

Housing and Safer Communities Policy



Division - Repairs and Investment

Asbestos Safety Policy

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Document Owner - Asbestos Delivery Manager

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I. Policy Objective

- 1.1 The Royal Borough of Greenwich (the council) is committed to ensuring that residents' homes, offices within residential buildings, and communal areas are safe and secure places to live and work. The Housing and Safer Communities Directorate (HSC) within the council is responsible for residential properties that fall within the Housing Revenue Account (HRA) and temporary residential accommodation within the General Fund (GF).
- 1.2 The Housing and Homelessness Strategy 2021-2026 sets out the overarching principles and key aims and objectives for the council's housing services for the provision of safe, secure, and affordable homes. This is divided into five key strands of which this policy sits within: -
 - Strand 1 - Ensuring the supply of high-quality homes and
 - Strand 4 – Safe and sustainable homes for all.
- 1.3 This policy sets out the local arrangements that are in place by HSC and how we intend to meet our legislative and other obligations as a landlord, employer and client providing assurances that asbestos is safely managed. To ensure that our residents, the public, employees, and contractors are not exposed to any risk arising from exposure to asbestos that may impact on their health, safety, and wellbeing.
- 1.4 This policy supports the standards set out in the corporate Asbestos Management Standard and provides additional assurances where asbestos exposure risk applies to residential properties owned and managed by the HSC.

2. Context

- 2.1 The Control of Asbestos Regulations 2012 requires the council to manage asbestos in non-domestic premises and the general duties in section 3(1) of the Health and Safety at Work Act apply to protect tenants and residents from any risks from work activities being carried out in their homes. Section 4 of this policy outlines the principal legislation governing this policy.
- 2.2 In compliance with legislation RBG has a duty of care to manage the risk posed by asbestos containing material and materials presumed to contain asbestos in premises owned, managed, or controlled by HSC.
- 2.3 HSC intends to implement this policy in conjunction with the Asbestos Management Standard, this is a corporate document which sets out overarching processes for the management of asbestos across the councils. The Asbestos Management Standard should be read and followed in conjunction with this policy.
- 2.4 All employees and contractors have a duty of care to work in a safe manner not to expose any persons to asbestos containing material and to comply with the policy requirements in relation to their work activities.

- 2.5 HSC takes the health, safety and well-being of its residents, employees, and others seriously. It is our policy to exceed, where reasonably practicable, the minimum legislative health and safety standard.
- 2.6 The council is the 'Duty Holder' under the Control of Asbestos Regulations 2012, and the Chief Executive is accountable for undertaking or delegating the duties under Regulation 4. Where RBG is not the duty holder but is involved with the site or service, RBG will cooperate fully with the duty holder.
- 2.7 The Chief Executive has delegated their responsibility to the Director of Housing and Safer Communities who will appoint a Senior Assistant Director for the Repairs and Investment division to assist in the delivery, implementation, and compliance of the requirements of this policy.
- 2.8 The Senior Assistant Director of Repairs and Investment and the Head of Landlord Risk and Compliance is responsible for the appointment of a competent person.
- 2.9 The competent person for HSC is the Asbestos Delivery Manager within the Repairs and Investment Division. They are responsible for the effective management and control of asbestos, and where appropriate to report or escalate issues to the Head of Landlord Risk and Compliance.
- 2.10 The Director of Housing and Safer Communities is responsible to the council's Chief Executive and the council's cabinet members for ensuring the effective delivery, implementation, and compliance of this policy. The implementation, compliance of and adherence to the policy will be monitored by the council's cabinet members.
- 2.11 HSC's Assurance Framework maps out the governance regime for both officers and cabinet members to ensure Housing and Safer Communities meets its regulatory obligations by being visible and accountable for resident safety and the delivery of improvements. The Audit and Risk Management Panel will be responsible for ensuring that RBG Cabinet receives the assurances it requires.
- 2.12 HSC will have relevant procedures in place for the management of asbestos in its domestic and non- domestic properties, and communal areas which will provide guidance and a consistent approach for the management of asbestos safely for its properties.
- 2.13 The Asbestos Delivery Manager as a competent person must be trained to a minimum P405 Management of Asbestos in Buildings standard or equivalent and have suitable management experience in line with standard compliance requirements.
- 2.14 All new managers, supervisors and employees who have a role related to asbestos must undertake mandatory Asbestos Awareness – Duty to Manage training and attend an annual refresher course thereafter.
- 2.15 All employees will have role specific asbestos training, including non-licenced asbestos removal and attend required refresher training before carrying out this type of work.

3. Key Policy Points

3.1 HSC will comply with the relevant legislation to meet its asbestos safety and management obligations to protect our residents, visitors, employees, and contractors from any risk to health and safety due to exposure to asbestos.

