

EAST AYRSHIRE COUNCIL

CORPORATE GOVERNANCE COMMITTEE 23rd September 2003

DEPARTMENT OF CORPORATE RESOURCES ASBESTOS POLICY

Report by Director of Corporate Resources/Depute Chief Executive

1. PURPOSE

- 1.1 To advise committee of the administrative changes made to the Council's Asbestos Policy, to achieve compliance with legislative requirements.

2. BACKGROUND INFORMATION

- 2.1 The Council Policy on Asbestos at Work was last issued in December 1998. The Policy and supporting Management Guidelines and Safety Procedures were issued as documents within the Council Health and Safety Policy Arrangements of the Master Safety File.
- 2.2 The Control of Asbestos at Work Regulations 2002 place specific requirements upon the Council that were not identified in the previous Policy. The administrative changes to this revised Policy do not in any way alter the spirit of the original document.

3. REVIEW OF MAIN REVISIONS

- 3.1 The Statement of Intent has been amended to remove specific reference to the purchase of asbestos materials. This is now identified in the Arrangements section of the Asbestos Policy.
- 3.2 The requirement to ensure a suitable written plan and risk assessments are undertaken before the work commences has been included as a responsibility for Persons with control of activities involving asbestos.
- 3.3 Information sharing is being implemented with the Fire Service Database, to enable the Council to discharge its General Duty to persons other than employees. This is contained within the Asbestos Policy Arrangements.
- 3.4 Appropriate legislative references have been revised
- 3.5 In cognisance of the nature of the regulations, management action has been taken to ensure full compliance within prescribed timescales.

4. FINANCIAL IMPLICATIONS

- 4.1 The management of asbestos is met from within existing budgets.

5. RECOMMENDATIONS

- 5.1 The committee is asked to recommend to Council approval of the changes and to the Council Policy on Asbestos.

Fiona Lees
Depute Chief Executive/Director of Corporate Resources
September 2003

BACKGROUND INFORMATION

1. Master Safety File document B6 – Asbestos Policy dated August 2003.

Anyone wishing further information should contact Fiona Lees, Director of Corporate Resources /
Depute Chief Executive, telephone 01563 576019.

Implementation Officer: mike.padley@east-ayrshire.gov.uk



East Ayrshire

COUNCIL

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STATEMENT OF POLICY ON ASBESTOS

August 2003

ASBESTOS POLICY

1 STATEMENT OF INTENT

East Ayrshire Council will take all reasonably practicable steps to ensure that Council employees and others (Tenants, Visitors, and Contractors etc.) will not be exposed to hazards associated with asbestos containing materials.

2 ORGANISATIONAL RESPONSIBILITIES

2.1 Directors

Directors are responsible, so far as is reasonably practicable, for ensuring the health, safety and welfare of all employees in their respective departments. In particular, they will:

- 2.1.1 Prepare and revise as necessary departmental arrangements for the management and control of work involving asbestos.
- 2.1.2 Ensure that adequate resources are made available to enable the asbestos policy to be implemented.
- 2.1.3 Ensure appropriate training, information and instruction is provided for relevant employees.
- 2.1.4 Ensure that where specialist technical expertise in relation to asbestos is not available within the department, suitable arrangements are made to obtain this expertise.

2.2 Persons with duties relating to the management and control of activities involving asbestos.

All persons with duties relating to the instruction, management and control of activities involving asbestos (e.g. Maintenance, Technical and Safety staff) will ensure that the Council's policy, guidelines and procedures are followed. In particular, they will:

- 2.2.1 In work where asbestos may be encountered, the asbestos register must be consulted prior to all building, refurbishment and maintenance work.
- 2.2.2 Ensure that no work shall commence unless an assessment of the potential asbestos exposure to employees and others is undertaken.
- 2.2.3 Ensure that a suitable plan of work is prepared before the work commences.

2.3 Employees engaged in work with asbestos materials.

All employees are required to:

- 2.3.1 Co-operate in the implementation of this policy by following the Council's established guidelines and procedures and work with due care and attention for their own safety and that of others.
- 2.3.2 Bring to the attention of their immediate supervisor any shortcomings they observe in respect of the Council's health and safety arrangements for working with asbestos.

