Community Counts
Milnbank
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TO:	MHA Board
PREPARED BY:	Mark Smith (Director of Asset Management)
SUBJECT:	ASBESTOS MANAGEMENT POLICY
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APPROVED BY:	Paul Martin (CEO)
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ASBESTOS MANAGEMENT POLICY

HAPPY TO TRANSLATE

If you have difficulty with reading this policy, including any difficulties with sight or hearing, or if you require this document translated into another language, please contact us and we will be happy to provide this information in a format that suits your needs.

MS/MAY2026/REF S1

ASBESTOS MANAGEMENT POLICY

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1 MILNBANK HOUSING ASSOCIATION (MHA) STRATEGIC OBJECTIVES

MHA's mission is to provide excellent homes and services in a thriving community. We believe that people living in the MHA community should:

- Have warm, safe, and affordable homes, and receive excellent services from MHA.
- Live in neighbourhoods that are clean and well cared for, with real community pride.
- Have access to opportunities and services that promote a good quality of life.

2 MHA's VALUES

Working as 'One Milnbank' so that we offer the same quality of services, support and housing to all tenants and residents.

3 LEGAL & REGULATORY COMPLIANCE

The Management Committee leads and directs MHA to ensure good outcomes for its tenants and other service users. The Scottish Housing Regulator's Regulatory Framework Financial & Regulatory, Standard 4 states that the governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose. MHA adheres to all relevant legal employment requirements associated with this policy.

4. POLICY INTRODUCTION

As a social landlord and factor Milnbank Housing Association (MHA) have a duty to ensure the health and wellbeing of our tenants, owner occupiers, staff, contractors and all other users from asbestos present in our properties.

The aim of the Policy is to outline how MHA will assess the risk of Asbestos Containing Material ('**ACM**'), determine the presence of ACM's and manage any ACM's that are found.

5. PRINCIPLES OF THE POLICY

MHA's Asbestos management policy aims to:

- Effectively manage all asbestos containing materials across the property portfolio and to reduce the asbestos related risks to as low a level as is reasonably practicable.

- Ensure asbestos works are properly scoped, serviced and managed in accordance with legal requirements and best practice.

6. REFERENCES

- Health and Safety at Work etc. Act 1974
- Control of Asbestos Regulations 2012
- L143 Control of Asbestos Regulations 2012 Approved Code of Practice and Guidance
- HSG264 Asbestos: A survey guide

7. ASBESTOS POLICY

The presence of an asbestos containing material in itself does not constitute a danger. However, there is a potential risk to health if such material is disturbed and damaged. An isolated accidental exposure to asbestos fibres for a short duration is extremely unlikely to result in the development of asbestos related diseases. However, regular exposure – even at relatively low levels – can present a risk. As well as people employed in the building trades, inadvertent exposure (and consequent risk) can occur in other groups of people e.g. installers of burglar alarms, smoke detectors, etc. Maintenance and repair contracts will also take place in the future and it is important, therefore, to have in place a management system which minimises the potential for exposure to asbestos.

Working with and managing asbestos materials is now very tightly regulated via a number of different Legislative provisions. The purpose of this Policy is to ensure that the Organisation complies with all current Legislation, Codes of Practice and Health and Safety Executive Guidance Notes.

7.1 Statement of Intent

It is the policy of the Organisation to ensure that, as far as is reasonably practicable, no persons are exposed to risks to their health due to exposure to any asbestos containing materials that may be present in any of the properties it owns or occupies.

7.2 Policy Statement

This Asbestos Policy conforms with the Health and Safety at Work etc. Act 1974 and the Control of Asbestos Regulations 2012. The Policy and Procedures will apply to all buildings and all individuals employed by the Association, to contractors/subcontractors engaged by the Organisation and to the Organisation's tenants.

