Operational and Maintenance Policy for the Management and Control of Asbestos

<table>
<thead>
<tr>
<th>POLICY REFERENCE NUMBER:</th>
<th>RM21</th>
</tr>
</thead>
<tbody>
<tr>
<td>VERSION NUMBER:</td>
<td>2</td>
</tr>
<tr>
<td>REPLACES SEPT DOCUMENT:</td>
<td>Operation and Maintenance Policy for the Management and Control of Asbestos</td>
</tr>
<tr>
<td>REPLACES NEP DOCUMENT:</td>
<td></td>
</tr>
<tr>
<td>AUTHOR:</td>
<td>Fiona Benson, Head of Estates and Facilities</td>
</tr>
<tr>
<td>CONSULTATION GROUPS:</td>
<td>HSSC, Estates, H&amp;S, Risk</td>
</tr>
<tr>
<td>IMPLEMENTATION DATE:</td>
<td>Jul 18</td>
</tr>
<tr>
<td>AMENDMENT DATE(S):</td>
<td>July 19</td>
</tr>
<tr>
<td>LAST REVIEW DATE:</td>
<td>July 2019</td>
</tr>
<tr>
<td>NEXT REVIEW DATE:</td>
<td>July 2021</td>
</tr>
<tr>
<td>APPROVAL BY HEALTH, SAFETY &amp; SECURITY SUB-COMMITTEE:</td>
<td>24th June 2019</td>
</tr>
<tr>
<td>RATIFICATION BY QUALITY COMMITTEE:</td>
<td>18th July 2019</td>
</tr>
<tr>
<td>COPYRIGHT:</td>
<td>2018</td>
</tr>
</tbody>
</table>

**POLICY SUMMARY**

Essex Partnership University NHS Foundation Trust is committed to providing a safe and healthy workplace for everybody. To achieve this, asbestos will be managed and exposure to it minimised, as far as reasonably practicable ensuring that:

- An effective asbestos management strategy is in place
- All Trust premises are appropriately surveyed to determine level of risk
- An up to date and regularly maintained register for all Trust properties
- Exposure to asbestos is prevented
- Safe systems of work for working with asbestos is in place
- The promotion of asbestos awareness through training

The Trust monitors the implementation of and compliance with this policy in the following ways:

The Health, Safety & Security Sub-Committee (HSSC) will monitor implementation and compliance. Quarterly reports will be submitted to HSSC.

<table>
<thead>
<tr>
<th>Services</th>
<th>Applicable</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trustwide</td>
<td>☑</td>
<td></td>
</tr>
</tbody>
</table>

The Director responsible for monitoring and reviewing this policy is Executive Chief Finance Officer
1.0 INTRODUCTION

2.0 SCOPE

3.0 POLICY STATEMENT

4.0 DUTIES AND RESPONSIBILITIES

   4.1 Chief Executive
   4.2 Associate Director of Estates and Facilities
   4.3 Occupational Health Service Surveillance
   4.4 The Nominated Officer
   4.5 Estates and Facilities Manager and Property Development Managers
   4.6 Estates and Facilities Officer
   4.7 Estates and Facilities Staff
   4.8 All Trust Employees
   4.9 Asbestos Removal Contractors

5.0 ASBESTOS SURVEYS

6.0 ASBESTOS REGISTER

7.0 PERMIT TO WORK

8.0 MONITORING AND REVIEW

9.0 REFERENCE DOCUMENTS

   9.1 Legislation
   9.2 HSE Approved Codes of Practice (ACoP)
   9.3 HSE Guidance Notes Relating to Duties of Licensed Contractors

APPENDICES

Appendix 1 – Example of Permit to Work (PTW) Form
Assurance Statement

Essex Partnership University NHS Foundation Trust (EPUT) accepts its responsibility under the Health and Safety at Work etc. Act 1974 and the Control of Asbestos Regulations 2012 ACOP L143.

1. INTRODUCTION

This document sets out the policy and procedures for managing asbestos on all hospital sites owned, occupied or operated by Essex Partnership University NHS Foundation Trust. The Trust has a legal duty to manage the risk from asbestos or to co-operate with whoever manages this risk to ensure that persons are not exposed to contaminated airborne dust. Persons whose normal duties may bring them into contact with Asbestos Containing Materials (ACM’s) will be trained to recognise asbestos products and work to approved safe procedures.

