

Asbestos Policy

Policy Statement

Purpose

As owners and managers of property we have a duty of care to ensure that customers, visitors and colleagues can use our buildings and facilities safely. This extends to ensuring that residents and visitors are safe from risks associated with asbestos and that Orwell complies with Health and Safety Executive Approved Codes of Practice (ACOPs), Regulation and Guidance in respect of asbestos management.

Legal Obligations

The direct obligations imposed on Orwell are set out in the Control of Asbestos Regulations 2012, which impose a duty under Regulation 4 to manage asbestos in non-domestic premises. Although the regulations refer to non-domestic premises, where contractors are undertaking work within a domestic property, the regulations equally apply.

We will comply with our duties as an employer and as a landlord by adhering to the following legislation:

- The Landlord and Tenant Act 1985 and the Housing Acts 1985 and 1988 (as amended)
- The Health and Safety at Work Act 1974
- The Management of Health & Safety at Work Regulations 1999
- The Workplace Health, Safety and Welfare Regulations 1992 (as amended)
- The Construction Design and Management Regulations 2015 (CDM)
- The Defective Premises Act 1972
- Control of Asbestos Regulations 2012
- Control of Substances Hazardous to Health (COSHH) Regulations 2002:
- ACOP L127
- ACOP L143 (revised)

Orwell's Commitment

We will take reasonable steps to find out if there are materials containing asbestos in non-domestic premises and, if so, how much, where it is and what condition it is in.

We will presume materials contain asbestos unless there is strong evidence that they do not.

We will 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.

We will assess the risk of anyone being exposed to fibres from the materials identified.

We will prepare a plan that sets out in detail how the risks from these materials will be managed and take the necessary steps to put the plan into action.

We will periodically review and monitor the plan so that it remains relevant and up to date.

We will provide information on the location and condition of the materials to anyone who is likely to work on or disturb them.

We will seek, insofar as it is reasonably practicable, to protect our employees, customers and third parties from the risks to health posed by potential exposure to asbestos in connection with our properties and business activities.

We will procure and manage asbestos contractors appropriately, ensuring that they are qualified and registered to do the work required of them, in particular ensuring they are registered with UKAS, the HSE or other approved credited bodies in place at the time.

We commit to ensuring all our premises built before 2000, including all common parts of domestic flat blocks and shared houses, have an asbestos management survey to identify any asbestos containing materials (ACMs).

We will prepare and maintain an asbestos register ('the register') identifying the location, type and condition of any ACMs and undertake appropriate management control measures to ACMs such as encapsulation, labelling, inspection or removal. This register will be held in Orwell's asset management database and published quarterly on the intranet.

The register will be made available to contractors and operatives live via the Asbestos Look Up app.

We will regularly review the register, updating it when treatment/removal works are undertaken or when the condition or priority of the ACMs has changed.

Paper copies of the register will be provided to all colleagues who carry out maintenance, repair or improvement work to Orwell's properties if they are unable to access online records.

Orwell will keep and maintain an Asbestos Management Plan for each property, implement and review this plan in line with ACOP L143.

We will ensure that all colleagues, contractors, and subcontractors carrying out work on any Orwell property, either non-domestic or domestic, are aware of the presence or suspected presence of ACMs.

All domestic premises built before 2000 that have not been surveyed will be identified and work undertaken in a manner that assumes the potential presence of ACMs. All colleagues who will potentially work on these premises will be trained to follow the Asbestos Procedure.

Refurbishment/demolition surveys will be carried out on any domestic premises that are due to undergo substantial improvement or intrusive work prior to any works commencing.

Only competent HSE licensed and United Kingdom Accreditation Service (UKAS) accredited external asbestos consultants will be commissioned to carry out surveys and sampling and only competent HSE licensed asbestos contractors will be commissioned to carry out any licensed works to ACMs.

We will ensure that non-licensed work is carried out by suitably trained operatives or contractors and all HSE guidance is followed and material disposed of correctly.

Awareness of the risks from ACMs and the appropriate Asbestos Management Procedures will be passed on through staff inductions and training.

All repair orders will carry a warning if asbestos is present in the property.

All repair orders issued for surveyed properties will carry a warning that ACMs may be present and that asbestos procedures should be followed.

We will ensure that staff, contractors and operatives work within the guidance given in HSE Asbestos Essentials HSG210 guidance booklet.

Responsibilities

Lines of Responsibility

Orwell's duty to maintain and implement the Asbestos Policy falls under the remit of the of the Compliance and Planned Works Manager. The Compliance and Planned Works Manager is the named Responsible Manager and will implement the control measures as detailed in this document reporting to the Head of Property who will cascade all information to the responsible person and duty holder.

