

Issue details	
<b>Title:</b>	<b>Asbestos Policy &amp; Management Plan for Housing</b>
<b>Version number</b>	<b>Version 4.0</b>
<b>Officer responsible:</b>	<b>Compliance &amp; Cyclical Servicing Team Manager</b>
<b>Authorisation by:</b>	<b>Housing Review Board</b>
<b>Authorisation date:</b>	<b>November 2023</b>

History of most recent policy changes			
Date	Page	Change	Origin of Change e.g. (Change in legislation)
7 <sup>th</sup> February 2022	All	Policy reviewed by Property & Asset Service Manager & Compliance & Cyclical Servicing Team Manager following a near miss incident – refer to H & S log. No amendment was required to the policy.	
16 <sup>th</sup> August 2023	19	Performance Management	SWPA Audit Recommendation

## **1 Previous Policies/Strategies**

Version 3

## **2 Why has the council introduced this policy?**

This document represents East Devon District Council's commitment, in line with the Control of Asbestos Regulations 2012 (CAR), to the management of asbestos in their premises. It sets out East Devon District Council's overall policy relating to asbestos in their premises and describes the management plan required by Regulation 4 of the CAR.

## **3 What is the council's policy?**

### **3.1 Scope**

This Asbestos Policy covers the management and control of asbestos in East Devon District Council Housing Properties. It specifically excludes all other property to which East Devon District Council have responsibility (Property Services, Street scene, Corporate Estates).

### **3.2 Introduction**

This document represents East Devon District Council's commitment, in line with the Control of Asbestos Regulations 2012 (CAR), to the management of asbestos in their premises. It sets out East Devon District Council's overall policy relating to asbestos in their premises and describes the management plan required by Regulation 4 of the CAR.

### **3.3 Policy Statement**

This policy supplements the East Devon District Council Health & Safety Policy Arrangements and commitment to Health and Safety by complying with the requirements of the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. In securing this compliance, East Devon District Council will do everything that is reasonably practicable to eliminate or reduce the risks to which staff and the public are exposed as a result of its activities.

As owners and managers of property, East Devon District Council have a duty of care to ensure that staff and public can use the relevant buildings and facilities safely. This extends to ensuring that staff and public are safe from risks associated with Asbestos.

East Devon District Council are committed to:

1. Protect, as far as reasonably practicable, staff, contractors and visitors to East Devon District Council housing properties (owned or managed) from any exposure to asbestos fibres.
2. Provide adequate resources in support of this Asbestos Management Plan.
3. Identifying, so far as is reasonably practicable all Asbestos Containing Materials (ACMs) in East Devon District Council housing stock.
4. Maintain an Asbestos Register of all ACMs identified and make it freely accessible to those undertaking work on East Devon District Council housing properties.
5. Implement and maintain an effective Asbestos Management Plan to ensure all ACMs are maintained in a safe condition or alternatively are isolated or removed.
6. Promote awareness of the risks from ACMs and the Asbestos Management Plan through training and induction of relevant staff and contractors.

7. Appoint a competent and suitably qualified person to undertake the role of Appointed Person as identified in HSE guidance HSG264 "Asbestos: The Survey Guide". This role will carry the title Cyclical Servicing and Compliance Team Manager.
8. Only engage appropriately trained, qualified and competent persons to undertake any work with ACMs. This includes Management, Surveying, Abatement and Removal.
9. Provide adequate and timely resources to enable effective implementation of the Asbestos Management Plan.
10. Regularly review the Asbestos Management Plan

This policy is formally accepted by the Interim Chief Executives. The Interim Chief Executives will do all that is reasonably practicable to comply with its requirements, and will make the necessary resources available.

### **3.4 Roles and Responsibilities**

- 3.4.1 The Duty Holder, acting as the employer on behalf of East Devon District Council, has a responsibility to support this policy by ensuring the allocation of resources including an adequate budget, suitable and sufficient equipment, personnel, time and training. In the case of East Devon District Council the employer is represented by the Interim Chief Executives. Regulation 4(1) discusses and defines the role of the duty holder in relation to the management of asbestos. However, while the responsibility to manage ACM within the property rests with the duty holder, this responsibility may be partly delegated, although **legal responsibility cannot be delegated** – the legal responsibility of the management rests solely with the duty holder/s.
- 3.4.2 The Responsible Person shall be designated by the Duty Holder/s. The Responsible Person has responsibility for overseeing and coordinating the Asbestos Policy and Procedures. The Responsible Person also has a responsibility to ensure records are kept to confirm that this policy has been implemented. The Responsible Person will be deemed the Property and Asset Team Manager.
- 3.4.3 The Responsible Person has nominated a senior member of staff to be responsible on their behalf for fully implementing their nominated duties. This nominated officer shall be designated the Cyclical Servicing and Compliance Team Manager.
- 3.4.4 The Corporate Health and Safety team have a role in ensuring compliance with the Asbestos Policy. All asbestos related incidents should be reported through the Corporate accident reporting system and investigated jointly by the housing service and the Corporate health and safety team. RIDDOR incidents should be reported as necessary and actions arising should be considered across the service.

## **3.5 Responsibilities of Nominated Persons**

### **3.5.1 The Duty Holder**

Ensuring that adequate resources are provided and allocated to enable compliance with the Asbestos Management Plan.