This document is to be read in conjunction with: “A Comprehensive Guide to Managing Asbestos (HSG 227)”; Control of Asbestos Regulations 2012; Approved Code of Practice “The Management of Asbestos in non-domestic premises plus control of Asbestos Regulations 2012 ACOP L143.”

This guidance memorandum is not an authoritative interpretation of the Regulations or other associated laws which can only be fully interpreted by the Courts.

2. SCOPE

The Control of Asbestos at Work Regulations applies to all sites owned, occupied or operated by Essex Partnership University NHS Foundation Trust where there is a risk of any person being exposed to asbestos dust.

3. POLICY STATEMENT

Essex Partnership University NHS Foundation Trust is committed to providing a safe and healthy workplace for everybody. To achieve this, asbestos will be managed and exposure to it minimised, as far as reasonably practicable ensuring that:

- An effective asbestos management strategy is in place
- All Trust premises are appropriately surveyed to determine level of risk
- An up to date and regularly maintained register for all Trust properties
- Exposure to asbestos is prevented
- Safe systems of work for working with asbestos is in place
- The promotion of asbestos awareness through training
4. DUTIES AND RESPONSIBILITIES

4.1 Chief Executive

The Chief Executive has the overall authority and responsibility for ensuring compliance with the Asbestos at Work Regulations for the sites under their ownership or control, as part of risk management and Health and Safety policies.

4.2 Associate Director of Estates and Facilities

The Associate Director of Estates & Facilities shall:

4.2.1 Ensure that all appropriate systems and procedures are in place to implement the requirements of the Asbestos at Work Regulation within all areas of responsibility.

4.2.2 Review the effectiveness of the policies and procedures put into place to comply with the Asbestos at Work Regulations.

4.2.3 Authorise the issue of the ‘Control of Asbestos at Work Policy’ audit, its application and undertake a formal review of its contents.

4.2.4 Appoint a Nominated Officer for Asbestos to carry out duties and protocols as detailed in the policy.

4.2.5 Approve and authorise any changes to the Policy as required by the Nominated Officer (Compliance Manager).

4.2.6 Ensure that the Nominated Officer (Compliance Manager) keeps all asbestos removal records and the results of environmental monitoring for record purposes permanently preserved.

4.2.7 Ensure that the Nominated Officer (Compliance Manager) has given sufficient information to any contractor hired for asbestos related work including Health and Safety Plans in compliance with the CDM Regulations and pre-contract meeting agendas.

4.2.8 Ensure that the Nominated Officer (Compliance Manager) has arranged for an approved consultant to carry out surveys to identify the location, type and condition of any asbestos.

4.2.9 Ensure that members of staff receive information, instruction and training to carry out their defined responsibilities effectively and safely.

4.2.10 Inform the Head of Property & Development of asbestos work.

4.2.11 The Occupational health Service
The purpose of medical surveillance is to:

- Advise the employee on fitness for work with asbestos with particular attention to the respiratory and gastro-intestinal system
- Provide objective information to the employee on their current state of respiratory health
- Alert employees to early signs of disease and advise on continued exposure
- Ensure that Job profiles on the Pre-employment Health questionnaire reflect the risks associated with the Asbestos exposure
- Medical Health Surveillance should consist of initial and periodic medical examinations as required following risk assessment
- Carry out pre-employment health surveillance by OH Physician, on staff identified as at risk from exposure to asbestos above the action level. In particular, those who declare respiratory health issues
- Refer staff to the Occupational Health Department following accident exposure above the action levels as described in Guidance note MS13 HSE, 2005
- Ensure that any health surveillance records are kept secure and accessible. Such records should be kept for at least 40 years by the Occupational Health Department from the date of the last entry.

4.3 The Nominated Officer (Compliance Manager)

The Nominated Officer is responsible for managing, monitoring and ensuring:

4.3.1 All contractors work in accordance with this policy and procedure.

4.3.2 Asbestos management is included on the agenda of all pre contract meetings.

4.3.3 Information about ACM’s and relevant details from the asbestos register are provided to the main contractor.

4.3.4 There is a close liaison between staff and contractors.

4.3.5 Maintaining an up to date asbestos register, and ensure up to date copies of the latest re-inspections are kept on site.

4.3.6 Providing information about ACM’s to contractors and Trust employees as required.
4.3.7 Arranging investigation, sampling, removal and inspection of ACM’s as required.

4.3.8 Completing formal assessment of all known ACM’s and arranging appropriate remedial works, in collaboration with the Associate Director of Estates & facilities.