Duty Holder

The Duty Holder 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 particular they will:

- Ensure resources are made available to allow the actions and measures detailed in this policy and any associated procedures to be effectively delivered.
- Delegate their responsibilities for the for the delivery of services in line with policy and procedures to the Assistant Director of Property Services, the Head of Property and the Compliance and Planned Works Manager; however, will retain an oversight on progress/performance.
- Eliminate risk wherever possible.
- Appoint appropriate 'Responsible Persons' to oversee, control and coordinate the control of the risk.

The Duty Holder is: The Chief Executive.

Responsible Person

The Responsible Person is given their authority by the Duty Holder. The position carries the authority to put into effect any measures required to control the risk and ensure statutory and regulatory regulations are implemented and followed both as a matter of routine and in the event of a crisis.

The Responsible Person will work closely with the Head of Property and the Compliance & Planned Works Manager to seek assurances that regulatory obligations and policy measures are being adhered to and services delivered in line with budget. They will check monthly reports compiled for board members to ensure compliance with statutory and contractual obligations.

The Responsible Person also has a responsibility to ensure records are kept to confirm that this policy has been implemented. The Responsible Person has the over-riding authority for the control of Asbestos to ensure that all Orwell Housing Association properties meet the requirements of Control of Asbestos 2012 and this policy. The Responsible Person is required to ensure that nominated OHA staff are trained and competent to carry out the prescribed task on their behalf and to ensure that the Responsible Person tasks and requirements are duly met.

The Responsible Person is: Assistant Director of Property Services.

Responsible Manager

The Responsible Manager has been given authority by the Responsible Person to act on their behalf to oversee the day-to-day management and co-ordination of Orwell's Asbestos Policy and Procedure. This position carries with it the authority to put into effect any measures required to control the risk of Asbestos, both as a matter of routine and in the event of a crisis. The Responsible Manager also has a responsibility to ensure records are kept to confirm that this policy has been implemented.

They have responsibility to ensure the scheme of precautions to control the risk of Asbestos is implemented fully by competent persons, whether directly employed by Orwell Housing Association, contracted, or subcontracted.

In particular they will:

- Regularly review this policy and ensure its objective are achieved.
- Prepare compliance performance, reporting to the Assistant Director of Property Services, Chief Executive, and the Board.
- Ensure that any compliance and/or H&S related issues are brought to the attention of the Assistant Director of Property Services and provide regular updates on service delivery.
- Effectively manage the performance, competence, service delivery and quality of contractors and their work, and proactively monitor service delivery against targets.
- Ensuring all servicing certification is received and verified.
- Act as the organisation lead for Asbestos, ensuring that OHA continue to work in line with the most up to date regulations and industry guidance.
- Ensure that performance of contractors is supported by a suite of performance indicators which are regularly reviewed and with procedures in place to take more formal action to address performance issues if required.
- Work closely with the Housing Services Manager to ensure that any properties that have not given access to have an asbestos survey completed they are flagged on our CX system to allow a survey to be completed when any other visit is required.
- Oversee the control of Asbestos Regulations 2012 on behalf of the Duty Holder.
- Ensure that Asbestos checks are carried out on behalf of the Duty Holder

The Responsible Manager is: Compliance and Planned Works Manager.

Compliance & Servicing Team Leader

The Compliance & Servicing Team Leader will be responsible for the delivery of all outstanding surveys and those required to complete planned works.

In particular they will:

- Support the Responsible Manager to oversee the performance of the appointed contractor, including their ongoing competence, and proactively monitor service delivery against targets.
- Ensure that any newly acquired property that requires to have asbestos information held against it, is added to the Asprey and CX databases.

Asbestos Surveying External Contractors

External contractors appointed by Orwell will have responsibility for carrying out the asbestos surveying of all properties assumed to contain asbestos containing material as instructed by Orwell.

In particular they will:

- Organise initial appointments with customers or schemes to ensure surveying is completed within acceptable timeframes to ensure Orwell complies with the necessary regulations.
- Carry out the necessary attempts to make appointments in line with Orwell's procedures. Inform the Compliance Team of 'no access' properties at the earliest opportunity to ensure Orwell can begin access procedures.
- Provide weekly surveying updates to the Compliance Team on the current position with all properties and notify of any problems, discrepancies, or anomalies.
- Ensure that all surveyors have the correct qualifications and memberships to complete the surveying and testing.
- Implement any required safe working practices to ensure surveying can be completed.
- Complete and maintain records as required.
- Attend monthly contract meetings to discuss and document performance of servicing contract.

Policy Monitoring and Review

The Assistant Director of Property Services has operational responsibility for taking all reasonable steps to ensure that this policy is complied with.

The policy will be formally reviewed and updated every three years by the Responsible Manager, or sooner if deemed appropriate, or by reasonable request.