

## GROUP ASBESTOS MANAGEMENT POLICY

### Responsible Officer

Director of Property and New Business - Executive Lead for Landlord Health & Safety

### Aim of the Policy

This policy outlines our group approach to managing asbestos and ensures we:

- Comply with our statutory duties and approved codes of practice;
- Control and minimise the risk of harm to residents, employees, contractors, and others affected by our work activities, from the hazards of asbestos.

This policy links to Phoenix's overall vision *'to work together to build a better future for our Phoenix Community.'*

### Policy Scope

This policy covers how Phoenix will manage its asbestos management responsibilities in tenants' homes, housing blocks, community facilities, commercial properties and garages.

This policy does not cover asbestos-containing materials (ACM) located within lessees' and Homemakers properties.

### Policy Statement

Asbestos management is an important obligation for all Landlords. Phoenix fulfils its obligations by being committed to taking all reasonable steps to manage asbestos in accordance with the relevant legislation and approved codes of practices.

We will implement arrangements for the management of asbestos to protect, control and minimise the risk of disturbance of ACMs.

We are committed to engaging with residents and stakeholders and will use a range of communication methods to consult with, listen to, respond and promote awareness of asbestos management to ensure they are safe, and feel safe, in their homes.

Our Asbestos Management Plan is made up of this policy, an Asbestos Register and Asbestos Procedures.

## The Policy

### 1.0 Responsibilities

We recognise the importance of clearly defined responsibilities with commitment at all levels of our organisation including Board, Executive Team, Senior Managers, Team Members and Contractors we work with.

We will ensure these responsibilities are documented, embedded and demonstrated by means of a golden thread of leadership and commitment from senior management to employees through to engagement with its residents and contractors.

All members of staff are expected to follow this policy and associated procedures in relation to Asbestos Management.

### Levels of accountability

- The Board will provide safety leadership and ensure Board decisions reflect the intentions outlined in the Asbestos Policy.
- The Board and the Chief Executive delegate responsibility for achieving its asbestos management objectives to the Director of Property and New Business.
- The Director of Property and New Business is accountable for ensuring that Phoenix fulfils its legal obligations regarding the implementation of the asbestos policy and ensuring that adequate resources and support are made available to deliver the arrangements for the management of asbestos.
- The operational lead for the Asbestos Policy is the Head of Safety and Compliance Services.
- The Executive Team will assist the Board and Chief Executive in fulfilling their responsibilities and have extensive safety responsibilities of their own within their directorates.
- Heads of Service and Senior Managers have the responsibility for driving and delivering compliance with the Asbestos Policy and supporting procedures within their service area.
- Every employee must ensure they are aware of and follow the Asbestos Policy and supporting procedures. They will inform their managers of any concerns and contribute to the development of a positive safety and compliance culture throughout Phoenix.
- Residents and stakeholders also have a vital role to play in making sure the buildings they live in or use are safe. Through positive engagement residents and stakeholders will be encouraged to take an active interest in safety and compliance at Phoenix.
- Contractors and subcontractors must comply with the arrangements of this policy and demonstrate competency in the management of their work activities, in relation to Asbestos.

## 2.0 Arrangements for the management of asbestos

We will:

- Take reasonable steps to determine the location of materials likely to contain asbestos.
- Presume materials to contain asbestos, unless there are good reasons not to do so.
- Keep and maintain an up-to-date record of the location, condition, maintenance, and removal of all ACMs and presumed ACMs on an Asbestos Register against each property.
- Share the above information as required with contractors and enforcement bodies.
- Assess, monitor and maintain the condition of ACMs and presumed ACMs
- Have arrangements and procedures in place, so that work which may disturb the materials complies with the Control of Asbestos Regulations 2012 (CAR).
- Assess the risk of exposure from ACMs and presumed ACMs and prepare a written plan of the actions and measures necessary to manage the risk.
- Review the plan every six months and update if circumstances change or because of any significant procedural or legislative changes.
- Make available appropriate information and advice about the management of ACMs to our residents.
- Carry out managed programme of asbestos surveys in all tenants' homes, housing blocks, community facilities, commercial properties and garages.
- Deal with ACMs in situ through effective management and control measures as a preference to whole-scale removal and disposal.

### 2.1 Identifying asbestos containing materials (ACMs)- Surveys

We will deliver a compliant survey and testing programme with recommended actions recorded and carried out according to the deadlines below.