4.3.9 Providing information from the asbestos register to the Estates & Facilities Officers, Estates & Facilities Supervisors and Property & Development Managers for the management of planned preventative maintenance and job card issue to Estate and Facilities operatives.

4.3.10 Preparation and issue of safe working procedures for ACM’s.

4.3.11 Selecting asbestos removal contractors from the approved list for tendering ACM works.

4.3.12 Advising the Estates & Facilities Managers, Estates & Facilities Officers and Property Development Managers whether the works are subject to statutory notice.

4.3.13 Monitoring the performance of asbestos removal contractors.

4.3.14 Arranging Staff training for Estates & Facilities, Property Development or other relevant EPUT personnel where appropriate.

4.3.15 Liaison with the Health and Safety Executive.

4.3.16 The Nominated Officer (Associate Director of Estates & Facilities) to liaise with the Head of Property and Development to ensure all projects and capital works are carried out in a safe manner by referring to page 21 of Essex Partnership University NHS Foundation Trust Asbestos Management Plan.

4.4 Estates and Facilities Managers, Property and Development Managers

4.4.1 Providing support and information to the Nominated Officer.

4.4.2 Liaising and ensuring co-operation between the contractors and the Nominated Officer.

4.4.3 Providing building specification and construction information to the Nominated Officer.

4.4.4 Organising appropriate schedules and overseeing and implementing remedial asbestos works in liaison with the Nominated Officer.

4.4.5 Ensuring that no work starts relating to ACM’s until a full risk assessment of the proposed activity has been carried out and the safe systems of work are in place.
4.4.6 Ensuring that the competent person in charge of the working party understands the scope and content of the Safety Documentation and its attachment to project documentation ensuring it complies with the Permit to Work procedures.

4.4.7 Be responsible for the management and quality control of any Contractor employed for work affected by the Regulations.

4.4.8 The Trust’s Risk Assessment remains on site to view where applicable. The Asbestos Management Plan is available for viewing at the Trust’s Estates and Facilities Management office.

4.4.9. Details of ‘Every Day Maintenance Works’ procedure can be seen on page 17 of the Asbestos Management Plan located in the Trust’s Estates Management Office.

4.5 Estates and Facilities Officer

4.5.1 Analysis of all planned maintenance and job cards to determine asbestos exposure risk.

4.5.2 Provision, in conjunction with the Nominated Officer, of information to Estate and Facilities staff carrying out this work regarding asbestos exposure potential and safe methods of work.

4.5.3 Check carefully all job cards before issue and note any asbestos related information.

4.6 Estates and Facilities Staff

4.6.1 All Estate and Facilities staff could potentially be exposed to ACM and must therefore attend asbestos awareness training as required.

4.6.2 Check carefully all job cards issued to them and note any asbestos related information.

4.6.3 Follow carefully all related procedures and or safe methods of working with ACM.

4.6.4 Stop work immediately if they consider they have discovered any undisclosed ACM and report immediately to their supervisor.

4.7 All Trust Employees

4.7.1 It is considered unlikely that Trust Employees other that Estate and Facility Staff will come into contact with or be exposed to any ACM.

4.7.2 All Trust Employees have the responsibility not to disturb, or commission any other person to disturb any part of the fabric of any Trust building without consultation with Estate staff, e.g. drilling walls, window sills, ceilings, installing telephone or IT data cables in ducts and voids.
4.7.3 On finding any ACM material they believe might contain ACM they must report it to the following Estates & Facilities Departments immediately on:

South: [Contact Information]
West: [Contact Information]
North: [Contact Information]

4.7.4 If they discover any material which is damaged they should report it to the following Estates & Facilities Departments immediately on:

South: [Contact Information]
West: [Contact Information]
North: [Contact Information]

4.8 Asbestos Removal Contractors

Only approved Asbestos Removal Contractors shall be employed to remove ACM and shall be responsible for:

4.8.1 Complying with current legislation, ACOP’s and guidance.

4.8.2 Attending site to assess and prepare quotations for ACM work.

4.8.3 Providing method statements for all ACM work to the Nominated Officer.

4.8.4 Contractors Method Statements and Risk Assessments must be provided and inspected by the Nominated Officer before work starts.

4.8.5 Attending pre-contract and progress meetings.

4.8.6 Ensure that the contractor shall provide statutory notice to the notifying Authority prior to undertaking notifiable asbestos work or applying for a Waiver if requested by the Nominated Officer.