The Organisation's Policy on asbestos is to:

i) ensure the prevention of exposure to risks associated with asbestos containing materials.
ii) ensure that any asbestos containing materials that may be present in any of its buildings are maintained in a condition so as to prevent the possibility of any harm to health occurring.
iii) promote awareness of the risks from asbestos containing materials and the Management Procedures through training and induction of relevant staff. Key staff involved in the delivery of this Policy will receive relevant re-training.

iv) provide adequate resources to ensure the provision of appropriate information, instruction and training.

v) ensure a commitment to comply with all relevant asbestos legislation, Approved Codes of Practice, Health and Safety Executive Guidance Notes and to commit to the safe disposal of any asbestos waste in accordance with the appropriate legislation.

vi) ensure that an appropriate asbestos surveying process remains in place, taking account of the need for Asbestos Management, Refurbishment and Demolition Surveys in accordance with current legislation and maintain an Asbestos Register.

vii) implement an effective asbestos management strategy in order that appropriate measures such as encapsulation, labelling, inspection, working with, or removal of, the material can be undertaken.

viii) ensure that an appropriate system is installed, maintained and implemented for the management of all asbestos containing materials identified in the Register. Such a system is to be capable of recording the risk, the needs and priorities for treatment and/or removal.

ix) ensure that all Contractors and Sub Contractors engaged to carry out work on any of the Organisation's buildings are provided with adequate information on asbestos which may be disturbed by their works.

x) ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate.

xi) ensure Licensed Contractors and/or Sub Contractors carry out ALL Asbestos Major Works and Competent Contractors carry out all Asbestos Minor Works.

xii) ensure all Non – Licensed Contractors carrying out Asbestos Minor Works are trained in safe working procedures and have appropriate insurance cover for the work being carried out.

xiii) ensure that relevant staff of the Organisation and contractors (as identified by a Training Needs Analysis) have appropriate training in this Policy and Procedures.

xiv) regularly review the Asbestos Management Policy and Procedures.

8. ASBESTOS ROLES

8.1 Whilst the Senior Manager for LFHS&W will have responsibility for the overall asbestos management system, the Organisation will define and allocate roles and responsibilities to ensure the fulfilment of the policy and procedures on a practical level.

8.2 The Asset and Maintenance Team will be tasked with maintaining the Asbestos Register and co-ordinating asbestos surveys and sampling as well as asbestos removal/remediation works. The Team will also liaise with 'non-asbestos' works contractors, ensuring that all appropriate asbestos information is provided and/or obtained and properly interpreted where works are liable to disturb the fabric of buildings.

9. PROHIBITION ON STAFF HANDLING ASBESTOS

9.1 Unless properly trained to do so, no Organisation staff will be permitted to handle or work on asbestos containing materials (ACM's).

9.2 In the event that the Organisation opts to handle ACM's (e.g. for the purposes of sampling), appropriate training will be provided, insurances obtained and these procedures updated to reflect the acceptable process.

10. IDENTIFICATION OF SUSPECT MATERIAL – DAMAGED, DISTURBED OR PREVIOUSLY UNIDENTIFIED

10.1 It is the responsibility of all staff to report to the Asbestos Co-ordinator if they suspect that disturbed or damaged asbestos containing materials may be present in a building owned or occupied by the Organisation. In a case where an accessible material is suspected of containing asbestos, and where this material may reasonably *become* disturbed, this would also apply.

10.2 In such cases, an external consultant having UKAS (United Kingdom Accreditation Service) accreditation for asbestos sampling and analysis, will be contacted to carry out identification.

10.3 If asbestos is identified within the sample, advice will be obtained from a competent consultant on the appropriate course of action.

10.4 Where damage to any material known to contain asbestos has taken place, and is likely to give rise to airborne respirable fibre release, the Asbestos Co-ordinator will arrange for isolation of the area pending an investigation. They will arrange for air monitoring tests (measurement of airborne fibre concentrations) to be carried out and sampling and analysis will be carried out by an independent UKAS accredited Organisation to determine the level of any potential contamination, or to provide reassurance that unacceptable contamination has not occurred.

10.5 Details of air test results will be made available for inspection and record purposes.

10.6 Remedial action will be required when airborne fibre levels **exceed 0.01 f/cc**. The nature of the remedial work must be agreed with the Senior Manager Responsible for LFHS&W.

10.7 When remedial action becomes necessary after exposure, the relevant facts may have to be reported to the HSE in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). (Advice may be sought from a competent Asbestos Consultant to determine whether the incident is in fact RIDDIR reportable.)

11. ASBESTOS SURVEYS AND MANAGEMENT PLANS – NORMAL OCCUPANCY OF PREMISES

11.1 Where Organisation premises and common areas of housing stock were built or renovated prior to 2000, an Asbestos Management Survey programme will be carried out by a competent UKAS accredited asbestos management consultancy. (HSE expects that no asbestos containing materials would be in use from 2000.) The surveyor and the Organisation should jointly determine an appropriate strategy to cost-effectively assess relevant premises, taking account of the permissibility of 'representative' surveying across properties of the same archetype and construction date.

