



## Southampton City Council Policy Control of Asbestos

### Statement of Intent

Southampton City Council (the Council) places significant importance on the health, safety and welfare of staff, residents, visitors, the public and others who may be affected by its business. It is considered essential that management and staff should work together positively to achieve an environment compatible with the provision of the highest quality services where health hazards to staff, residents, visitors, the public and others are minimised so far as is reasonably practical.

Southampton City Council recognises it has statutory responsibilities as an employer under the Health and Safety at Work etc Act 1974, the Management of Health and Safety at Work Regulations and the Control of Asbestos Regulations 2012. These regulations provide the minimum standard for the control and management of asbestos wherever the Council has a duty.

The Health and Safety Executive's (HSE) publications (listed below) provide employers with guidance on how to manage asbestos safely and ensure regulatory compliance. Southampton City Council will be mindful of the latest guidance and advice, provided by the Health and Safety Executive, regarding asbestos management and ensure that, as a minimum, its own processes and procedures achieve the same standard of protection.

[L143 - Managing and Working with Asbestos](#)  
[HSG264 – Asbestos – The Survey Guide](#)  
[HSG53 – Respiratory Protective Equipment at Work](#)  
[Asbestos Essentials Task Manual](#)

This corporate asbestos policy and arrangements will document how it intends to achieve this.

This *Statement of Intent* provides a framework of principle policies which will direct all other Council policies, procedures and decisions concerning the management of asbestos. It is supported by a policy document that describes how specific responsibilities are assigned within the organisation to ensure asbestos risks are managed appropriately and statutory duties met.

To protect its staff, visitors to its buildings and the public in general from the hazards presented by asbestos Southampton City Council will:

1. Appoint a director with responsibility for Health and Safety to fulfil the role of the appointed person for Asbestos.

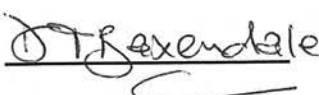


2. Take all reasonable efforts to ensure asbestos is managed effectively in the properties where it has a statutory duty.
3. Ensure that appropriate technical expertise is available that will support the Council's best interest at all times.
4. Provide suitable and sufficient training and instruction to all appropriate staff and volunteers.
5. Appoint a "Responsible Person" for each building where it has a duty to manage asbestos.
6. Undertake suitable and sufficient management surveys to identify asbestos in the buildings it is responsible for and assess the risks presented\*.
7. Maintain and implement asbestos management plans that will effectively protect the Council's staff, visitors and reputation.
8. Include routine air monitoring within management plans where circumstance and risk make it appropriate.
9. Maintain a corporate asbestos management database that will allow all appropriate persons to identify the location of all recorded asbestos risks and provide access to the asbestos management plans for all SCC properties.
10. Maintain a central archive of all documents demonstrating asbestos has been managed appropriately e.g. Clearance Certificates and air tests, Surveys.
11. Undertake routine inspections on asbestos risks and reviews of management plans at suitable intervals based on risk and/or when significant changes occur.
12. Be proactive in reducing future asbestos risks and liabilities where maintenance and refurbishment works present an effective opportunity.
13. Ensure a *Refurbishment or Demolition Survey* \* **must** be conducted at the earliest opportunity where any refurbishment or demolition project is proposed so that sufficient time and resources are made available to manage any identified risk effectively.
14. Monitor compliance with policies, procedures and asbestos management plans. Review performance and identify risks and introduce measures to control them.
15. Ensure only competent, adequately qualified and trained personnel and service providers are employed to work on behalf of the Council.
16. Undertake appropriate actions to deal with contractors and service providers that do not meet the standards set out by regulations, HSE guidance and/or the Council.
17. Ensure only companies listed on the Asbestos Framework agreement carry out analyst work on SCC premises.
18. Ensure all buildings in which staff and tenants are placed by SCC; are subject to a suitable and sufficient management survey to identify asbestos risks and where appropriate a management plan is in place to address any risks identified.
19. Where SCC staff or services are operating from non SCC premises; ensure that we cooperate and ensure compliance with their asbestos management plan.

The Arrangement section of this policy will detail who has a responsibility in managing and how asbestos will be managed in SCC Premises including maintained schools.

\* As described by [HSG264 – Asbestos – The Survey Guide](#)

**Dawn Baxendale**  
**Chief Executive**  
**Southampton City Council**

Signed:  Dated: 12/01/18

**Cllr Simon Letts**  
**Leader of The Council**  
**Southampton City Council**

Signed:  Dated: 12/01/18

**This Control of Asbestos Policy is signed on behalf of the Corporate Management Team.**

**Review due:** September 2018

*A full copy of this policy including Organisation and Responsibilities, Arrangements and Safe Working Procedures, can be found on the Health and Safety Intranet.*



# Arrangement's for Managing Asbestos In SCC Premises Including Maintained Schools

## STATEMENT:

In order to comply with legislation and fulfil statutory responsibility, Southampton City Council (The Council) must make sure that:

- They have taken reasonable steps to find materials in all Council premises (i.e maintained schools, care homes etc) which are likely to contain asbestos; assessed the risks and put in place a management plan to control exposure to asbestos fibres in compliance with The Control of Asbestos Regulations 2012.
- There is an up-to-date and accessible asbestos register and management plan available for Council premises which is maintained, monitored and reviewed periodically.
- All asbestos related work activities are risk assessed, and suitable written method statements are in place describing how it will conduct any work on asbestos in a safe manner.
- They provide suitable control measures and personal protective equipment, maintain health records and undertakes medical examinations where appropriate for employees carrying out Notifiable Non Licenced Work (NNLW).
- They inform and cooperate fully with other duty holders in respect to managing asbestos.
- They have suitable measures in place to address unforeseen incidents and emergency situations involving asbestos.