The safe management and operation of Sites and Properties activities, including consideration of asbestos issues and compliance with the Asbestos Management Plan within the operational and investment estate.

Devolving the principal functions of Asbestos management to the Responsible Person for operations.

Ensuring that all staff have suitable initial and refresher training with respect to asbestos issues to comply with legislation and to ensure a high level of asbestos awareness.

### **3.5.2 Responsible Person**

#### General Management

Maintaining an effective asbestos management strategy

Providing competent professional advice on ACMs and their treatment to those with responsibilities under this plan

Ensuring that regular inspections of ACMs are undertaken and updating of the Asbestos Register reflects the current condition.

Programming surveys to identify any ACMs present and updating the Asbestos Register.

Maintaining the Asbestos Register for all properties

Ensuring that all records of ACMs include Risk Assessments in accordance with HSG 227 “ A Comprehensive Guide to Managing Asbestos in Premises”.

Reviewing and updating of Asbestos Management Plan

Ensuring all applicable ACMs identified as being safe to leave undisturbed are adequately labelled ( where appropriate)

Reporting any incident of alleged asbestos exposure to the Corporate Health and Safety team and assisting with any investigations.

Assisting the Corporate Health and Safety team in liaison with the HSE.

Promoting awareness of the hazards of ACMs and the Asbestos Management Plan by advising on and providing appropriate training and induction to staff, particularly those who work may bring them into contact with ACMs.

Monitoring to ensure that all other parties and other property staff are aware of their responsibilities under this Asbestos Management Plan

Taking such actions as are required to ensure safety after an accidental release of asbestos event.

Maintaining his/her professional competence, including thorough understanding of all relevant legislation, codes of practice, guidance and best practice.

#### Reactive Management

Providing information as required

Attending site and providing guidance on precautions to be taken in respect of ACMs.

Arrange for suitably qualified and competent contractor/consultant to attend site to take samples of any suspected materials in accordance with prescribed procedures.

Arrange for analysis of samples by a contractor/consultant with the appropriate UKAS accreditation.

Organising appropriate asbestos abatement action in order for works to continue safely.

Ensure Asbestos Register is updated following completion of any works.

#### Planned Work

Provide information on ACMs as required.

Provide advice to Project Managers on the commissioning of asbestos surveys ensuring that the required scope of works and method statements are identified.

Reviewing of project brief to identify any intrusive works ensuring that the necessary assessments satisfy Regulation 5 of CAR and are undertaken prior to any works commencing on site.

Organise appropriate asbestos abatement action to facilitate the project work as and when appropriate.

Informing appropriate staff of asbestos related works in a timely fashion.

Ensuring that local arrangements are made with building users and service providers to facilitate asbestos works.

Ensuring that a pre start meeting is held prior to any asbestos works being undertaken to agree a Plan of Works with the contractor and consultant.

Reviewing of any method statements and/or amendments with Contractor's representative.

Monitoring of Asbestos contractors performance. Taking necessary action where compliance to required safety standards or performance falls below the required standard.

Ensuring that the Asbestos Register is updated following completion of any abatement works.

Ensuring details of any residual asbestos hazards remaining in the vicinity of any proposed works or completed works are recorded and relevant personnel informed.

Provide information to relevant parties with regard to Asbestos and ensure that only competent and/or UKAS accredited consultants and/or HSE Licensed Contractors are employed to provide services in conjunction with identifying and working with ACMs.