We will complete four types of surveys:

- **Initial Survey** - A Management Survey (MS) for all newly acquired properties and buildings. A Management survey will be completed to locate, as far as reasonably practicable, the presence and extent of any suspected ACMs in buildings owned and / or controlled by PCH which could be damaged or disturbed during normal occupancy, including foreseeable maintenance and installation and assess their condition.

Prior to initial management surveys being undertaken, whenever a new property is acquired that was built prior to 2000, we will presume asbestos is present; this will be flagged on our databases and shared with contractors and sub-contractors working on our behalf. All contractors will be instructed to adopt a Stop, Risk and Assess approach to minimise any risks prior to a full survey being completed.

- **Re-inspection Survey**- Re-Inspection to existing properties completed every 2 years to known ACM and to locate any other ACM. Note: PCH are not responsible for residents own Sheds or Garages that are not owned and / or controlled by PCH

- **Refurbishment Destructive /Intrusive survey** completed as required by scope of works for Major Works and Improvements. It is intended to be undertaken prior to any refurbishment works. The survey will involve penetrations into the ceiling, each wall, and all floor coverings within that property's scope for refurbishment.
- **Demolition Destructive /Intrusive survey** prior to development projects as required. Is intended to be completed before any demolition work is carried out. This survey will be used to locate as far as reasonably practicable the presence of ACMs, will be fully intrusive and as necessary may involve destructive inspection.

## **2.2 Keeping and maintaining an up-to-date record - Asbestos Register**

We will:

- Maintain an Asbestos Register using the results from all its asbestos surveys, including the location, product, condition and risk level of any ACMs.
- Ensure that the Asbestos Register is made available to employees and contractors to share the information with anyone planning or carrying out work on Phoenix's properties.
- Use the Asbestos Register to record all recommended remedial actions to be taken and will update it once remedial action has been completed.
- Where the asbestos information against a property has been drawn from cloned information, the Asbestos Register will indicate that clearly.

## **2.3 Assess, monitor and maintain the condition- Programme management**

We will:

- Manage ACMs in good condition. If in good condition and unlikely to be worked on or disturbed, it will remain in place and be managed so that the risk to health is minimised.
- ACMs left in situ but not clearly visible will be labelled.
- Ensure ACMs that are significantly damaged or pose risk to health are removed or encapsulated.
- Seek to enhance the levels of detail held on the Asbestos Register at void stage by undertaking an intrusive survey where reasonably practicable.

## **2.4 Remedial actions**

Following each asbestos survey, one of these management actions will be taken:

- Manage
- Encapsulate, label and manage
- Remove

2.5 Before an ACM is removed, PCH will consider the fire protection afforded by any ACMs and it will need to be a material with the appropriate fire resistance its replacement in line with the Fire Safety Act )

The timescale for completing the recommended actions will be as set out in the table below

High Risk	Short term	3 Months
Medium Risk	Medium Term	6 months
Low Risk	Long Term	18 months (Don't want to incur force entry cost, addition scope for liaison/engagement with residents especially "At risk residents")

## 2.5 Emergency Action Plan

In cases where asbestos is or may have been disturbed inside a resident's home or in a communal area, we will:

- Have an emergency plan in place to deal with immediate and significant risk of harm posed from any disturbances to an ACM, notifying the HSE as appropriate.
- Consider carrying out an air clearance test as necessary.

## 2.6 Procurement of Competent Contractors

We will:

- Only appoint contractors that hold one of the relevant British Occupational Hygiene Society (BOHS) qualifications, S301, P402 and P405 with three to five years' experience undertaking asbestos surveys.
- Only use external consultants or organisations accredited by UKAS and accreditation ISO 17025 for surveying and analytical services.
- Only appoint HSE licensed and competent contractors to carry out asbestos remedial work.
- Only procure, approve and appoint contractors to work on the fabric of our buildings if they have suitable and sufficient procedures and have completed appropriate training in the management of asbestos.
- Openly share the information from our Asbestos Register with our contractors or anyone authorised to carry out work on our behalf.

## 2.7 Access

We will:

- Monitor the Inspection Programme to ensure that attempts to gain access for re-inspection occur in a in a timely manner.
- Take reasonable steps to gain access so we can carry out our legal duties as they relate to Asbestos Management.
- Make reasonable attempts to access our properties
- Take reasonable steps to communicate appointments with residents.
- Take into account the needs of residents that are 'at risk' when attempting to gain access.