Note that current legislation does not subject 'domestic dwellings' to the requirement for Asbestos Management Surveys (although Refurbishment and Demolition Surveys are required – see below). However, the Organisation will take a view on whether to adopt the increasingly common stance of undertaking Management Surveys to domestic dwellings.

11.2 The findings of all surveys undertaken will be used to prepare a Register of asbestos containing materials (including their location and condition along with details on how best to manage / remediate the material) in all relevant premises.

11.3 An asbestos management plan will be developed and implemented, ensuring that all asbestos containing materials are properly managed. This will include procedures for re-inspecting materials and carrying out remedial works where necessary.

11.4 For the avoidance of doubt, such an asbestos management plan will be necessary where any amount of asbestos is known or suspected to be present in premises. Each Plan's depth and complexity may vary, depending upon the local circumstances and potential risks involved (e.g. at a basic level a summary of actions in the asbestos register may be deemed acceptable), but all will clearly demonstrate their intended purpose of managing the risks associated with ACM's.

11.5 The Asset and Maintenance Team will be responsible for maintaining the Registers and Plans, organising surveys and re-inspections, etc.

12. ASBESTOS SURVEYS – PRIOR TO WORK ON PREMISES

12.1 Prior to any work being carried out on the fabric of (pre-2000) buildings, the asbestos register will be interrogated to determine whether asbestos may be encountered and appropriate precautions (including the use of HSE licensed contractors where necessary) will be taken. Where the works are likely to disturb material not included in the registers (e.g. behind wall panels, within voids, etc.), 8.2 will apply.

12.2 Prior to any refurbishment, demolition or repair works on building fabric, which is not known to be asbestos free, a competent UKAS accredited asbestos management consultancy will be commissioned to carry out a 'Refurbishment or Demolition' (i.e. intrusive) asbestos survey of the area to be worked upon. The surveyor and the Organisation should jointly determine an appropriate strategy to cost-effectively assess relevant premises, taking account of the permissibility of 'representative' surveying across properties of the same archetype and construction date.

12.3 **Prior to works starting**, the information obtained from Refurbishment/Demolition Surveys will be discussed with the proposed works contractor (or internal direct works staff) to ensure that ACM's will not be disturbed by their works. In the event that works would have the potential to disturb ACM's, appropriate measures will be taken, including the prior removal of ACM's, amendments to work programme, etc.

12.4 Records of all surveys and discussions with contractors will be retained in the Job File to demonstrate that asbestos was properly considered and appropriate actions taken to prevent disturbance and exposure.

