the first priority is to prevent or minimise exposure of the person concerned and others, and the prevention of further contamination of the site. The following action should be taken:

- The exposed person should leave the contaminated area;
- They must remove contaminated clothing as soon as possible (outside but close to the contaminated area) and wash down or shower if this facility is available;
- The contaminated clothing must be placed inside a polythene bag, sealed, then put in a second polythene bag; it must be clearly labelled with a label stating “contains asbestos”;
- The area where clothes are removed/stored should be treated as contaminated (see section 11);
- Identify areas that may have been contaminated as a result of movement around the premises and close these off as a precaution. Treat as contaminated (see section 11).

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Further action with regard to the clothing will depend on whether it is confirmed that it has been contaminated with asbestos, whether it can be cleaned or whether it has to be disposed of.

13.0 REPORTING OF INCIDENTS

Incidents relating to the disturbance or possible exposure of ACMs should be reported as per the ECC Accident Reporting Policy [HSP 12.0].

Where a confirmed exposure to asbestos has occurred in an ECC site or a Community or Voluntary Controlled school, Corporate Health and Safety will investigate which may result in the employee(s) being referred to Occupational Health.

Non Community or Voluntary Controlled schools purchasing a service from Corporate Health and Safety may need to refer their employees to the Occupational Health provider.

14.0 REFERENCES

14.1 HSPs

- HSP 6.0 Training, Awareness and Competency
- HSP 9.15 Waste Management
- HSP 12.0 Accident Reporting

14.2 HSFs, HST and HSGs

- HSF 125 Asbestos Survey Companies
- HSF 126 Asbestos Management Plan Template
- HSF 127 Asbestos Monitoring Sheet
- HSF 128 Record of Contractors' Inspection of Asbestos Register
- HSG 008 Asbestos Survey Requirements
- HSG 011 Additional School Asbestos Guidance

14.3 Links to Other Websites

Further information can be found on the following websites:

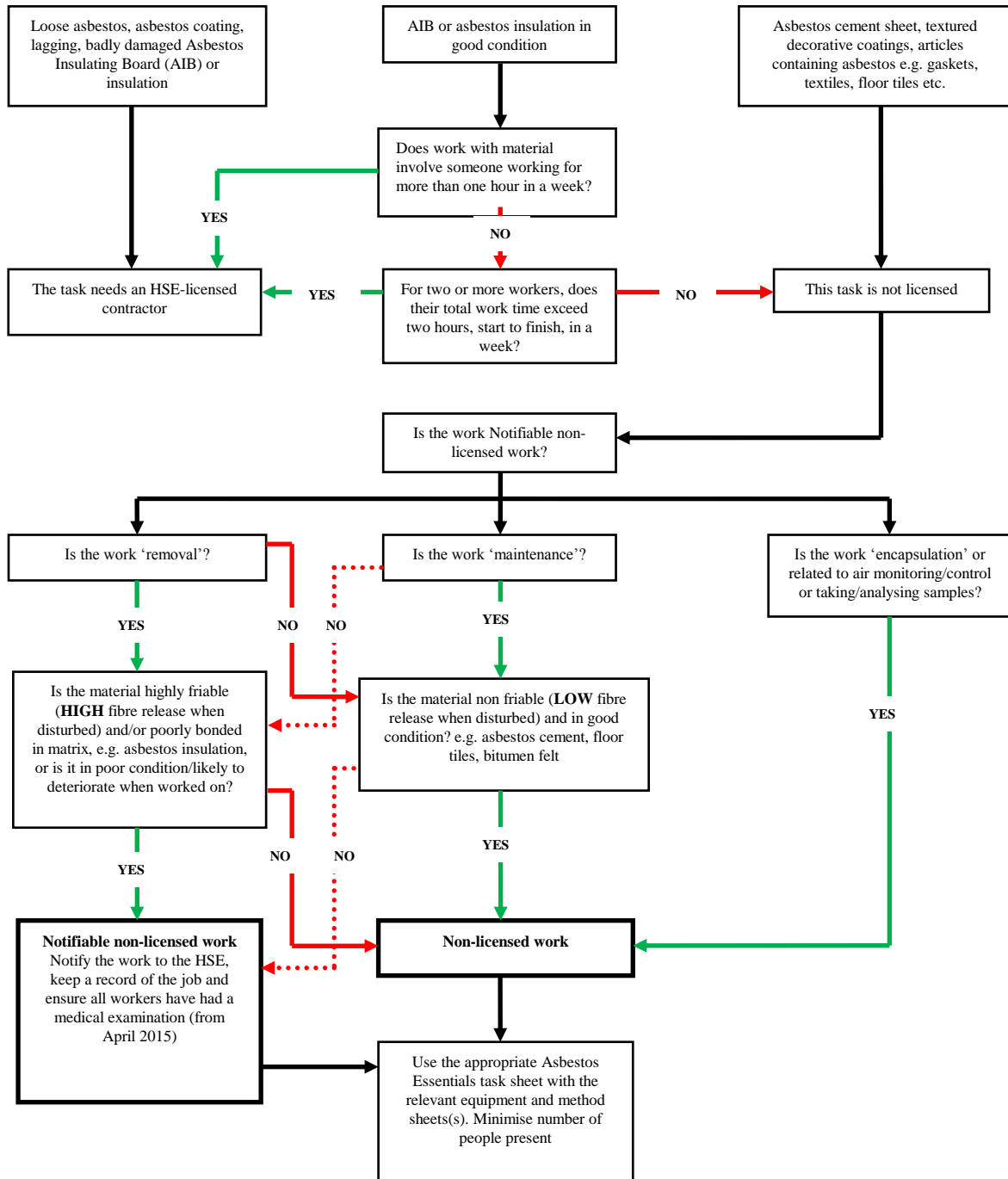
<http://www.hse.gov.uk/>

<http://www.ukas.com/>

<https://www.eescpdportal.org/>

APPENDIX 1 – Asbestos work decision flowchart

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APPENDIX 2 – Asbestos management history in ECC premises