## SCOPE:

The corporate asbestos policy and arrangements applies to:

- All managers including headteachers of maintained schools.
- All persons appointing the Responsible Person including Head Teachers
- All employees of the Council.
- All partners working on behalf of the Council.
- All contractors working on behalf of the Council.

## Version Control

This document is issued and managed by Corporate Health and Safety Service.

Version Number	Date	Amendments
1.00	2012	New SWP to cover CAR 2012
1.01	Oct 2014	Replaced HS1 forms with HSMS. Updated directorates.
1.02	Apr 15	Amendments to Management board of directors
1.03	Sep 2015	Amendments to CMT and added reference to AMG
1.04	Sep 2017	Policy and SWP combined.

Review Conducted	Next Review Date
	Dec 13
October 14	October 15
April 15	April 16
Sept 2015	Sept 2016
Sep 2017	

## Content

1. [Introduction](#)
2. [Organisational Responsibilities](#)
3. [Procedures for managing ACM in council premises and maintained schools](#)
4. [Duty to Manage](#)
5. [Reducing the ongoing asbestos risks in SCC Premises](#)
6. [Corporate Asbestos Management Database](#)
7. [Managing Refurbishment and Demolition \(R&D\) Projects](#)
8. [Emergency Arrangements and Accident/Incident Recording](#)
9. [Information, Instruction and Training](#)
10. [Control of Contractors and Service Providers](#)
11. [Information Exchange](#)
12. [Safe Working Procedures Relevant to This Document](#)
13. [Main Legislation Relevant to This Document](#)
14. [Contact Address's and Guidance Links](#)

[Appendix 1:](#) Action to Be Taken When Asbestos-Containing Materials (ACMs) Are Accidentally Found or Disturbed

## Forms

Forms can be found in Forms Library on [Health & Safety Intranet](#) and [Health & Safety for Schools](#) webpage

- Asbestos Actions Returns Form
- ASB1 Form (possible exposure whilst employed by Southampton City Council)
- ASB2 Form (previous employment exposure)



## 1. Introduction

- 1.1 The Control of Asbestos Regulations 2012 places duties on the “Duty Holder” to the extent that they have control over premises to;
  - 1.1.1 Assess for the presence of asbestos and the condition of that asbestos; and
  - 1.1.2 Ensure that a written plan identifying where that asbestos is located is prepared and that measures to manage the risk from the asbestos are set out in that plan and are implemented
- 1.2 This Control of Asbestos Policy and Arrangements document supplements Southampton City Council’s Health and Safety Policy and describes the arrangements and additional responsibilities over and above the Health and Safety Policy, which gives effect to this policy and arrangement regarding matters of managing asbestos.
- 1.3 The council has an Asbestos Framework Agreement which deals with the safe identification and removal of asbestos by letting two separate frameworks, one of which will be for asbestos analysis and testing (defined as ‘Services’), the other will be asbestos removal and disposal (defined as ‘Works’).

## 2. Organisational Responsibilities

### Asbestos Management Group (AMG)

- 2.1 AMG will report, and be accountable, to the councils H&S Board.
- 2.2 Membership of the group shall comprise:
  - 2.2.1 Health, Safety & Wellbeing Manager (chair)
  - 2.2.2 Scientific Services
  - 2.2.3 Corporate Health and Safety Service
  - 2.2.4 Housing Services
- 2.3 To ensure a consistent approach to the reporting of asbestos exposures to the HSE by Southampton City Council (SCC).
- 2.4 To ensure a consistent approach to deal with non-notifiable asbestos incidents which have been reported on HSMS involving SCC employees or contractors.
- 2.5 To require Corporate Health and Safety Service (CHSS) to investigate all asbestos incidents reported on HSMS
- 2.6 To ensure a consistent approach to recording exposure of an employee to Asbestos Containing Material ACM on HSMS and then an ASB1.

### Scientific Services (SS) will:

- 2.7 Act as the corporate focus for all asbestos related matters.
- 2.8 Monitor asbestos related work activities to ensure full compliance with The Control of Asbestos Regulations, Approved Codes of Practise and this Policy and Arrangements.
- 2.9 For those properties where The Council is the “duty holder” (as defined by the Control of Asbestos Regulations 2012):
  - 2.7.1 Undertake or commission surveys, take samples and arrange for the appropriate laboratory analysis to confirm the presence of ACMs;
  - 2.7.2 Ensure a suitable and sufficient assessment is undertaken to determine the locations, condition and risks presented by all known or suspected ACMs.
- 2.10 Maintain the Corporate Asbestos Management Database, record the findings of all surveys and assessments and provide an asbestos register and management plan for those properties where it is appropriate.



