

CARE HOUSING ASSOCIATION

ASBESTOS SAFETY MANAGEMENT POLICY



Implementation Date	06.09.2022
Created By	Mark Heywood (Asset & Compliance Manager)
Last Committee Review Date	02.09.2024
Next Review Due	September 2026

1. Objectives of the Policy

1.1 Care Housing Association (Care) is regulated by the Regulator of Social Housing (RSH) and has a statutory responsibility for discharging the landlord obligations surrounding asbestos safety management across all homes and offices owned or managed by Care.

2. Compliance with Regulatory Standards and Legal Obligations

2.1 The application of this policy will ensure compliance with the regulatory framework for social housing in England, namely the Safety and Quality Standard, introduced in April 2024. As such Care has a legal duty to manage asbestos in its homes and buildings and this must be done in accordance with the Control of Asbestos Regulations (CAR) 2012.

2.2 Care recognises that the main hazard in relation to asbestos is the non-identification of asbestos-containing materials (ACMs) and as such will protect those persons potentially exposed to asbestos as far as is reasonably practical by minimising the exposure through the use of appropriate control measures and working methods.

2.3 It is essential to Care that tenants, support staff, colleagues, third party employees, contractors and visitors remain safe in the property in which they live, work or visit. Failure of Care to discharge its legal responsibilities may result in:

- Prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974.
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007.
- Serious detriment judgement by The RSH.
- Reputational damage.
- Loss of confidence by stakeholders in the organisation.

2.4 This policy operates within the context of regulatory legal frameworks as follows:

- Health & Safety at Work Act 1974
- Control of Asbestos Regulations (CAR) 2012
- Management of Health & Safety at Work Regulations (1999)
- Workplace (Health, Safety & Welfare) Regulations 1992
- Hazardous Waste Regulations 2005
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (1995)
- Construction Design and Management Regulations 2015
- The Control of Substances Hazardous to Health Regulations (COSHH) 2002 (as amended)
- HSG 264 Asbestos: The Survey Guide
- Approved Code of Practice L143 Managing and Working with Asbestos (2nd Edition)
- The RSH Regulatory Standards (Safety and Quality Standard)

2.5 This policy should be read in conjunction with Care's Asbestos Management Process and Contractor Competency Policy.

3. Scope

3.1 This policy relates to all properties, offices and communal areas owned or managed by Care unless other parties are explicitly specified as having statutory responsibility in the lease or management agreement.

3.2 This policy is applicable to all premises taken into management or ownership built or refurbished before the year 2000. All properties constructed before this date will have a Refurbishment and Demolition Survey or Asbestos Management Survey prior to being taken into management.

3.3 It is anticipated that any ACMs identified during the pre-works survey will, where practicable, be removed as part of the refurbishment works. Any ACMs identified but not removed or suspected as being an ACM, prior to being taken into management or ownership, will be included on the Asbestos Management Programme.

4. Policy Detail

4.1 Care will work with landlords and occupiers to ensure that Asbestos Management Programme inspections are carried out at intervals recommended by the Asbestos Management Survey. The inspections will be carried out by a person competent at inspecting, assessing and recording the condition of any ACM at the property.

4.2 Care will consider information regarding the support needs of the tenant(s) and staffing arrangements. We will ensure tenants, or staff teams as appropriate, are informed about forthcoming work, any asbestos-related risks that there may be, and the management and control of those risks. Where necessary, we will arrange temporary accommodation for tenants.

5. Record Keeping

5.1 Care will maintain a core asset register of all properties that have an active Asbestos Management Survey and Refurbishment & Demolition surveys. This register should identify asbestos surveys and ACMs within all domestic, non-domestic (communal) and other properties.

5.2 Information relating to asbestos surveys will be held on the asbestos register for retrieval which will be made available to all contractors.

5.3 Records will be kept in line with the Data Retention Policy.

6. Contractor Competency

6.1 It is a legal requirement under regulation 10, all relevant contractors working on behalf of Care must have certificated evidence of suitable asbestos training provided by a UKATA or equivalent approved provider. Care will ensure that contractors are competent in line with its Contractor Competency Policy.

7. Internal Competency

7.1 It is also a legal requirement under regulation 10, that all staff undertaking key roles within the delivery and management of this area will have access to training and support applicable to their roles.

7.2 All Care staff who will be carrying out regular/routine inspections will have completed an approved basic training course such as Asbestos Awareness within the previous 2 years.

7.3 As part of the Contractor Competency Policy the competence will be appraised biennially.

8. Monitoring

8.1 The Board has overall governance responsibility for health and safety and compliance and ensuring the organisation complies with all relevant legislation and regulation.

8.2 Care's Chief Executive will retain the overall responsibility for the monitoring of the consistent implementation of this policy and will be responsible for ensuring that any additional properties - i.e. any properties built prior to the year 2000, taken into management or acquisitions - are surveyed, added to the asbestos register and included in the asbestos management programme. The asbestos register is to be reconciled against Care's stock list on a quarterly basis.

8.3 Robust key performance indicator (KPI) measures will be established and maintained to ensure Care is able to report on performance in relation to asbestos safety. KPI measures will be provided to the Senior Management Team and Board level and be produced on a quarterly basis.

8.4 Care will oversee the delivery of agreed survey inspection programmes and the prioritisation and implementation of any works arising from surveys. Any non-compliance issue identified at an operational level will be formally reported to the manager in the first instance

8.5 We will review and report on compliance performance and use this information to identify areas for improvement. As asbestos is a high-risk area this policy will be reviewed every 2 years, or sooner if required by statutory, regulatory or best practice