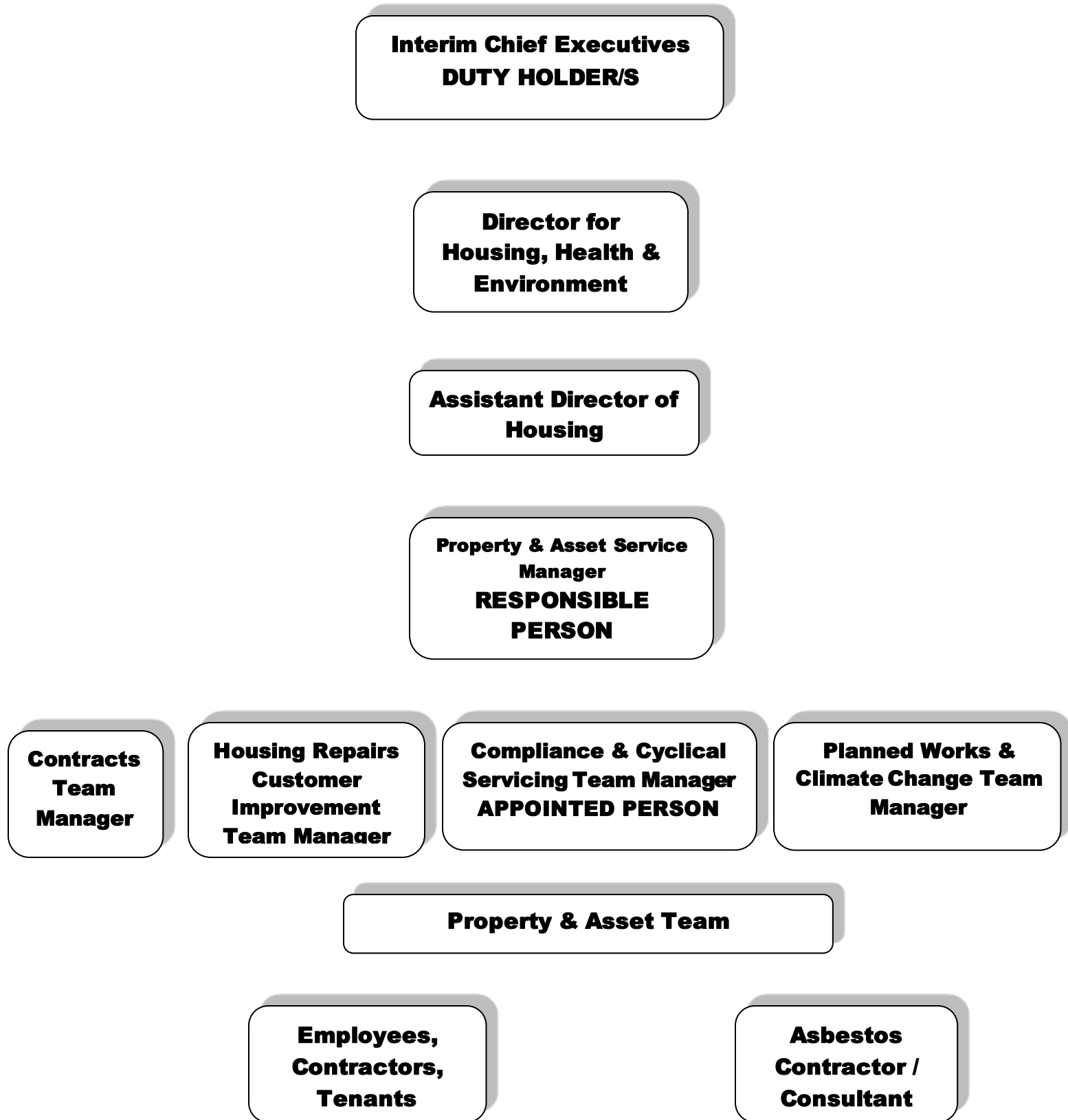
Managing the asbestos management budget.

Tendering asbestos work and raising instructions and orders in accordance with procurement and finance procedures.

Authorising invoices for completed work.

Management of asbestos abatement works.

**3.5.3 Management Responsibilities Chart**



**4 Legislation** - Section 4 contains general duties for anyone who has control, to any extent, over a workplace.

4.1 The major health and safety legislation is the Health and Safety at Work etc Act 1974 (HSWA) which requires an employer to conduct their work in such a way that their employees will not be exposed to health and safety risks; and to provide information to other persons about their workplace which might affect their health and safety. Section 3 of HSWA contains general duties on employers and the self-employed in respect of people other than their own employees.

4.2 The Management of Health and Safety at Work Regulations 1999 require employers and self-employed people to make an assessment of the risks to the health and safety of themselves, employees and persons not in their employment arising out of or in connection with the conduct of their business – and to make appropriate arrangements for protecting those person’s health and safety. This therefore includes tenants as 3rd parties who need protection against the Employers construction and maintenance work within the property.

4.3 There are duties to maintain workplace buildings/premises to protect occupants and workers under the Workplace (Health, Safety and Welfare) Regulations 1992.

4.4 The Construction (Design and Management) Regulations 2015 (hereinafter referred to as the CDM Regs) require the client to pass on information about the state or condition of any premises (including the presence of hazardous materials, such as asbestos) to the relevant person before any work commences and to ensure that the health and safety file is available for inspection by any person who needs the information.

4.5 To that end and in accordance with CDM 2015 the EDDC Officer who assumes the role of the Principle Designer or Designer is to initiate the Pre-Construction Health and Safety Phase Plan for all major and minor works undertaken by contractors. It is the Clients responsibility to ensure that the Principle Designer/ Designer and Principle Contractor / Contractor are provided with all necessary and relevant Asbestos information.

4.6 It must be recognised that the Principal Contractor must complete the Construction Phase Health and Safety plan in accordance with the CDM 2015 Regulations and identify the main dangers on the site prior to work commencing.

4.7 A construction phase plan is required for any construction project no matter how large or small or whether in the commercial or domestic arena. Planning of the project would include the identification of significant hazards and particularly those arising from asbestos and ACMs.

4.8 It should be noted that CAR 12 arises from the parent enabling act, The Health and Safety at Work Act 1974 and is thus confined to non-domestic premises, i.e. workplaces. **Therefore, CAR 12 does not directly apply to a domestic premise, but does apply to any work activity that takes place there, e.g. plumbing, electrics etc.** However, it has been legally established that common parts of a block of flats are not part of a private dwelling and are



considered as non-domestic. Thus Regulation 4 of CAR 12 does apply to the common and external parts of flats.

4.9 Does the Council have a duty to manage the asbestos within the private part of the dwelling?

Under CAR 12 the answer is 'no'. However, whilst they are excluded from CAR 12, domestic premises (and in fact all premises) are subject to The Occupiers Liability Act 1984. These require property owners and occupiers to be aware of potential significant hazards to health and safety. All persons including visitors, contractors (and trespassers) must be provided with reasonable care not to suffer injury or harm on these premises. Therefore, whilst under Regulation 4 a written plan is not required for the private dwelling, the location and condition of any asbestos does need to be known and expressed to all people to ensure due consideration is given to deciding what, if any, protective measures are required.