3.2 Management of Asbestos Safety Duties

HSC has a duty to manage risk from asbestos by: -

- ensuring that all persons who have responsibility for managing, organising, or carrying out works have undergone sufficient training to allow them to manage the risk of exposure to asbestos containing materials and to keep a record of this training.
- implementing all necessary asbestos safety precautions and any other best practice measures.
- presuming all properties built prior to 2000 contain asbestos unless surveys state otherwise.
- identifying whether properties and buildings contain or may contain asbestos, if so, record the location and condition.
- undertaking an assessment of the risk of any identified or presumed asbestos and recording this assessment.
- making, and keeping up to date, a record of the location and condition of ACMs or materials which are presumed to contain ACMs as an Asbestos Register
- ensuring that the condition of any material containing, or presumed to contain, asbestos in non-domestic areas is periodically assessed in accordance with the risk it poses by an accredited person (through a programme of risk assessed interval reinspection surveys) and that the outcome of this assessment is recorded.
- identifying the presence of asbestos and its type and condition (by undertaking a suitable asbestos survey) before any building, maintenance, demolition, or other work, liable to disturb asbestos, begins.
- preparing a written Asbestos Management Plan detailing roles and responsibilities and how the risk of asbestos will be managed through processes and procedures.
- ensuring that any asbestos containing materials identified as being damaged or at risk of damage are repaired, protected, or removed by a competent person in line with Regulations and best practice.
- ensuring adequate processes are in place for the safe removal or remediation of asbestos or presumed asbestos.
- ensuring that appropriate risk assessments are carried out prior to any work which may expose employees to asbestos and that written plans of work are prepared before work on asbestos is carried out.
- ensuring only competent persons are used in the risk assessment, works planning, sampling, analysing and removal of asbestos and that only contractors licensed by the HSE undertake licensable work with asbestos
- ensuring that information on the location, condition and risk of asbestos containing materials is available to employees and contractors prior to work taking place and to anyone else who may need it.
- carrying out site audits and post inspections to monitor the quality of works undertaken.
- having a procedure in place for dealing with unplanned, uncontrolled release of asbestos fibres including immediate measures to protect employees, residents,

contractors, and other persons not listed.

- making appropriate arrangements if a resident needs to leave their home for remedial works to be completed, this will be dealt with in line with HSC's Decant Policy.

3.3 Contract Management

In line with the council's procurement protocol, where appropriate HSC will: -

- appoint suitably qualified competent contractors to carry out necessary asbestos inspections and removals.
- ensure accreditation certificates are verified with the appropriate bodies before any appointment is awarded.
- conduct regular meetings with contractors to review contract goals and monitor performance.
- carry out post inspections to monitor the quality of work.
- effectively control works through appropriate processes to ensure that no penetrative or intrusive works take place in either domestic or non-domestic premises without a suitable assessment/asbestos survey being undertaken, and the results fully communicated and understood.
- Stop any works and take all required actions to mitigate the risk of accidental release of asbestos or exposure to asbestos through the undertaking of any work activities.

3.4 Keeping Asbestos Safety Records

HSC will keep and maintain: -

- an up-to-date record of the location and condition of known or presumed asbestos.
- accurate records of all asbestos tests and surveys.
- accurate records where asbestos has been removed and remedial works have taken place to contain or remove asbestos.
- records of employees attending relevant asbestos training, and refresher training
- records of asbestos incidents including those resulting in exposure or suspected exposure.

3.5 Awareness and Communication of Asbestos Safety

HSC will protect residents, employees, and contractors to ensure: -

- employees and contractors are aware of this policy and their legislative and other related responsibilities.
- employees and contractors are made aware of any material known to contain asbestos or presumed to contain asbestos, prior to any work taking place.
- employees receive asbestos safety related training, relevant to the requirements of their role.
- contractors are competent in working with asbestos and have appropriate asbestos related training, including refresher training.
- safe working systems are in place, which will identify and include the wearing of appropriate personal protective equipment.
- arrangements are in place with contractors to ensure that all relevant employees, residents, and visitors are aware of any asbestos work being undertaken.

- residents and employees are made aware of their responsibility in relation to asbestos safety measures or arrangements.
- residents who have a disability/vulnerability are appropriately advised of any asbestos safety measures.

3.6 Resident Responsibilities

Residents to proactively work in partnership with HSC to help keep them safe from the risks arising from asbestos exposure by: -

- allowing access for our contractors or in house team to complete any asbestos related inspection or required remedial works.
- reporting any damage to identified asbestos containing materials and to allow us access to undertake required safety inspections or required remedial works
- requesting our permission before undertaking any penetrative or intrusive work or repairs on their property; permission for any major works must be requested in line with HSC's Improvements and Permissions Policy.

4. Legislation

4.1 The principal legislation for this policy are: -

- Health and Safety at Work Act 1974
- The Management of Health and Safety Regulations 1999
- The Hazardous Waste (England and Wales) Regulations 2005 (amended 2016)
- The Control of Asbestos Regulations 2012
- Reporting of Injuries, Diseases and Dangerous Occurrences (Amendment) Regulations 2013 (RIDDOR)
- The Construction (Design and Management) Regulations 2015

4.2 With the following legislation taken into consideration:-

- Defective Premises Act 1972
- Occupiers Liability Act 1984
- Landlord and Tenant Act 1985
- Secure Tenants of Local Authority (Right to Repair) Regulation 1994
- Housing Act 2004 (Housing Health and Safety Rating System)
- Homes (Fitness for Human Habitation) Act 2018
- The Building Safety Act 2022
- Social Housing (Regulation) Act 2023

4.3 This list is not exhaustive but contains the main legal duties regarding asbestos safety.

4.4 HSC will also comply with all relevant codes of practice and guidance that under pin legislation.

4.5 This policy should be read in conjunction with relevant legislation as well as HSCs Asbestos Management Plan and current established procedure.

5. Implementation and Performance Monitoring

- 5.1 The implementation of this policy will be carried out through employee training, and briefings and a copy of this policy will be made available on the intranet for review.
- 5.2 Performance will be monitored and challenged through agreed performance indicators and will be reviewed at the following scheduled meetings: -
- Directorates Management Meeting (DMT)
 - Landlord Compliance Group (LCG)
 - Compliance Safety Panel (CSP)
 - Compliance Operational Group (COG)
 - Asbestos Safety Action Group (ASAG)
- 5.3 HSC will seek independent assurances through internal and external audit processes and publish results.
- 5.4 This policy will be reviewed annually at the Asbestos Safety Action Group or following any asbestos exposure incident or any change in legislation before the scheduled policy review.
- 5.5 If during the review no amendments are required to the policy, it will be reported to the Compliance Operational Group, Compliance Safety Panel and Landlords Compliance Group meetings and minuted for audit purposes.