Pre 1999

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During the mid to late 1980s, ECC introduced a number of measures concerned with the management of asbestos in its premises. Surveyors based in the ECC surveyors offices undertook surveys of ECC buildings to identify the presence of asbestos and the results were distributed to individual premises in the form of a log sheet. These surveys were never intrusive so will only refer to asbestos that can be seen or was previously known to exist.

Prior to the surveys in the 1980s, there had been earlier surveys in the 1970s to identify two types of asbestos product thought at that time to be a significant hazard. They were:

- **Sprayed asbestos insulation** – This was commonly, although not exclusively found as the finishing coat on the undersides of floors in multi-story blocks. Its primary purpose was sound insulation and due to its accessibility to building users and the ease with which it could be damaged, a policy decision was taken to remove or encapsulate it. On the few occasions where encapsulation took place, further work was generally undertaken to remove the material at a later date.
- **Pipework and boiler insulation** – An on-going programme of stripping of pipework and boiler plant was undertaken over a number of years. The insulation was replaced with a non-asbestos material.

Note: On many sites, partial removal of other asbestos products (e.g. asbestos insulation board and asbestos cement) will have taken place. There has never been a policy to remove all such products. However, where disturbance was to be caused as a result of a building project, the relevant asbestos would have been removed. Some residual asbestos material was sometimes left after asbestos removal which remains a residual hazard. Where previously stripped items are encountered, a full risk assessment of the extent of any ACMs should be undertaken prior to any disturbance taking place. Competent advice should always be sought from a UKAS accredited surveying company.

1999 onwards

In order to ensure the continuing effective management of asbestos a programme of resurveying of all ECC premises was initiated in 1999 undertaken by a specialist survey company and with the contract being supervised by Atkins Asset Management and NPS Property Consultants.

The survey carried out was known as a 'Type 2 - Standard sampling, identification and assessment survey', now known as a 'management survey' (see section 7.2 for a definition of a management survey).

Following the survey, a register for each property was produced by the specialist survey company that identified the location, condition and extent of the ACMs. The opportunity was also taken to identify man-made mineral fibre material (MMMMF) which is an irritant material and which in some forms requires the use of protective measures when handling or working e.g. installing or removing loft insulation. The register was reviewed by the Council's property consultants and then forwarded to the property.

APPENDIX 3 – About asbestos

What is asbestos?

Asbestos is a term used for a number of naturally occurring minerals which have crystallized to form minute long, thin fibres which cannot be seen by the naked eye. The fibres have a high

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tensile strength with chemical, electrical and heat resistance. Asbestos was widely used because of these properties, either raw (e.g. textiles and insulation) or more often combined with other materials (e.g. insulation board and asbestos cement).

Extensively used between 1950 and 1980, certain types of asbestos were gradually banned, with the use of all types being finally banned in 1999. Any structures built from 2000 onwards should not contain ACMs.

Why is asbestos dangerous?

Breathing in air that contains asbestos fibres may lead to an asbestos-related disease, mainly cancers of the lung and chest lining.

Asbestos is only a risk to health if asbestos fibres are released into the air and inhaled. It is estimated that 5000 people die from asbestos related illness each year in the UK (Source – Health and Safety Executive statistics). There is no cure for asbestos related diseases and should these develop following an exposure, it may take between 15 to 60 years.

Exposure to asbestos fibres does not necessarily mean that an asbestos related illness will occur but exposure should be avoided. It is highly unlikely that a single or repeated low-level exposure will lead to asbestos related diseases. High exposures for long periods are more clearly linked to these diseases.

There are three main types asbestos:

- Amosite – Brown asbestos
- Chrysotile – White asbestos
- Crocidolite – Blue asbestos

Using colour to identify them is not sufficient. All of them are dangerous with amosite and crocidolite being considered more dangerous than chrysotile.

Although it is now illegal to use asbestos in the construction and refurbishment of any premises, many thousands of tonnes of it were used in the past and much of it is still in place. As long as it is in good condition and is not being disturbed or damaged there is no risk. If however it is disturbed or damaged, it can become a danger to health because asbestos fibres are released into the air and people can breathe them in.

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Who is at risk?

People who use premises where asbestos containing materials have deteriorated or been damaged and fibres are released can be at risk. Vandalism may result in the release of fibres e.g. damage to an asbestos panel in a school which has been kicked by a pupil. However, the most likely way for asbestos to be disturbed is through construction or maintenance activities, even where the job is small such as installing telephone, electrical equipment, shelving or CCTV.

Therefore anyone whose work involves drilling, sawing or cutting into the fabric of buildings containing ACMs, such as caretakers and contractors could potentially be at risk as they may breathe in asbestos fibres during their day to day tasks.

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Contact the **Corporate Health and Safety Team** on **03330 139818** or by email at **hs@essex.gov.uk**