Therefore, CAR 12 does not specifically cover domestic premises, but there is a legal requirement to manage the health and safety risks associated with asbestos and this would be best achieved if managed in parallel with the asbestos in the common and external parts.

## **5 Information, Instruction and Training**

Regulation 10 of the CAR requires that:

*"...Every employer shall ensure that adequate information, instruction and training is given to those of his employees –*

*(a) who are or who are liable to be exposed to asbestos, or who supervise such employees, so that they are aware of –*

*(b) who carry out work in connection with the employer's duties under these Regulations, so that they can carry out that work effectively."*

To enable compliance with this Regulation, East Devon District Council have undertaken to follow the following procedures:

### **5.1 Information**

The primary method of dissemination of information employed by the East Devon District Council is the One Housing System. This system contains the asbestos register, surveys, risk assessments, re-inspections and details of any remedial/ removal works. In time this will also be available through a 'Portal' which is to be provided to all contractors where appropriate. Until then the information is passed to Contractors by means of an electronic file transfer or via interface. This information is also held by the Council's Out of Hours Service.

Appropriate access to the One Housing System will be furnished to relevant employees and to other organisations/persons to satisfy legal requirements, and, as deemed necessary or prudent. The information must be made available to: safety representatives, all persons liable to disturb the asbestos or suspect asbestos materials (including contractors) and the emergency services.

## **5.2 Instruction and Training**

East Devon District Council will promote awareness of the hazards of ACMs through information and training for employees, information to contractors working in our homes and common areas and provide information to residents (when portal in place). East Devon District Council will communicate with tenants as appropriate regarding asbestos in their homes including the distribution of a leaflet that we will issue at the point of sign up to their property. As part of our housing management system East Devon District Council will strive to ensure tenants can access information on asbestos direct from the tenant portal. In the meantime, we will provide details of known asbestos in properties as and when requested from tenants.

There will be regular reviews and refresher training will be undertaken every 12 months or as required. Training certificates will be stored for all employees for all levels of training. All staff responsible for managing contracts relating to asbestos management will receive the appropriate level of training commensurate with their level of responsibility.

## **5.3 Contractor Management**

All contractors working on EDDC stock must be issued with a copy of the Asbestos Management Plan and Policy. We expect training records to be provided prior to the contract to evidence Operatives have the required level of asbestos training required.

The asbestos register is held in electronic format on the Council's asset management system, Open Housing. An electronic file containing all asbestos related information is issued to relevant contractors, this is then updated on a monthly basis with any new information.

Within the planned works team, information on asbestos (as required) is distributed to the contractor at tender stage and prior to the commencement of the contract.

If the planned work directly involves work on any identified or suspected ACM then no work may proceed until a further Plan of Work, in accordance with the requirements of the CAR Regulations, is produced by the Contractor.

Where any intrusive works will be undertaken which breaches areas outside the scope of an Asbestos Management Survey, the architect/designer/project manager must liaise with the Property & Asset team to ensure a suitable Refurbishment or Demolition Asbestos Survey is commissioned.

If suspect materials are identified at any stage of the works then no work may proceed until a further Plan of Work, in accordance with the requirements of the CAR Regulations, is produced by the Contractor.

Upon completion of the works, the applicable asbestos documentation will be collated by the architect/designer/project manager and passed onto the Compliance Team. The Compliance Team will ensure that the Asbestos Register and drawings are amended to reflect the changes using the ASB3 Notification Form.

## **5.4 Contractor Management – Responsive Repairs and Voids**

All contractors will agree to abide by East Devon District Council's asbestos policy and procedures, including following all requirements for using the East Devon District Council's asbestos records.

The Approved Contractor is responsible for ensuring that any operative undertaking any responsive or emergency work in an East Devon District Council Property is fully aware of the ACMs in the site concerned. They must confirm that all personnel who instruct operatives who may come into contact with an ACM must have Asbestos awareness training as a minimum, this must cover all individuals that attend site, including those who carry out the work.

Contractors who do not satisfy the requirements of this policy and procedures document will be subject to a closer monitoring process, suspended from carrying out works or will not be engaged to carry out any further works which could involve ACMs depending upon the East Devon District Council's view as to the degree of any breach or breaches of the requirements of this document and compliance with the law

As far as reasonably practicable, all ACM's will be removed from Void properties; the full extent of such work will be reviewed and agreed at the pre inspection stage and detail recorded in the specific void specification for the individual property.

## **6. Risk Assessment**

### **6.1 Assessment of Property Portfolio**

The first step of this assessment process is an initial assessment of the property stock, taking into account such factors as building age, type and use, together with an assessment of any existing records that may be pertinent.

East Devon District Council has undertaken an initial assessment of their Housing Premises portfolio, which will be re-assessed at periodic intervals to ensure all information is current. The full list of East Devon District Council properties requiring asbestos management will be stored on East Devon District Council's Open Housing System and will be managed by the Property and Asset Team.

### **6.2 Assessment of ACM**

The Council has undertaken Management Surveys of a percentage of their housing stock and all communal areas. Any further acquisitions will be subject to this initial assessment process.

Asbestos surveys shall be carried out by external consultants and whose operatives are qualified to a minimum of P402 certification as British Occupational Hygiene Society in accordance with HSG 264. All sample testing shall be carried out by appropriately experienced UKAS ISO/IEC 17025 accredited laboratories.