- 2.11 Notify the appropriate Property Manager and/or relevant Responsible Person where any significant changes in risks are identified and provide advice on appropriate management.
- 2.12 Undertake periodic asbestos management inspections for those properties where the highest asbestos priorities have been identified on the Corporate Asbestos Management Database through the surveying process following a risk based approach.
- 2.13 Provide a central archive for all asbestos air monitoring results and clearance certificates.
- 2.14 Provide external service providers access to Corporate Asbestos Management Database where requested (e-mail [Asbestos Service Requests](#)).
- 2.15 Provide advice and information on compliance with the Control of Asbestos Regulations, relevant Guidance, SWPs and safe systems of work.
- 2.16 Provide support and advice on any Asbestos policy, procedure, media release or accident/incident investigation.
- 2.17 Respond to asbestos related incidents, assess risks and provide management advice to the Responsible Person during normal working hours.

**Service Directors are responsible for compliance with this Policy and must:**

- 2.18 Ensure Service Managers/Head Teachers are carrying out the responsibilities set out in this Policy and are competent.
- 2.19 Nominate a 'Responsible Person' for every property within their control, and ensure that they are aware of their duties to manage ACMs. For schools this will normally be the Head Teacher. In any premises where there are employees of more than one Hub/Team, the relevant Service Directors must liaise in making the appointment.

**Service Managers/Head Teachers<sup>1</sup> are responsible for compliance with this Policy and Arrangement and must:**

- 2.20 Periodically review the Corporate Asbestos Management Database to ensure that it is up-to-date for properties under their authority and appropriate controls are in place to manage the identified Asbestos Contained Materials (ACMs). This will include new acquisitions in any form and removal of any existing ACMs.
- 2.21 Ensure the Responsible Person understands, has sufficient authority and is competent on what they need to do in order to meet their responsibilities and accountability relating to managing ACMs and have completed Responsible Person e-learning.
- 2.22 Where any asbestos hazard is present, ensure a suitable and sufficient risk assessment is undertaken, controls in place and information, instruction and training provided.
- 2.23 Ensure Council employees or those to whom the Council owes a duty of care to and who are placed in other employer's accommodation through partnership, lease or

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<sup>1</sup> Where a school has opted out of local authority control (Academies, Foundation (Trust), Voluntary Aided and Public Finance Initiative (PFI)), and the local authority is no longer the employer (except teachers in the case of PFI schools where the Council is the employer), the local authority will maintain accountability as a duty holder until such time as it is satisfied that the duty holder responsibility has been formally handed over in writing, ensuring the competency of the school to manage. For Community schools including special, voluntary controlled, maintained nurseries and Pupil Referral Units where the local authority is the employer, the local authority retains the duty holder accountability but delegates the responsibility to Head Teachers through this Policy and Arrangement's for managing asbestos in the SCC Maintained School.



placement (pupils/clients) are provided with the minimum legislative standards required as set out in this Policy.

- 2.24 Ensure any alleged exposure to asbestos is investigated by a competent person.
- 2.25 Ensure the asbestos management inspections are carried out as per the Regulation 4 duty of the Asbestos regulations.
- 2.26 Ensure employees have appropriate training and competencies to undertake the tasks delegated to them. See para 9.1 and 9.2 for further advice on training and competency.
- 2.27 Ensure that staff under their control, which carry out activities with asbestos that are considered to be notifiable, non-licensed works are subject to a medical examination and every three years thereafter and have a register of such work (health record) maintained.

**Responsible Persons must ensure compliance with this Policy and Arrangement and must have in place procedures to cover:**

### **Day to Day Responsibilities**

- 2.28 Completed the Asbestos module of the Responsible Person e-Learning package.
- 2.29 Ensure the property for which they are responsible is acknowledged on the Corporate Asbestos Management Database and the site details are up-to-date and correct.
- 2.30 Ensure periodic asbestos management inspections and remedial actions are undertaken in accordance with SS advice (as provided on the Corporate Asbestos Management Database) and report these actions to SS promptly. Please note, periodic inspections of asbestos are undertaken to determine any deterioration in that materials condition and can be undertaken as part of other routine property maintenance inspections. SS will undertake inspections of those properties which have been identified as high priority (refer to corporate asbestos management database for details). The Information Exchange system will need to be updated to show compliance with this requirement.
  - 2.28.1 Where this task is delegated, ensure the person is competent and has completed the Responsible Person e-learning asbestos modules.
- 2.31 Identify those who need to access the corporate asbestos management database and ensure they know how to access and utilise the system effectively.
- 2.32 Where an ACM is accidentally disturbed or previously unknown asbestos is discovered and no local agreement exists with SS, ensure that work is stopped immediately, and advice sought from SS to ensure full compliance with the Control of Asbestos Regulations and relevant Codes of Practice (see [Appendix 1](#)).
- 2.33 Ensure any incident involving the uncontrolled disturbance of ACM or near miss equivalent is recorded onto the Health and Safety Management System (HSMS) and investigated in consultation with SS and CHSS. (See SWP Accident/Incident Reporting and Investigation).
- 2.34 Ensure details of asbestos locations are identified within the Fire Risk Assessment for the building and are available to the Emergency Services.

**Project Specific Responsibilities (Note: \*see Capital Assets disclaimer on page 12).**

- 2.35 Ensure compliance with SWP Control of Contractor and Service suppliers.
- 2.36 Provide all contractors\*, employees and visitors (as appropriate) with access to appropriate and sufficient information regarding asbestos.



