

# TOWER HAMLETS COMMUNITY HOUSING

## Asbestos Management - Policy

### 1. **Statement of Intent**

- 1.1 Tower Hamlets Community Housing undertakes to manage responsibly all asbestos containing materials within its control in line with its duties towards employees, residents, visitors, service users, contractors and members of the public.
- 1.2 Tower Hamlets Community Housing aims to prevent the exposure to asbestos of anyone who may be affected by the Tower Hamlets Community Housing activities. Where this is not reasonably practicable, Tower Hamlets Community Housing will reduce exposure to the lowest level reasonably practicable by measures other than the use of personal protective equipment. Tower Hamlets Community Housing will also reduce the numbers of people exposed as low as is reasonably practicable.
- 1.3 Tower Hamlets Community Housing will ensure that an assessment to determine the presence of asbestos is undertaken for all non-domestic premises for which they are responsible.
- 1.4 Tower Hamlets Community Housing will maintain and regularly update a management asbestos register database of all identified asbestos containing materials and this shall be able to be accessed by all parties who require information on the presence of asbestos in Tower Hamlets Community Housing properties.

### 2. **Guidance**

- 2.1 The Control of Asbestos Regulations 2006 imposes duties on Tower Hamlets Community Housing to record and manage asbestos within its properties.
- 2.2 This document sets out how the regulations affect Tower Hamlets Community Housing and what is required to ensure we meet the duties set out within the legislation and sets out the policy which will provide Tower Hamlets Community Housing with the mechanisms to meet those obligations.
- 2.3 Managers must ensure that all employees involved in the management and maintenance of property owned or managed by the Tower Hamlets Community Housing or who are liable to be exposed to asbestos receive

adequate information, instruction and training. All contractors who are liable to be exposed to asbestos will be required to show evidence of similar information, instruction and training to their staff, as part of their appointment for any contract.

- 2.4 Tower Hamlets Community Housing will maintain a written asbestos plan of all identified asbestos containing material for each domestic and non-domestic premises. Tower Hamlets Community Housing will ensure this plan is kept up to date and be available for inspection at all times.
- 2.5 Tower Hamlets Community Housing will not undertake or contract out any work to any building without adequate information on the nature, condition and extent of any asbestos containing material likely to be disturbed. The THCH asbestos register database should be consulted, along with the THCH asbestos management plan. Works orders shall indicate that this has occurred or include details of the asbestos information.
- 2.6 Tower Hamlets Community Housing must ensure that for all asbestos that is to be left in situ, i.e. in good condition, sealed and unlikely to be disturbed or damaged, that compliance with the asbestos management plan is followed.
- 2.7 Prior to undertaking any work (whether by the Tower Hamlets Community Housing staff or contractors), anyone responsible for commissioning the work must consider whether that work will expose or is liable to expose any person to asbestos.
- 2.8 Before commencement of any work which will expose or is likely to expose any person to asbestos, the person responsible for commissioning that work shall ensure a suitable and sufficient work assessment has been undertaken of the potential risk created by any exposure.
- 2.9 Any person (whether employed by the Tower Hamlets Community Housing or not) who undertakes work that exposes or is liable to expose any person to asbestos will ensure that all control measures identified by the work assessment are implemented. This information must ensure that all staff members are aware of the results of any work assessment, the risk to health of asbestos, precautions to be observed and any other information required to safeguard themselves and others.
- 2.10 All Tower Hamlets Community Housing Officers commissioning work, must ensure that any person undertaking work on that property is informed of the location of any asbestos containing material which is in the vicinity of that work.

2.11 Where practical, THCH will carry out assessments of domestic premises, as part of the ongoing internal modernisation programmes in the context of carrying out risk assessments where asbestos containing materials are suspected. A register of these assessments shall be updated, maintained and reviewed by the Development Team. Tower Hamlets Community Housing shall review these assessments on a 12 monthly basis to ensure their validity or as recommended within the assessment. In addition Tower Hamlets Community Housing will undertake a review of the management plan at regular intervals and when there is any significant change in legislation or best practice.

### **3.0 Background**

3.1 The Control of Asbestos at Work Regulations 2002 and its associated codes of practice came into place in November 2002, bringing the United Kingdom Legislation into line with the European Union's Chemical Agents Directive. The control of asbestos at work regulations imposed a duty on occupiers and users of non-domestic properties (which includes common parts of managed residential blocks) to record and manage asbestos. The Regulation came into effect from 21st May 2004. The Control of Asbestos Regulations 2006 replaced the Control of Asbestos at Work Regulations 2002 and sets out THCH's duty to manage asbestos in non-domestic premises and regulates the risk assessment and plans of work relating to asbestos.

3.2 The occupier, manager or person/body responsible for a building, which may contain asbestos, has either a legal duty to manage the risk from asbestos containing materials; or a duty to co-operate with whoever manages that risk.

3.3 Buildings constructed prior to 1999 can contain limited asbestos products and buildings pre1985 can contain substantial quantities of asbestos.

3.4 The person responsible for a building (The dutyholder) is required to manage the risk from asbestos by:

- “take reasonable steps to find out if there are materials containing asbestos in non-domestic premises, and if so, its amount, where it is and what condition it is in;
- presume materials contain asbestos unless there is strong evidence that they do not;
- 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;
- assess the risk of anyone being exposed to fibres from the materials identified;

- prepare a plan that sets out in detail how the risks from these materials will be managed;
- take the necessary steps to put the plan into action;
- periodically review and monitor the plan and the arrangements to act on it so that the plan remains relevant and up-to-date; and
- provide information on the location and condition of the materials to anyone who is liable to work on or disturb them.

3.5 The principle pieces of legislation bearing on the management of asbestos risk are;

- The Health and Safety Work Etc Act 1974
- Control of Substances Hazardous to Health Regulations 2002
- Management of Health and Safety at Work Regulations 1999
- The Control of Asbestos at Work Regulations 2002
- Asbestos (Licensing) (Amendment) Regulations 1998
- Control of Pollution (Special Waste) Regulations 1996
- Asbestos (Prohibition) Regulation 1992 as amended by the Asbestos (Prohibition) (Amendment) Regulations 1999.
- Approved Code of Practice L28; (Fourth Edition – Revised 2002) “Work with asbestos insulation, coating and asbestos insulating board”.
- Approved Code of Practice L27; (Fourth Edition – Revised 2002) “Work with asbestos that does not normally require a licence”.
- Approved Code of Practice L127; “The Management of Asbestos in Non-domestic Premises. The Control of Asbestos at Work Regulations 2002”.
- The Housing Act 2004
- The Control of Asbestos Regulations 2006

3.6 Approved Codes of Practice and a number of technical guidance notes have been produced by the Health and Safety Commission (HSC) and the Health and Safety Executive (HSE) respectively, designed so that building managers, employers, employees and contractors can achieve compliance with the requirements of the regulations.