## **2.8 Forced Entry**

As a last resort, will use the Environmental Protection Act 1990, to force entry into properties where you are not providing access.

## **2.9 Cost Recovery**

We will look to recover from you the legal fees incurred when following the forced entry procedure.

## **3.0 Training**

We will identify and provide asbestos management training to all staff that have specific or general responsibilities relating to this policy or procedure and ensure that we have an available source of expert asbestos advice.

## **4.0 Communication and information**

We are committed to engaging with residents and stakeholders and will use a range of communication methods to consult with, listed to and promote awareness of asbestos management. We will:

- Develop a Health and Safety communications plan to help ensure all residents are fully aware of the known asbestos materials in their home and issues surrounding asbestos.
- Provide residents copies of the asbestos information they hold on their home upon request.
- Make residents aware of the risks of ACMs within their home through the Tenant's Handbook, website and an Asbestos Safety booklet, including an easy read version.
- Asbestos information advises on the type and common locations of any such materials and any associated health risks and precautions required (e.g. not to work with or disturb the material). When the tenancy changes PCH will ensure that all new tenants receive this information.
- openly share the information from its Asbestos Register with Phoenix staff, residents and contractors and ensure they are aware of how to report any damage.
- Add flags to the Housing Management System to alert employees that there is asbestos information available for them to view within the Asbestos Register.
- Expect residents to share their ACM information with anyone who they instruct to do work on their home.
- Inform the residents of any intended asbestos works likely to affect them.
- Ensure that when planning asbestos related works, the needs of residents and members of the public are considered.

- Consult with its employees on matters that affect their health and safety and consult with its employees on the development of this policy and the supporting working procedure.
- Make residents aware of their responsibility to request written permission from Phoenix to carry out any improvement works to their home.

### **5.0 Fire Safety**

We will not allow any improvement work that will disturb ACM or breaches compartmentation.

### **6.0 Legislation**

We recognise our duties and responsibilities under current legislation, related codes of practice and guidance concerning the management of asbestos, including:

- The Defective Premises Act 1972 in England and Wales
- The Health and Safety at Work Act 1974
- Landlord and Tenant Act 1985
- Housing Act 1988
- Environmental Protection Act 1990
- Workplace (Health, Safety and Welfare) Regulations 1992
- Provisions and Use of Work Equipment Regulations 1998
- The Management of Health & Safety at Work Regulations 1999
- Housing Health and Safety Rating System – Housing Act 2004
- The Control of Asbestos Regulation 2012
- HSG 264 Asbestos: The Survey Guide
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- The Construction Design and Management Regulation 2015
- Homes (Fitness for Human Habitation) Act 2018
- Data Protection Act 2018

### **Monitoring and Review**

We will:

- Undertake monthly active monitoring of our policy arrangements and procedural operations at a team level.
- Report and monitored monthly performance related to asbestos management through key performance indicators as determined by the Board. Incidents of non-compliance will be reported or escalated to the Executive Team and Board as appropriate.
- Report key performance indicators quarterly to the Health and Safety Committee.
- Undertake periodic third party audits and report to the Audit Committee.

## Policy Review

We will review this policy every 3 years, or sooner if there are changes to legislation, good practice or other learning.

## Reference to other documents and associated policies and procedures

Including:

- Phoenix Standards
- Health & Safety Policy
- Responsive Repairs Policy
- Communal Clearance
- Group Gas Safety Policy
- Group Fire Safety Policy
- Group Electrical Safety Policy
- Tenancy and Lease Agreements
- Mutual Exchange Policy
- Translation and Interpretation Policy
- Recharges to Residents Policy
- Building a Safer Future- An Implementation Plan
- Audit Reports
- Procurement Policy, Strategy and Toolkit
- Voids Policy
- Contractors, Suppliers and Service Providers Charter
- Asset Management Strategy
- Tenants Handbook
- Supporting Residents 'At Risk' Policy

## Definitions

Term/acronym	Description
Resident	Includes tenants and lessees.
Phoenix	Phoenix Community Housing.
We/us/our	Refers to Phoenix Community Housing.
You/your	Refers to Phoenix tenants and lessees.

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