- 2.37 All activities falling outside the 'normal/day to day ones' (non-routine), will require a specific asbestos risk assessment, contact SS for advice (commissioned project specific\*).
- 2.38 With reference to Para 6.3, ensure that SS are provided with sufficient information to determine the extent of any non-routine activities (commissioned project specific\*).
- 2.39 Where a need has been identified through risk assessment, any notifiable, non-licensed works are identified and managed accordingly. (Commissioned project specific\*).
- 2.40 Where a need has been identified through risk assessment, commission the services of a licensed asbestos contractor to undertake licensable or specialist activities who are in the Corporate Asbestos framework agreement in consultation with SS (commissioned project specific\*).
- 2.41 Ensure employee or contractor working with or near ACMs is aware of the location of ACMs and the procedures to follow if it is accidentally disturbed (See [Appendix 1](#))\*.
- 2.42 Ensure any contractor working on or near ACMs is complying with the relevant risk assessment\*.
- 2.43 Where an ACM is accidentally disturbed or previously unknown asbestos is discovered and no local agreement exists with SS, ensure that work is stopped immediately, and advice sought from SS to ensure full compliance with the Control of Asbestos Regulations and relevant Codes of Practice (see [Appendix 1](#))\*.
- 2.44 Where a local agreement exists with SS in writing and an ACM is accidentally disturbed or previously unknown asbestos is discovered ensure that work is stopped immediately, assess the situation, if the material is insulation board, lagging or other friable material etc (i.e. licensed or Notifiable Non Licenced Work) follow the rules set out in Para 1.26. If however the ACM is of non-licensed type and can be dealt with by following the Health and Safety Executive's 'Asbestos Essentials' EM1 (as amended), then work can continue to remove it by competent trained persons informing SS what was found and removed\*.
- 2.45 Ensure any incident involving the uncontrolled disturbance of ACM or near miss equivalent is recorded onto the Health and Safety Management System and investigated in consultation with SS and Corporate Health and Safety Services. (See SWP Accident/Incident Reporting and Investigation)\*
- 2.46 Ensure any employee, or any subcontractor working on the Council's behalf, who removes, encapsulates or repairs any asbestos containing materials from Council properties complete the Asbestos Actions Returns Form, and return it to SS (this includes "minor works" undertaken by normal trades and any tasks requiring a licensed asbestos removal contractor)\*.
- 2.47 Ensure all waste ACMs are appropriately stored, transported and disposed of in accordance with current asbestos guidance and appropriate records kept (e.g. waste transfer note)\*.
- 2.48 Submit all air monitoring results and clearance certificates to SS on completion of works\*.
- 2.49 Ensure the Corporate Asbestos Management Database is updated through SS following any building works including the removal of any existing ACMs.\*

**Line Managers and/or Operational Managers and external appointed consultants must proactively co-operate with the identified 'Responsible Person' to;**

- 2.50 Ensure procedures for dealing with emergencies are followed (see [Appendix 1](#)).
- 2.51 Ensure any incident involving the uncontrolled disturbance of ACM or near miss equivalent is recorded onto the Health and Safety Management System and



- investigated in consultation with SS and CHSS. (See SWP Accident/Incident Reporting and Investigation)\*
- 2.52 Complete an ASB1 (possible exposure whilst employed by SCC) form for an employee, where a written investigation report has concluded asbestos exposure is likely to have occurred (i.e. it has been concluded that activities are likely to have released asbestos fibres into the breathing zone of persons not wearing adequate RPE) and attach a copy of this with the incident report form and investigation report made on the Health and Safety Management System to the employee's medical file.
- 2.53 Where an ACM is accidentally disturbed or previously unknown asbestos is discovered and no local agreement exists with SS, ensure that work is stopped immediately, and advice sought from SS to ensure full compliance with the Control of Asbestos Regulations and relevant Codes of Practice and this corporate asbestos policy and Arrangement (See [Appendix 1](#)).

**In addition, if employees are to be working with or are likely to disturb ACMs, Managers must:**

- 2.54 Risk assess all the work activities employees are carrying out, and where exposure to ACMs is identified as a hazard, record, implement and monitor the necessary control measures as identified within this Policy (See SWP Risk Assessment).
- 2.55 Have a written construction phase plan (CPP) and a safe systems of work for dealing with ACMs.
- 2.56 Notify the HSE if the work is classed as Notifiable Non Licenced Work (NNLW) and keep a register of work (health record) for each employee exposed to asbestos during NNLW (along with an up to date medical examination):
- 2.57 Ensure employees receive the appropriate information, instruction and training i.e. Asbestos Awareness Training/Task Sheets and refresher training every three years or more frequently if the methods of work change significantly.
- 2.58 Require the completion of an ASB2 (previous employment exposure) form prior to working with ACMs (if exposed to asbestos with a previous employer).
- 2.59 Ensure all waste ACMs are appropriately bagged, clearly labelled, transported to and disposed of by a licensed disposal site.
- 2.60 Monitor all working practices to ensure full compliance with Asbestos training, this Policy and Arrangement and The Control of Asbestos Regulations.

**Employees who must:**

- 2.61 Report any materials they know or suspect to contain asbestos that has either deteriorated or exposed ACMs to their manager immediately.
- 2.62 Attend any necessary Asbestos training/refresher training as required for their role.
- 2.63 Where an investigation concludes that asbestos exposure is likely to have occurred, the employee must complete an ASB1 form as a record of the exposure.
- 2.64 Complete an ASB2 form if working with ACMs, so that previous exposure to asbestos fibres is registered.
- 2.65 Comply with the control measures identified within the task sheets, including the use of PPE and RPE, work equipment and recording any works carried out on ACMs (Identified on the applicable work activity Asbestos Task Sheet) on an Employee Asbestos Exposure Record.
- 2.66 Comply with the Construction Phase Plan, activity risk assessments and safe systems of work.
- 2.67 Complete a register of work (health record) when carrying out NNLW
- 2.68 Have an up to date medical examination, if carrying out NNLW



- 2.69 Report any health and safety concerns to the manager immediately.
- 2.70 Report any Asbestos incident on to the Health and Safety Management System (See SWP Accident/Incident Reporting and Investigation).