13. WORK WITH ASBESTOS MATERIALS

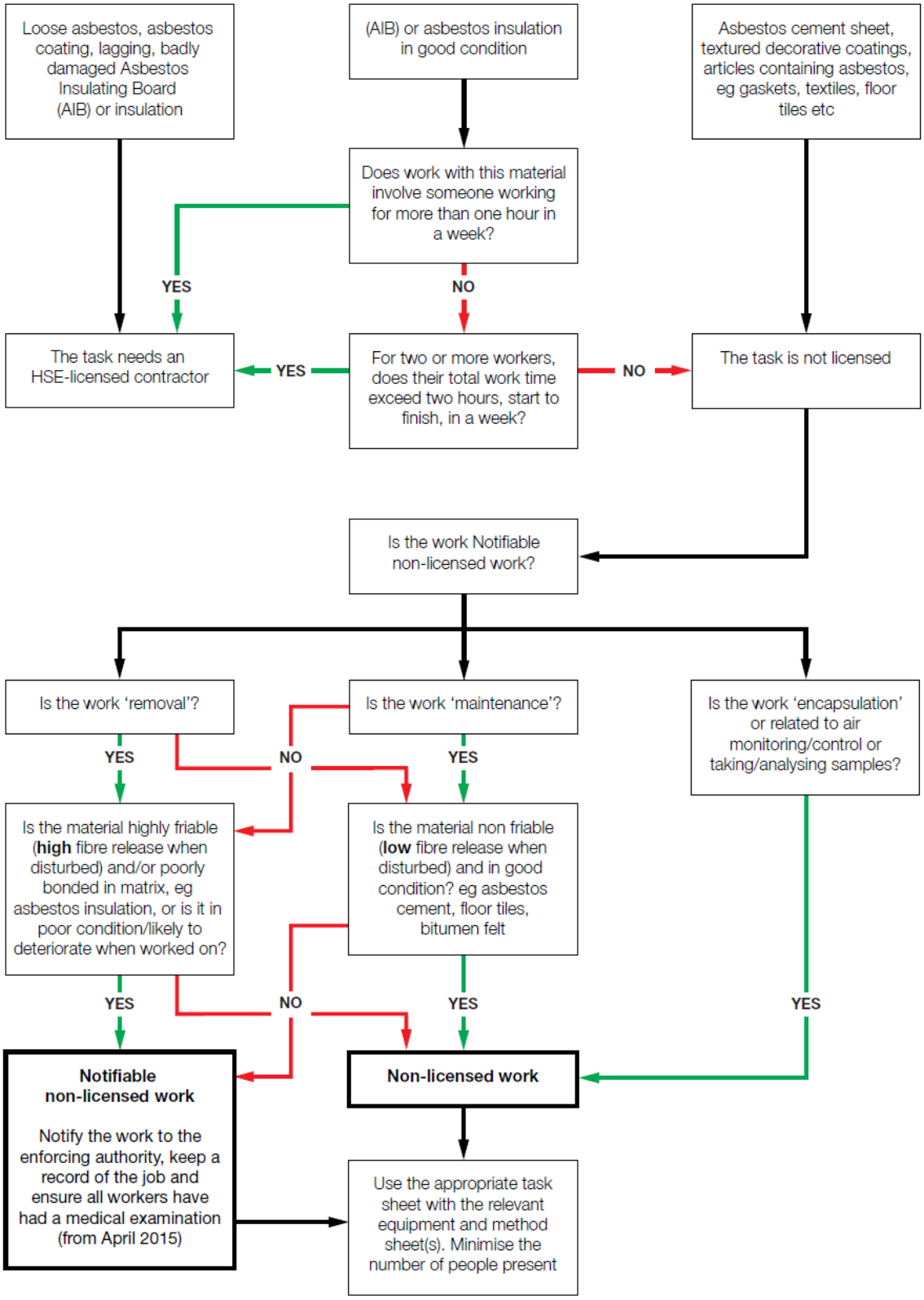
13.1 Most work likely to disturb or remove asbestos must be carried out by an HSE licensed asbestos removal contractor and notified to the HSE 14 days prior to commencement. However, the Control of Asbestos Regulations 2012 does allow work with certain lower risk asbestos containing materials (e.g. asbestos cement and asbestos textured coatings) to be carried out by non-licensed personnel and without notification to the HSE. The three categories of asbestos work are:

- Major Works: Licensed works – 14 day notification and licenced contractor (highest risk work)
- Minor Works: Notifiable non-licensed works – notification before works start and competent (non-licensed) contractor
- Minor Works: Non-notifiable non-licensed works – no notification and competent (non-licensed contractor)

The following HSE flowchart shows the decision making process on appropriate classification of works:

Decision flow chart

Use this simple flow chart to help you decide who needs to do the work:



13.2 Where any doubts exists over the correct classification or scope of asbestos works, advice will be sought from a competent UKAS accredited asbestos management consultancy prior to any works being carried out on asbestos containing materials. The Organisation may also appoint a competent Asbestos Project Management consultancy to scope, specify, tender and project manage asbestos contracts.

13.3 Where work does not require to be carried out by licensed contractors (i.e. Minor Works) it will, nevertheless, be undertaken in a safe manner, by appropriately trained personnel, reducing the generation of airborne dusts to as low a level as is reasonably practicable. All method statements and risk assessments for such work will be screened by a competent person prior to work commencing.

13.4 Where licensed contractors are required to carry out asbestos works, the following documentation will be requested from the contractor prior to commissioning, and copies kept in the job file:

- current asbestos licence check on HSE website
- insurance certificate indicating the insured is covered for asbestos work
- a representative sample of medical examination certificates (conducted by an Employment Medical Advisory Service registered doctor) for personnel who will work on the job
- a representative sample of training records for all personnel who will work on the job (asbestos management and handling courses), usually provided by a United Kingdom Asbestos Training Association (UKATA) member
- where applicable, notification of the job to the HSE 14 days prior to commencement
- method statement and risk assessment for the job (Plan of Work)

13.5 At the conclusion of all asbestos works (unless included within an Asbestos Project Management package), the Organisation will directly appoint a UKAS accredited Asbestos Analyst to carry out the required level of inspection and test. For licensed works this will include a '4-stage clearance test' and for minor works this will include a visual inspection and reassurance air test. Care will be taken to ensure this is EXCLUDED from the contractor's initial proposal and price.