4.8.7 Ensure that their employees, staff and visitors near to the site are not exposed to airborne asbestos fibres.

4.8.8 Carrying out all works to approved standards of workmanship ensuring all supplied labour, materials and equipment is of the highest standard and with all supporting documentation in place.

4.8.9 Arranging transport and disposal of all asbestos waste materials in accordance with Hazardous Waste Regulations and current statutory regulations and good practice.

4.8.10 Carrying out regular inspections of the work environment on a monthly basis or sooner if required, in conjunction with the Nominated Officer with site wide or specific permits to work, and reporting back to contract meetings.
4.8.11 Provide copies of notification and consignment notes and other relevant documentation to the Nominated Officer.

4.8.12 All contractors involved in the Asbestos process should refer to Essex Partnership University NHS Foundation Trust – Asbestos Management Plan located in the Trust’s Estates and Facilities Office.

### 5.0 ASBESTOS SURVEYS

Management surveys to be carried out on all Trust properties by approved consultants. ACM’s to be identified or presumed. The results of the surveys and inspections are held on file and a copy entered on a database linked into 3i Estates and Property Management System. Work orders printed will automatically print asbestos warning in red with database information. This forms the basis of the Asbestos Register.

### 6.0 ASBESTOS REGISTER

6.1 The Asbestos Register is held on the Estates and Facilities network drive.

6.2 Each ACM found or presumed forms an individual entry on the register.

6.3 An assessment is made of each location using the algorithm contained in the HSE Guide to Managing Asbestos HSG227.

6.4 The database can produce individual printouts of ACM details to provide information to staff and others and also summary reports.

6.5 The Nominated Officer sends copies of the latest re-inspection and where necessary attaches information sheet from the database, safe method of work and presents it to the Estates and Facilities Manager, Estate and Facilities Officers or Property Development Managers who attaches a permit to work filled in if required. All contractors shall be made aware of this policy where necessary.

6.6 Where Asbestos has been located, a copy of all previous inspections and re-inspections are available on the premises for immediate access where applicable.

### 7.0 PERMIT TO WORK

A Permit to Work will be put into place for all work relating to ACM. The permit to work documentation including new forms and previously issued forms will be kept in the Estate and Facilities office. A copy of the form is included as an appendix to this Policy. (See Appendix 1)
8.0 MONITORING AND REVIEW

This policy will be monitored by the Nominated Officer and reviewed bi-annually or sooner if circumstances deem it necessary.

9.0 REFERENCE DOCUMENTS

There are a large number of official publications relating to Asbestos at Work. The following list contains the most significant and relevant items, but is not exhaustive.

9.1 Legislation

- Health and Safety at Work Act 1974
- The Control of Asbestos at Work 2012
- Asbestos Essentials – www.hse.gov.uk/asbestos/essentials
- The Control of Asbestos at Work (amended) 1992
- The Asbestos (Licensing) Regulations 1983
- The Asbestos (Prohibition) Regulations 1985
- The Control of Pollution (special Waste) Regulations 1980
- The Environmental Protection Act 1990
- The Classification, packaging and Labelling of Dangerous Substances Regulations (1984)
- The Control of Pollution (Special Waste) Regulations 1980
- The Personal protective Equipment at Work Regulations 1992
- The Environmental Protection Act 1990

9.2 HSE Approved Codes of practice (ACOP)

L11: A guide to the Asbestos (Licensing) Regulations 1983
L21: Management of Health and Safety at Work Regulations 1992
L27: The Control of Asbestos at Work
L28: Work with Asbestos Insulation, Asbestos Coating and Asbestos Insulation board.

9.3 HSE Guidance Notes Relating to Duties of Licensed Contractors

EH10: Asbestos: Exposure Limits and Measurement of Airborne Dust Concentrations.
EH36: Work with Asbestos Cement.
EH40/95: Work with Asbestos Insulating Board.
EH41: Occupational Exposure Limits.
EH47: Respiratory Protective Equipment for Use Against Asbestos.
EH47: The Provision, use and Maintenance of Hygiene Facilities for Work with Asbestos Insulation’s and Coatings.
EH50: Training Operatives and Supervisors for Work with Asbestos Insulation and Coating.
EH51: Enclosures Provided for Work with Asbestos Insulation’s, Coatings and Insulating Board.
EH52: Removal Techniques and Associated Waste Handling for Asbestos Insulation, Coatings and Insulation Board.

HS(G)37: An Introduction to Local Exhaust Ventilation.

MS 13: Asbestos Medical guidance note: Environmental Hygiene chemical safety

END