**Non Council employed Contractors and Council employees used as internal Contractors (Housing Ops, etc) must:**

- 2.71 Consider the hazard of ACMs within their Construction Phase Plan, risk assessments and method statements (to monitor\*).
- 2.72 Where asbestos is a recognised hazard of their work activities, they must be able to demonstrate industry recognisable competency in line with guidance including asbestos awareness and task specific training such as HSE Asbestos essential (to monitor\*).
- 2.73 Comply with local procedures regarding the management of asbestos.
- 2.74 Notify the HSE if the work is classed as Notifiable Non Licenced Work (NNLW) and keep a register of work (health record) for each employee exposed to asbestos when carrying out NNLW:
- 2.75 Have an up to date medical examination, if carrying out NNLW:
- 2.76 Request information from the 'Responsible Person', on all known ACM locations and request access to the Asbestos Management Database (to monitor\*) via CA.
- 2.77 If refurbishing or carrying out any form of demolition, **must** request a 'Refurbishment and Demolition Survey' from the client\*.
- 2.78 Not start refurbishment or demolition works until written authority is provided by the SS for the agreed contract/project.
- 2.79 Where an ACM is accidentally disturbed or previously unknown asbestos is discovered and no local agreement exists with SS, ensure that work is stopped immediately, and advice sought from SS to ensure full compliance with the Control of Asbestos Regulations and relevant Codes of Practice (see [Appendix 1](#))\* Stop work where ACMs are suspected and comply with the emergency procedures.
- 2.80 Where a local agreement exists with SS in writing and an ACM is accidentally disturbed or previously unknown asbestos is discovered ensure that work is stopped immediately, assess the situation, if the material is insulation board, lagging or other friable material etc. (i.e. licensed or Notifiable Non Licenced Work) follow the rules set out in Para . If however the ACM is of the non-licensed type and can be dealt with by following the Health and Safety Executive's 'Asbestos Essentials' EM1 , then work can continue to remove it by competent trained persons informing SS what had been found and removed.
- 2.81 Comply with the Construction Phase Plan, activity risk assessments and safe systems of work and SWP Control of Contractors and Service Providers.
- 2.82 If undertaking any licensed or Notifiable Non Licenced Work on asbestos or any significant unlicensed works (i.e. wholesale removal of textured coatings) provide SS with copies of the method statement at the earliest opportunity before work begins (send to [AsbestosServiceRequests@southampton.gov.uk](mailto:AsbestosServiceRequests@southampton.gov.uk)).
- 2.83 If any asbestos containing materials are removed, encapsulated or repaired, complete the Asbestos Actions Returns Form and return it to SS within 10 working days.
- 2.84 Ensure all waste ACMs are managed in accordance with relevant legislation.
- 2.85 Report any health and safety shortfalls to the project manager immediately.
- 2.86 Report incidents/accidents/near misses in accordance with the contract, SWP Accident/Incident Reporting and Investigation and notify Corporate Health and Safety Service.



- 2.87 Carry out their own investigation into any incident/accident or near miss involving ACM and provide SCC with a copy of the investigation report.
- 2.88 Cooperate and assist in SCC CHSS accident/incident investigations.

**Corporate Health and Safety Service (CHSS) will:**

- 2.89 Investigate all reported asbestos incidents recorded on HSMS
- 2.90 Produce for AMG written reports following investigation into recorded asbestos incidents, so AMG can decide if reportable under RIDDOR.
- 2.91 Report all notifiable asbestos incidents to the HSE as required by RIDDOR.
- 2.92 Provide OH with original ASB1 for inclusion in employee health record.

**Occupational Health will:**

- 2.93 Carry out medical examinations to assess each SCC employee's state of health; to be carried out before exposure to asbestos begins and then at least every 3 years for employees carrying out Notifiable Non Licenced Work.
- 2.94 Retain copies of individual exposure records ASB1 or ASB2 for a period of 40 years, plus relevant paper copies of online incident report forms and investigation reports.
- 2.95 Advise CHSS when they become aware that an employee has completed an ASB1 form on more than one occasion to enable trend spotting and further management action to take place.

**Property Services Valuation and Estates Consultancy will:**

- 2.96 Determine where responsibilities will lie to comply with Regulation 4 of The Control of Asbestos Regulations, in respect of the Council's Investment and Social property portfolio.
- 2.97 Notify SS of all properties where the Council is the 'Duty Holder'.
- 2.98 Identify and account for any liabilities associated with ACMs during property acquisitions and disposals and notify SS.

**Capital Assets:**

- 2.99 Manages the councils Asbestos Framework Agreement which deals with the safe identification and removal of asbestos by letting two separate frameworks,
  - 2.97.1 For asbestos analysis and testing (defined as 'Services'),
  - 2.97.2 For asbestos removal and disposal (defined as 'Works').