14.0 ASBESTOS TREATMENT

Where asbestos is found within buildings or presumed to arise within buildings, its location and condition must be recorded within the Asbestos Register and its condition monitored on an annual basis.

During void property inspections, the member of the Asset Management Team carrying out the inspection will record on the void sheet if any asbestos containing materials are suspected of being present.

The following will be taken into account as issued by the HSE for guidance only:

- **Asbestos in good condition; and**
  - Not likely to be damaged; and
  - Not likely to be worked on or disturbed

Will be left in place with the condition monitored and managed to ensure any ACMs are not disturbed.

- **Asbestos in poor condition; or**
  - Is likely to be damaged; or
  - Is likely to be disturbed

A decision on whether it should be repaired, sealed, enclosed or removed will be taken. Specialist advice on the necessary action will be followed.

Where it is decided to leave asbestos in place and manage the situation, the details will be logged in the Register.

Whenever work is undertaken in the area, operatives must be informed of the presence of asbestos and a risk assessment of their activities undertaken. If possible, the asbestos material will be labelled for identification purposes. The condition of the material will be monitored at regular intervals and its condition noted on the Register. Tenants/owners will be advised in writing of any future, positive asbestos samples. Contractors should provide Risk Assessments prior to any removal works taking place.

If deterioration is noted, a reassessment of the situation will be made, and appropriate action taken and recorded. Where it is decided that asbestos must be repaired, this will be recorded on the Register noting the appropriate action and date of action. All work to asbestos will be undertaken under strict health and safety guidelines and will only be carried out by operatives who are properly licensed and trained to undertake the work.

15. TENANT INFORMATION AND WORK PROCEDURES

15.1 The Organisation will establish its policy on informing tenants of the possibility of ACM's being present in pre-2000 housing and on the requirements for undertaking work on their dwellings. Any such information will be subject to a formal distribution procedure.

15.2 Prior to a tenant starting work which will interfere with the fabric and/or services of a property, tenants will be required to seek advance permission from the Organisation. Before issuing permission, the Asbestos Register will be consulted and, where ACM's are identified within the proposed work zone the Maintenance Team will liaise with the tenant to ensure all appropriate actions are taken. Where the asbestos data is inconclusive (e.g. where a Refurbishment Survey has not been carried out, the Organisation will review the request and decide whether to refuse permission or to arrange for a Refurbishment Survey to be carried out.

15.3 In the event that tenants' woks are liable to disturb ACM's, the Organisation will make a decision on the appropriate course of action, ensuring that all asbestos works are subject to the normal asbestos work procedures of the Organisation.

16. EQUALITY & HUMAN RIGHTS

MHA's is committed to equal opportunities, and we will respond to the different needs and service requirements of individuals, and we will not discriminate against any individual for any reason outlined in Equality & Human Rights Legislation.

17. DATA COLLECTION

MHA will manage all personal data in accordance with our obligations under the GDPR regulations and the Association's Policy.

18. POLICY MONITORING & REVIEW

The Asbestos Management Policy be reviewed by the Management Board on an triennial basis or as otherwise deemed necessary. In addition, the policy will be amended in accordance with EVH/ACS updates

APPENDIX 1 – ASBESTOS CHECKLIST

Find	You must check if materials containing Asbestos are present
Condition	You must check what condition the material is in
Presume	You must assume the material contains asbestos unless there is strong evidence that it does not
Identify	If you are planning to have maintenance of refurbishment of the building carried out or the material is in poor condition, you may wish to arrange for the material to be sampled and identified by a specialist
Record	Record the type, location and condition of the material on a plan and update the Asbestos Register
Assess	You must decide if the condition or the location means the material is likely to be disturbed
Plan	Prepare and implement a plan to manage these risks

Minor Damage	**Good Condition**
▪ The material will be repaired and/or encapsulated ▪ The condition of the material will be monitored at regular intervals. Where practical, the material will be labelled ▪ Inform the contractor and any other worker likely to work on or disturb the material	▪ The condition of the material ill be monitored at regular intervals ▪ Her practical the material will be labelled ▪ Inform the contractor and any other worker likely to work on or disturb the material
Poor Condition	**Asbestos disturbed**
▪ Asbestos in poor condition will be removed	▪ Asbestos likely to be disturbed will be removed