#### **Asbestos Management Survey**

Management surveys, as determined by the HSE document HSG 264 – The Survey Guide, have been carried out by East Devon District Council's preferred asbestos management consultants.

### **Asbestos Refurbishment and Demolition Survey**

East Devon District Council's Property and Asset Team will also undertake to ensure that a Refurbishment and Demolition (Full Access Sampling and Identification) Survey will be carried out prior to any demolition work or major refurbishment.

In all cases, surveys of premises for the purposes of identification and assessment of ACM will be carried out in full accordance with the guidance set out in the HSE publication, HSG 264 – The Survey Guide. The Surveys will include numerical assessment of the condition of any identified ACM. This Material Assessment Score (MAS) will depend on the material in question, its condition, any surface treatment and the type of asbestos it contains.

These surveys should be carried out in vacated areas so that the Asbestos Consultant can be invasive and gain access beyond the decorative façade of rooms/areas of the building.

Sufficient time must be allocated and programmed as part of the overall project to allow time for the survey investigations, reporting and tendering of any arising asbestos remedial works and the 14-day HSE notifications etc.

### **6.3 Review**

Regulation 4(6) of the CAR requires review of the assessments resulting from such surveys if there is any reason to suspect that assessment is no longer valid or if there have been significant changes to the property.

To this end, East Devon District Council will undertake to ensure that there will be at least annual re-inspections of the ACMs within the communal areas of their properties, with any changes recorded in the records. Additionally, there will be an annual review of the management plan in conjunction with external consultants.

The Property and Asset Management Team will ensure the conclusions of any reviews are recorded as necessary.

### **6.4 Assessment of Risk**

Regulation 4(8), part (a) carries the requirement to undertake an assessment of the risk of exposure of persons to asbestos fibres. The assessment of risk will utilise the results of the MAS for the identified ACM.

East Devon District Council will determine the priority for management of ACMs by assessing the likelihood of those materials being disturbed. This priority assessment will take into account such factors as maintenance activities, likelihood of disturbance, human exposure potential and occupant activity. This will enable the production of a Priority Assessment Score (PAS) for management. This scoring will be developed in conjunction with the site Compliance Surveyor, to ensure suitable allocation of score for normal occupant activities, likelihood of disturbance and human exposure potential.

The full assessment of risk of exposure will include both the MAS and PAS for each ACM identified. For any subsequent acquisitions, East Devon District

Council will undertake to have completed both the PAS and the full risk assessment on each ACM at the time of the receipt of the sampling survey results.

East Devon District Council will undertake a review where necessary these scores to ensure they remain valid. For instance, ACMs in an unoccupied area may have a lower risk assessment score. However, this area may subsequently become occupied following office expansion. This will require a re-assessment of both the PAS and full risk assessment

## **7. Asbestos Management Plan**

This Asbestos Management Plan will set out the mechanisms, roles and responsibilities by which ACMs will be managed. East Devon District Council intends to:

- Protect employees and others working on the fabric of East Devon District Council properties.
- Protect employees and others working within or occupying East Devon District Council properties.
- Identify all ACMs and manage associated hazards based on assessment of the risk they present and prioritisation of actions.
- Effectively control any works likely to affect ACMs.
- Manage reactive, cyclical and planned maintenance work.
- Manage planned project work.
- Monitor and maintain ACMs in good condition where it is assessed as being safe to leave in situ. This may involve labelling in non domestic areas where deemed necessary but care must be taken not to not alarm tenants therefore this should only be done where absolutely necessary.
- Manage emergencies involving ACMs

Following the requirement to comply with Regulation 4(8), part (c) to 4(10), East Devon District Council has undertaken to implement a suitable plan for the management of all asbestos-containing materials within their properties. As each identified ACM in these properties is likely to have unique characteristics in terms of type of material, occupancy of area and so forth, it is not feasible to set out the management plan for each material in this document.

### **7.1 The Plan**

The scope of the Management Plan covers all East Devon District Council's demise of the premises (with the exception of those that have been deemed as presenting no foreseeable risk of containing asbestos (i.e. those where construction commenced after 1999). We will ensure that all necessary measures for controlling the risk of exposure are implemented. These measures will include, but are not limited to:

- Monitoring of the condition of identified and suspected ACMs;
- Ensuring information is disseminated as required;
- Review of the Management Plan, both on a regular, planned basis, with additional reviews if there is reason to believe it is no longer valid;

- Ensuring that measures specified in the Plan are implemented according to the Plan, and recorded in the Plan.
- Third Party Audits will take place on an annual basis of our contracted asbestos consultants in order to check the integrity and accuracy of reports being produced

## 7.2 Management of ACMs

### 7.2.1 Risk Assessment Scores

East Devon District Council have undertaken to conduct an assessment of the risk of exposure of persons to asbestos fibres for each location identified as containing or presumed to contain asbestos, following the survey carried. The results of this Assessment are contained in the East Devon District Council database.

All identified and presumed ACM have been given a risk assessment score. These scores are formed from a Material Assessment algorithm and a Priority Assessment algorithm. These algorithms take into account the condition of the asbestos (Material) and the likelihood of people being exposed to fibres (Priority).