*Note: If Capital Assets are commissioned to provide a service in relation to estate repairs, maintenance and construction, the responsibilities identified with an asterisk\* will be provided by Capital Assets, but only in relation to that project.*

*The management of asbestos and its risks presents a number of technical challenges so Scientific Services (SS) are responsible for providing a number of specialist services to ensure those parties listed below have sufficient support to undertake their responsibilities. (These are listed in sections of this policy and arrangement).*

*Competency statement – for a person to be competent, they need “qualifications, experience, and qualities appropriate to their duties”. These include:*

- *“such training as would ensure acquisition of the necessary knowledge of the field for the tasks which they are required to perform,*



- *adequate knowledge of the hazards and failures of the equipment for which they are responsible,*
- *knowledge and understanding of the working practices used in the organisation for which they work,*
- *the ability to communicate effectively with their peers, with any employees working under their supervision, and with their supervisors*
- *an appreciation of their own limitations and constraints, whether of knowledge, experience, facilities, resources, etc., and a willingness to point these out.”*

### **3. Procedures for managing ACM in council premises and maintained schools**

- 3.1 There is a Health and Safety Asbestos microsite on [H&S Intranet](#) and [H&S for Schools](#) webpage, to compliment this Asbestos policy, this provides advice and links to further information with regard to Asbestos management within the Council.
- 3.2 The [Health and Safety Executive \(HSE\)](#) provides extensive information on the management of asbestos on their internet website, see section 4.1 for more details.

### **4. Duty to Manage**

- 4.1 Regulation 4 of The Control of Asbestos Regulations, has a duty to manage asbestos in non-domestic premises and communal parts of premises such as flats (further information on this can be found on the [HSE website](#)). These duties have been delegated to appropriate Responsible Persons within the Council including headteachers in Maintained schools as described by this policy. (For competency See section )
- 4.2 Regulation 4 does not apply to residential tenanted council properties. However, as the landlord, the Council does have to meet the requirements of The Defective Premises Act and will have duties under the Health and Safety at Work etc. Act for its properties. To ensure full regulatory compliance the procedures detailed in this policy and arrangement apply to houses, flats and other domestic premises for which the council is responsible.
- 4.3 Where Southampton City Council is not the ‘Duty Holder’ (and has no responsibility for property management), it may be appropriate for an asbestos survey to be undertaken or the findings of an existing survey to be published on the Corporate Asbestos Management Database, kept on record and ensure the information is available to concerned parties who do not have access to the database. This may arise with voluntary or community groups leasing Council Properties.
- 4.4 On no account is anyone other than SS to undertake asbestos sampling in The Council properties including maintained schools unless specifically authorised by SS in writing.

### **5. Reducing the ongoing asbestos risks in SCC Premises**

- 5.1 Any refurbishment project or specific asbestos removal activity must be used as an opportunity to reduce the ongoing asbestos risks as far as is reasonably practicable.
- 5.2 It is recognised that the current project/task may incur additional costs as a consequence of this approach, however, this is typically the most effective approach for reducing ongoing risks and costs across a property portfolio.
- 5.3 Asbestos should only be left in-situ following any such opportunity if it can be demonstrated that the costs or risks are prohibitive or not proportionate to the primary goal. For example, tasks recognised by a SCC Task Sheet can normally be applied as an alternative to wholesale removal.



- 5.4 Regulation 7 of CAR 2012 states that “In cases of final demolition or major refurbishment of premises, the plan of work must, so far as is reasonably practicable, specify that asbestos must be removed before any other major works begin, unless removal would cause a greater risk to employees than if the asbestos had been left in place”
- 5.5 If localised refurbishment is undertaken within a property, asbestos which is at risk of disturbance during those works must be removed before works begin, unless removal presents a greater risk than if the asbestos had been left in place.
- 5.6 When planning the removal of any asbestos to address a recognised risk, other asbestos within the vicinity must be removed if there is a practical opportunity to do so.

## 6. Corporate Asbestos Management Database

- 6.1 SS maintains the [Corporate Asbestos Management Database](#) which serves to ensure compliance with Regulation 4 of Control of Asbestos Regulations by identifying:
  - 6.1.1 Where ACMs are located or are assumed to be located.
  - 6.1.2 The relative condition of those materials and the level of risk they might present.
  - 6.1.3 Measures to be taken to manage any unacceptable risks (this includes remedial actions and routine inspections to confirm the condition and status of known or assumed ACMs).
- 6.2 The Corporate Asbestos Management Database and the Property Asbestos Reports it generates must only be assumed to provide information that will be sufficient to ensure the safe occupancy of the property under normal use; this includes routine maintenance. Concealed asbestos materials may not routinely be reported.
- 6.3 Additional information can be included that will facilitate non-routine maintenance/repair, renovations, refurbishment or demolition which has been identified from a Refurbishment & Demolition (R&D) survey
- 6.4 To ensure the information on this database is kept current, the Responsible Persons/ Managers/ head teacher in maintained schools must ensure:
  - 6.4.1 The Asbestos Actions Returns Form has been completed and returned to SS when any works is undertaken that involve ACMs or presumed ACMs\*.
  - 6.4.2 The findings of any asbestos management inspections are reported to SS by completing a condition report for that property (as provided by the Corporate Asbestos Management Database).
- 6.5 The database is accessible to all Council employees including school employees in maintained schools via the intranet. Password protected access can be provided to contractors, partners and maintained schools via the internet, by application to SS.
- 6.6 The database includes full instructions on how to:
  - 6.6.1 Access the system;
  - 6.6.2 Search for a property;
  - 6.6.3 Select and print different report types;
  - 6.6.4 View location plans;
  - 6.6.5 Send and monitor a service requests;
  - 6.6.6 Identify any outstanding asbestos management requirements (remedial works and routine inspections) and report their undertaking.