3 ARRANGEMENTS

- 3.1 **The Council will undertake inspections / surveys to determine the location, form, type and condition of asbestos in the reasonably accessible parts of all Council premises and Council owned housing stock. All risks arising from any asbestos found will be assessed and the measures to be taken to manage the consequent risks will be specified. This information will be set out in a written plan and provided to any person who would be liable to disturb it during the course of their business.**
- 3.2 Information on asbestos containing materials in Council owned properties will be recorded in a file known as the Asbestos Register. Extracts of the Register relating to specific properties will be provided to the occupiers of these premises. **The Director of Homes and Technical Services will have responsibility for the maintenance of the Register.**
- 3.3 **Owners of premises leased to the Council will be required to comply with Regulation 4 of the Control of Asbestos at Work Regulations 2002 if they have responsibility for the repairs and maintenance of the premises. Paragraph 3.1 will apply if the Council have responsibility for the repairs and maintenance of the leased premises.**
- 3.4 **Tenants of premises leased to them by the Council will be required to comply with Regulation 4 of the Control of Asbestos at Work Regulations 2002 if they have responsibility for the repairs and maintenance of the premises.**
- 3.5 **All asbestos surveying and sampling will be undertaken by trained competent persons. Air monitoring and bulk sample analysis will only be carried out by UKAS accredited laboratories.**
- 3.6 **The use of asbestos and asbestos containing materials are prohibited in the construction or maintenance of East Ayrshire Council premises.**
- 3.7 Where practicable and where resources permit, asbestos will be removed and replaced with a suitable non-asbestos substitute in accordance with current Building Control standards.
- 3.8 All work involving asbestos containing materials will be undertaken in accordance with current legislation, approved codes of practice and guidance notes issued by the Health and Safety Executive.
- 3.9 All work with asbestos to which the Asbestos (Licensing) Regulations 1983 apply will be undertaken by contractors licensed under Regulation 3(1) of the Regulations. All other work with asbestos will only be undertaken by trained, competent persons.
- 3.10 An effective system of vetting contractors undertaking work with asbestos will be operated. Effective arrangements and procedures will be implemented for the tendering, managing and monitoring of all contracts involving work with asbestos containing materials.

- 3.11 Council tenants, employees and other appropriate groups likely to be affected by works involving removal or repair of asbestos containing materials will be informed before any significant works are undertaken.
- 3.12 **Appropriate training, information and instruction will be provided for relevant employees. This will take the form of training courses, seminars, information leaflets and booklets, and appropriate personal contact. Health surveillance will be provided for any employees who may be exposed to asbestos during the course of their employment with East Ayrshire Council.**
- 3.13 **If any employee disturbs or encounters material which they believe may be asbestos that is in a condition which it is felt may expose themselves or others to risk, they must adhere to established Council procedures (copy reproduced at Appendix 1).**
- 3.14 **The Council recognises that some employees may encounter asbestos in premises that are not under the control of East Ayrshire Council. Whilst awareness training will be given (as referred at '9' above), employees are required to follow the guidelines in the established Council procedures (copy reproduced at Appendix) and in addition, they should tactfully, notify the occupier who must then make arrangements to seal and protect the area and restrict access.**
- 3.15 **All information held by the Council in connection with asbestos containing materials in Council premises or Council housing stock is available to the occupants, employees of the Council, contractors employed by the Council and the Emergency Services.**

4 FURTHER INFORMATION

Further information, including the detailed procedures for the management of asbestos issues is contained in separate Council guidance entitled "ASBESTOS MANAGEMENT, GUIDELINES AND SAFETY PROCEDURES".

This is available on request from the following:

- 1. Asbestos Co-ordinator, Homes and Technical Services Department - 01563 556741**
- 2. Health and Safety Section, Corporate Resources – 01563 576293**
- 3. Homes & Technical Services Department**
- 4. Departmental Personnel Officers**
- 5. Trade Union Safety Representatives**

David Montgomery
Chief Executive

PROCEDURES TO BE FOLLOWED ON DISCOVERY OF MATERIAL THOUGHT TO CONTAIN ASBESTOS Extract from Procedure Note 1 - ASBESTOS MANAGEMENT GUIDELINES AND SAFETY PROCEDURES

INDIVIDUAL EMPLOYEE ACTION

- STEP 1:** **STOP** any work, remove and keep all persons out of the area. Close, seal or lock off the area (where practicable). **DO NOT REMOVE ANY EQUIPMENT OR MATERIALS.**
- STEP 2:** **DISPLAY** a “**POTENTIAL ASBESTOS HAZARD – KEEP OUT**” sign to warn persons from gaining access to the area.
- STEP 3:** **Notify your own line manager or supervisor who will contact the Department of Homes and Technical Services.**

SUPERVISORY / LINE MANAGEMENT ACTION

- STEP 4:** **The Supervisor / Line Manager will notify the Homes / Property Department, the Asbestos Co-ordinator (HATS), the Director of the department (or responsible person) and the Council’s Health and Safety Manager.**
- STEP 5:** Notify the appropriate Trade Union Safety Representative or Shop Steward (See Safety Notice Board).
- STEP 6:** The Department of Homes / Property will arrange for the property to be inspected and for any samples or air tests to be taken if required and will keep the Director of the department or responsible person advised.
- STEP 7:** After laboratory analysis the Department of Homes / Property will advise the Director of the department or responsible person, or the occupier of any further action required.
- STEP 8:** Upon completion of any repair or removal work, **the responsible person for the property** will be notified that the affected area has been made safe.
- STEP 9:** Copies of any analytical reports will be **forwarded to the responsible person for the property.**