#### Material Assessment

Variable	Score	Example
Product Type	1	Asbestos reinforced composites (plastics, resins, mastics, roofing felts, vinyl floor tiles, semi-rigid paints or decorative finishes, asbestos cement etc)
	2	Asbestos insulating board, mill boards, other low density insulation boards, asbestos textiles, gaskets, ropes and woven materials, asbestos paper & felt
	3	Thermal insulation (e.g. pipe & boiler lagging), sprayed asbestos, loose asbestos, asbestos mattresses and packaging
Extent of Damage	0	Good Condition: No visible damage
	1	Low Damage: A few scratches or surface marks, broken edges on boards, tiles etc
	2	Medium Damage: Significant breakage of materials or several small areas where materials has been damaged revealing loose asbestos fibres
	3	High Damage or delamination of materials, sprays and thermal insulation. Visible asbestos debris

Surface Treatment	0	Composite materials containing asbestos, reinforced plastics, resins, vinyl floor tiles
	1	Enclosed sprays and laggings, asbestos insulating board (with exposed face painted or encapsulated) asbestos cement sheet etc.
	2	Unsealed asbestos insulating board, or encapsulated lagging and sprays
	3	Unsealed laggings and sprays.
Asbestos Type	1	Chrysotile
	2	Amphibole asbestos (excluding Crocidolite)
	3	Crocidolite

### **Priority Assessment**

<b>Variable</b>	<b>Score</b>	<b>Example</b>
<b>Normal Occupant Activity</b>	0	Rare disturbance activity (i.e. little used store room)
	1	Low disturbance (i.e. office type activity)
	2	Periodic disturbance (i.e. industrial or vehicular activity which may contact ACM's)
	3	High levels of disturbance (i.e. fire doors with asbestos insulating board sheet in constant use)
<b>Likelihood of Disturbance</b>		
Location	0	Outdoors
	1	Large Rooms or well-ventilated areas
	2	Rooms upto 100m <sup>2</sup>
	3	Confined Spaces
Accessibility	0	Unlikely to be disturbed or usually inaccessible
	1	Occasionally likely to be disturbed
	2	Easily disturbed
	3	Routinely disturbed
Extent / Amount	0	Small amounts or items
	1	Up to 10m <sup>2</sup>

	2	10 – 50m <sup>2</sup>
	3	Greater than 50m <sup>2</sup>
<b>Human Exposure potential</b>		
No. of Occupants	0	None
	1	1 to 3
	2	4 to 10
	3	Greater than 10
Frequency of Use	0	Infrequent
	1	Monthly
	2	Weekly
	3	Daily
Average time area is in use	0	Less than 1 hour
	1	1 to 3 hours
	2	3 – 6 hours
	3	Greater than 6 hours
<b>Maintenance Activity</b>		
Type of Maintenance	0	Minor Disturbance
	1	Low disturbance
	2	Medium disturbance
	3	High Disturbance
Frequency of Maintenance	0	ACM unlikely to be disturbed for maintenance
	1	< 1 per year
	2	> 1 per year
	3	> per month

Individual materials will require a specific written management scheme providing specific actions and proposals. This is provided, along with risk assessment scores in the East Devon District Council Open Housing System. Individual scores/management plans for each ACM will be held in conjunction with the asbestos register, in the Open Housing System. This will include provision for recording / auditing and monitoring as required within the plan.

Any change in condition of any asbestos material or usage of any areas containing asbestos materials will result in a review of this plan by the Compliance Team for that specific building. The Compliance Team will update the Register based on investigation, sampling and remedial works carried out and information gained during inspections or supplied by contractors or occupants, utilising the standard pro-forma Asbestos Notification Form (ASB3).

A regular audit / re-inspection will be undertaken to check that the Register has been kept up to date. This will be organised by the Cyclical Servicing and Compliance Manager.

## 8. Emergency Procedures

If there is any suspicion that an ACM has been disturbed in a non-controlled environment, then the procedure detailed in Appendix 2 must be followed.

A copy of the flow chart must be provided to all approved contractors, who must confirm in writing that all operatives have been made familiar with these procedures and are issued with copies.



## 9. The Use of Licensed Contractors

We / Principle Contractor will initiate the use of licensed contractors as and where necessary to comply with all elements of the asbestos management plan and policy.

The boundary between work which does and doesn't require a licence is stated in Regulation 3(2) of the CAR (2012):

*“Regulation 3 (2) Subject to paragraph (3), regulation 8 (licensing), 9 (notification of work with asbestos), 15(10) (arrangements to deal with accidents, incidents and emergencies), 18(1)(a) (asbestos areas) and 22 (health records and medical surveillance) shall not apply where –*

- (a) The exposure of employees is sporadic and of low intensity;*
- (b) It is clear from the risk assessment that the exposure of any employee to asbestos will not exceed the control limit; and*
- (c) The work involves –*
  - i) short, non-continuous maintenance activities*
  - ii) removal of material in which the asbestos fibres are firmly linked in a matrix,*
  - iii) encapsulation or sealing of asbestos-containing materials which are in good condition, or*
  - iv) air monitoring and control, and the collection and analysis of samples to ascertain whether a specific material contains asbestos.*

This is further clarified in ACoP L143 (Work with materials containing asbestos) *“...Due to the relative ease with which asbestos fibres can be released when working with asbestos insulation and insulating board, in most circumstances work with the materials should only be carried out by those holding a license”* Examples of short, non-continuous maintenance activities when working with asbestos insulating board are included in the HSE publication *Asbestos essentials task manual (HSG210)*”

### 9.1 Procedure for Work with ACM

East Devon District Council's Property & Asset Team or/and approved Asbestos Consultant will oversee the management of asbestos removal projects. In some instances contractors working on the stock will be responsible for overseeing these works.