## 7. Managing Refurbishment and Demolition (R&D) Projects

- 7.1 The Corporate Asbestos Management Database does not contain sufficiently comprehensive information to ensure the safe management of asbestos risks during refurbishment or demolitions works. Persons initiating refurbishment work must determine whether activities are likely to disturb known, assumed or concealed (previously unreported) ACMs\*
- 7.2 If the project is deemed to disturb ACMs, works must not start until a suitable and sufficient R&D survey and assessment has been made and reported in writing. Advice can be sought from SS regarding this requirement. To ensure such an R&D survey and assessment is adequately scoped, the surveyor/assessor must be supplied with full project details and be invited to attend a site meeting to ensure clarity.\*
- 7.3 Typically, SS will carry out any R&D survey and assessment required to facilitate such works; See Paras 16.1 and 16.2 above. For larger strategic projects or demolition works it may prove practical for this activity to be included in the contracts scope and undertaken by an external party; however, authorisation in writing must first be sought from SS.
- 7.4 Any application to the Health and Safety Executive to waiver the 14 day notification must only be made with the written approval of SS.
- 7.5 Where any project involves the encapsulation, removal or repair of an ACM complete the Asbestos Actions Returns Form, and return it to SS (this includes "minor works" undertaken by normal trades and any tasks requiring a licensed asbestos removal contractor)\*.

## 8. Emergency Arrangements and Accident/Incident Recording

- 8.1 For all building works including Housing Operation general repairs and in maintained schools and other education premises, a procedure must be in place that can be put into effect should a known or potential ACM be unexpectedly found or accidentally disturbed. [Appendix 1](#) contains a flowchart illustrating the minimum that must be undertaken in such an event. Note: Local agreements may exist; see para.\*
- 8.2 Planned works being carried out after hours or during weekends / public holidays that involves working on or around ACMs, must have arrangements for a Licensed Asbestos contractor to attend in the event of unplanned and uncontrolled disturbance of ACM.\*
- 8.3 All unexpected finds and accidental disturbances must be reported to SS as soon as is practicable (see [Appendix 1](#)). Then the online other (asbestos) Incident reporting form using the HSMS will need to be completed (See SWP Accident/Incident Reporting and Investigation). Inform Corporate Health and Safety Service of any significant incident.\*
- 8.4 A 'Contractor Incident Notification' (CIN) form must be submitted to Corporate Health and Safety Service immediately by the Manager (or their adviser) if a contractor is responsible for an uncontrolled disturbance of a known or potential ACM or if any Council policy or procedure is breached.\*
- 8.5 In the event that a confirmed ACM has been accidentally disturbed, a near miss, or a failure to follow procedures; an online 'Other' (asbestos) incident reporting form using the HSMS must be completed by the employee/manager (See SWP Accident/Incident Reporting and Investigation).
- 8.6 Where an investigation concludes that asbestos exposure is likely to have occurred, the line manager must complete an ASB1 form as a record of the exposure. This will be retained by Occupational Health for a period of 40 years after the last entry, or at



least until the employee would reach the age of 80 years, whichever ensures the longer retention time, along with a copy of the online 'Other' (asbestos) incident reporting form and investigation report.

- 8.7 The Asbestos Management Group (AMG) will ensure on the reporting of Asbestos incidents to the Health and Safety Executive in line with the requirements of RIDDOR. See HSE asbestos frequently asked questions for more guidance on whether the incident is reportable: [hse.gov.uk/asbestos/faq](http://hse.gov.uk/asbestos/faq).

## 9. Information, Instruction and Training

- 9.1 Mandatory training for Managers, Responsible Persons and front line employees including school staff, if asbestos is identified as a hazard within their work activity risk assessment. These courses are available through Learning and Development:
- 9.1.1 Control of Asbestos Regulations (for Managers only) e-Learning;
  - 9.1.2 Managing Asbestos in Buildings (draft proposal to introduce e-learning for Regulation 4 duties) e-Learning;
  - 9.1.3 Asbestos Foundation e-Learning;
  - 9.1.4 Asbestos task training (for employees using SCC Asbestos task Sheets and/or HSE asbestos Essentials or similar for Notifiable Non Licensed Work or unlicensed activities.
  - 9.1.5 Control of Asbestos Regulations (for Site Managers and Caretakers).
- 9.2 Refresher training for Asbestos Awareness and Asbestos Tasks must be completed every three years or more frequently if the methods of work change significantly. The refresher training should be appropriate to the role undertaken, i.e. cover those issues and activities relevant to the person's role.
- 9.3 Those persons who require only Asbestos Awareness training can have refresher training as part of other health and safety updates.
- 9.4 Contractors must be provided with details on the location and type of ACMs present in their work area. Non Council contractors undertaking works for SCC must be able to evidence training equivalent to 9.1 above.
- 9.5 Information on the location, state and control of ACMs must be provided to tenants.