The management of such projects will ensure that licensed removal projects are carried out in accordance with CAR (2012), and particularly HSG 247 Asbestos: The licensed contractors' guide. In summary, these require, but are not limited to the following, to which East Devon District Council is committed:

- The party contracted to manage the removal project will provide a specification for works to be tendered against.

- The selected employer of workers involved with the remedial or removal work will submit Notification to the HSE by way of an ASB5 form along with a comprehensive written plan of work (method statement).
- The employer will ensure their workers follow this plan.
- If work cannot follow the plan, work will cease and the risks re-appraised. Work will not re-commence until a new plan is written, or the existing one amended, and the HSE have been re-notified.
- The plan will be site-specific and detail the following:
  - Findings of the assessment of the work required, including: description of work required (e.g. removal, encapsulation etc.), type of asbestos and analysis results, quantity and extent of material and scale and duration of works.
  - Address and location of work.
  - Provision of relevant documentation including, but not limited to: equipment test certificates, site log records, maintenance records, training records, medical certificates, HSE licence, sketch of work area.
  - Methods to be used, including:
    - Steps taken to prevent or control exposure (e.g. type of wetting, shadow-vacuuming, glovebags, wrap and cut), together with the reasons why these methods have been chosen;
    - Procedures for removal of waste and contaminated tools and equipment from work area and site;
    - Type of equipment, including PPE and procedures used for protection of workers (e.g. type of vacuum cleaners, PPE / RPE details, methods of communication across enclosure barrier, transit routes);
    - Type of equipment and procedures used for protection of other people in the wider environment (e.g. use and location of barriers, warning signs, disposal skips, enclosures, use of air monitoring, clearance certification and emergency procedures).
- A UKAS accredited analyst will be utilised to undertake the necessary air testing including the 4 stage clearance process.
- A close down file will be prepared including all relevant information concerning the project, including specification, plan of work, ASB5,

consignment notes, air test certificates, site inspection and area checks and will be retained in the project's Health and Safety File.

- The Compliance Team will ensure that the Asbestos Register is fully updated following removal

## **10 Performance Management**

The following key performance indicators are reported to East Devon District Council's Leadership team & Housing Review Board –

- Number of blocks & communal areas with a valid asbestos inspection (Yearly)

These key performance indicators are also used to monitor the contractors performance along with contract specific performance indicators which are reviewed at operational contract meetings.

## **11 Policy Administration**

### **Appendices and other relevant information**

#### **Appendix 1 - Management of Specific Materials in non domestic areas**

The **general** policies of managing each type of ACM identified are outlined as follows:

##### Asbestos Insulation – Sprayed

- Where practicable, removal will be undertaken using licensed contractors. Alternatively, the insulation will be thoroughly encapsulated using licensed contractors or area isolated/sealed off.
- Where asbestos sprayed insulation products are to be managed in situ, regular condition audits will be undertaken using the East Devon District Council's Asbestos Consultant. The frequency of inspection will be determined by the individual RAS score  
East Devon District Council will arrange for their preferred Asbestos Consultant to source a UKAS accredited analyst to undertake reassurance air testing on at least an annual basis, or as determined by the RAS.

##### Asbestos Insulation – Thermal

- Where practicable, removal will be undertaken using licensed contractors. Alternatively, the insulation will be thoroughly encapsulated, where appropriate, using licensed contractors or area isolated/sealed off.
- Where asbestos thermal insulation products are to be managed in situ, regular condition audits will be undertaken using the East Devon District Council's Asbestos Consultant. The frequency of inspection will be determined by the individual RAS score.

##### Asbestos Coatings

- Where practicable, removal will be undertaken using suitably trained contractors. Alternatively, the asbestos coatings will be thoroughly encapsulated using licensed contractors or area isolated/sealed off.
- Where asbestos coatings are to be managed in situ, regular condition audits will be undertaken using the East Devon District Council's Asbestos Consultant. The frequency of inspection will be determined by the individual RAS score.

#### Asbestos Insulation Board

- Where practicable and appropriate, removal will be undertaken using licensed contractors. Alternatively, the asbestos insulating boarding will be thoroughly encapsulated, where appropriate, using licensed contractors or area isolated/sealed off.
- Where asbestos insulating boarding is to be managed in situ, regular condition audits will be undertaken using the East Devon District Council's Asbestos Consultant. The frequency of inspection will be determined by the individual RAS score but will be to a minimum of annually.

#### Cement

- Annual condition audits of all asbestos cement materials, using the Asbestos Consultant or other competent person.

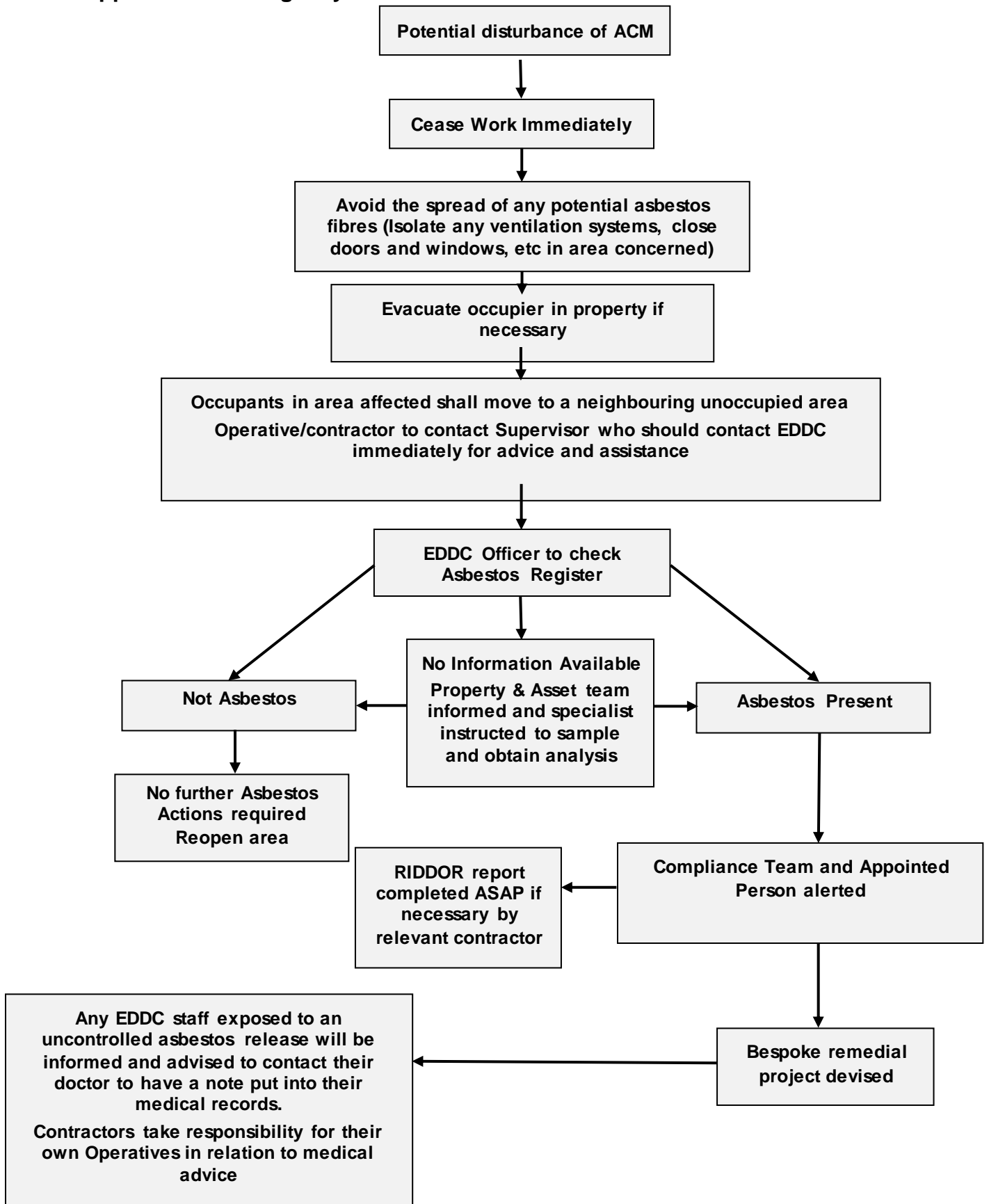
#### Textile Products (non insulating)

- Annual condition audits of all asbestos textile products, using the Asbestos Consultant or other competent person.

#### Composite Materials

- Annual condition audits of all asbestos composite materials, using the Asbestos Consultant or other competent person.

## Appendix 2 - Emergency Procedures



## Links related Policies/Strategies, Procedures and Legislation

- The Control of Asbestos Regulations 2012  
<http://www.legislation.gov.uk/uksi/2012/632/contents/made>
- The Health & Safety at Work Act 1974 -  
<http://www.legislation.gov.uk/ukpga/1974/37/contents>
- The Management of Health & Safety at Work Regulations 1999 -  
<http://www.legislation.gov.uk/uksi/1999/3242/contents/made>
- The Asbestos Survey Guide -  
<http://www.hse.gov.uk/pubns/priced/hsg264.pdf>
- A Comprehensive Guide to Managing Asbestos in Premises -  
<http://www.hse.gov.uk/pubns/priced/hsg227.pdf>
- Asbestos Essentials Task Manual -  
<http://www.hse.gov.uk/pubns/guidance/a0.pdf>
- The Licenced Contractors Guide -  
<http://www.hse.gov.uk/pubns/priced/hsg247.pdf>

## Standards

- Consumer Standards (Home Standard)

## Data Protection

### **b) The collection and use of tenant's personal data will not exceed that agreed to in their tenancy agreement**

The [EDDC Data Protection Policy](#) provides further information on how we store and use personal information.

The following privacy notice(s) provide further information on how we will use tenant's personal data, how it is gathered, and how long we will retain this information, and what rights tenants have in relation to this.

Property and Assets - Completion of programmed, servicing and cyclical works

All our privacy notices can be found on the EDDC website (<https://eastdevon.gov.uk/access-to-information/data-protection/privacy-notices/>)

## Policy consultation

Housing Review Board

## Policy review

September 2026 by the Compliance & Cyclical Servicing Manager