## 10. Control of Contractors and Service Providers

- 10.1 Any provider of services whose work could, foreseeably, expose them and others to asbestos risks (i.e. any maintenance, refurbishment, construction activities or demolition) must be able to demonstrate competence and evidence of appropriate training in Asbestos Awareness.
- 10.2 Any provider of services who undertakes Notifiable Non Licensed Work (NNLW) or Non-licensed work on asbestos must be able to demonstrate competence in the task and follow an appropriate method statement. Generic method statements are available; [HSE Asbestos Essentials](#) and SCC Asbestos Task Sheet ([H&S Intranet](#) and [H&S for Schools](#)). Specific method statements can be adopted but as a minimum must use the same control measures detailed in any generic counterpart described above.
- 10.3 Contractors must have emergency procedures in place for accidental disturbance of ACMs which must incorporate the Council emergency procedures (See [Appendix1](#)).
- 10.4 Only HSE Licensed Asbestos Contractors can undertake licensable activities on ACMs; certain tasks involving asbestos are [exempt from licensing requirements](#). The Asbestos micro site lists a number of method statements that can be undertaken by an unlicensed party or those carrying out Notifiable Non Licensed Work as long as they are appropriately trained. In the absence of an Asbestos Task



Sheet the HSE list a number of Notifiable Non Licensed Work or unlicensed activities in their Asbestos Essentials.

- 10.5 If the Construction Phase Plan and risk assessment identifies that the task is a non-licensable activity, the responsible person must ensure a written method statement and risk assessment is available before allowing that activity to be undertaken by a suitable trained person.
- 10.6 If the Construction Phase Plan and risk assessment identifies that the task is a Notifiable Non Licensed Work (NNLW) activity, the responsible person must notify the HSE and ensure a written method statement and risk assessment is available before allowing that activity to be undertaken by a suitably trained person who also has an up to date medical examination.
- 10.7 SS will provide advice on licensed, NNLW and non-licensed activities and good practice regarding any asbestos related activity.
- 10.8 Those responsible for commissioning a licensed asbestos contractor must ensure that they are in possession of a full (3 year) unconditioned licence that is valid for the duration of the contract. SS can provide advice on those activities which are licensable and those that are exempt.
- 10.9 Where activities involving asbestos require the scrutiny of an asbestos analyst, i.e. to undertake reassurance or background air tests and/or a site clearance procedure, that analyst must be accredited by UKAS for those activities and **shall** be commissioned directly by the client (and not sub-contracted by the asbestos contractor) to ensure their impartiality. Note: The analyst commissioned must be taken from the asbestos framework agreement.

## 11. Information Exchange

- 11.1 Information Exchange is the Councils Property Compliance database; it is used to demonstrate compliance against various statutory and non-statutory compliance issues relating to Health and Safety. Each building has an entry on the system and the various compliance items appertaining to that building are detailed with the frequency for compliance; the asbestos entry is an annual event and is a declaration that the Regulation 4 management inspection has been carried out and the property has the latest version of the asbestos survey available.

## 12. Safe Working Procedures Relevant to This Document

- 12.1 Risk Assessment
- 12.2 Control of Contractors and Service Providers
- 12.3 Personal Protective Equipment
- 12.4 Work Equipment
- 12.5 Accident/Incident Reporting and Investigation
- 12.6 Asbestos Framework Agreement
- 12.7 Relevant Forms
  - 12.7.1 Contractor Incident Notification

Note: Other safe working procedures and forms may apply and they are available on the Council's [Health and Safety Intranet](#) and [Health and Safety for Schools](#) webpage.

## 13. Main Legislation Relevant to This Document

- 13.1 [Health and Safety at Work etc Act](#)
- 13.2 [The Management of Health and Safety at Work Regulations](#)



- 13.3 [Control of Asbestos Regulations 2012](#)
- 13.4 [Construction, Design and Management Regulations 2015](#)
- 13.5 [Personal Protective Equipment Regulations](#)
- 13.6 [Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013](#)
- 13.7 [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations](#)
- 13.8 [Environmental Protection Act 1990 \(Part II\)](#)
- 13.9 [The Defective Premises Act](#)

#### **14. Contact Address's and Guidance Links**

- 14.1 Health and Safety Executive [www.hse.gov.uk](http://www.hse.gov.uk)
  - 14.1.1 [Asbestos Health and Safety](#)
  - 14.1.2 [Manage Building? You must manage Asbestos](#)
  - 14.1.3 [Asbestos Images](#)
  - 14.1.4 [L143 – Work with Materials containing Asbestos \(ACoP\)](#)
  - 14.1.5 [HSG264 – Asbestos – The Survey Guide](#)
  - 14.1.6 [HSG213 – Asbestos Essentials Task Manual](#)
  - 14.1.7 [HSG53 – Respiratory Protective Equipment at Work](#)
- 14.2 Department for Education  
[www.education.gov.uk/schools](http://www.education.gov.uk/schools)
- 14.3 Corporate Health and Safety Service
  - 14.3.1 [Health and Safety Intranet](#)
  - 14.3.2 [Health and Safety for Schools](#)
  - 14.3.3 [Asbestos microsite via H&S Intranet](#)
  - 14.3.4 [Asbestos microsite via H&S for Schools](#)
- 14.4 Regulatory Services
  - 14.4.1 E-mail: [Asbestos Service Requests](#)
  - 14.4.2 [Corporate Asbestos Database](#)



## Action to Be Taken When Asbestos-Containing Materials (ACMs) Are Accidentally Found or Disturbed

