

HEALTH AND SAFETY

SAFETY POLICY & ARRANGEMENTS



Date: **October 2023**

Issue: **No. 9**

Subject: **Asbestos - Managing in the Workplace**

Introduction

This document forms part of the National Ice Centre's organisational written safety policy arrangements.

Departments, services or teams may consider it appropriate to develop additional guidance and systems of work on specific work related activities.

Where proposals, additional guidance or changes to systems of work will have an impact on health, safety and welfare, this will be discussed and agreed at the Health & Safety Committee.

If you have any questions or require further information or support on the contents of this document, please contact the NIC Health & Safety Advisor or Corporate Safety Advice.

Overview Of Management & Colleague Responsibilities

Manager Responsibilities

Below is an overview of the responsibilities which is intended to support managers in identifying their key duties that need to be taken to comply with the requirements of this document and the safety management systems of National Ice Centre.

- Managers must ensure that the Asbestos Log Book, any associated surveys, risk assessments and documents are retained in an up to date condition and available on the site to which it relates.
- Managers need to ensure that the 6 monthly inspection on the condition of known or presumed asbestos is completed and formally recorded within the Asbestos Log book.
- Managers must ensure that no work to the fabric of the building which may disturb asbestos is done by any contractor unless they are trained and competent to do the work safely.
- Managers must report any issue of potential failure to control asbestos effectively is immediately reported to the NIC Health & Safety Advisor & Corporate Safety Advice.

Employee Responsibilities

The Health & Safety at Work Act 1974 section 7 requires all employees to consider their own health & safety and the safety of others.

As an employee of the National Ice Centre, if you have concerns in relation to health & safety that is likely to cause you or someone else, injury or ill health then you must ensure that the concern is communicated to your manager immediately.

You are also required to co-operate with the management of the National Ice Centre to ensure compliance with the health & safety arrangements, policies and procedures and work to the requirements identified within this document.

What is Asbestos?

Asbestos is a collective name for a group of naturally occurring mineral fibres.

There are three main types of asbestos that have been commonly used within the workplace

- White asbestos (chrysotile)
- Brown asbestos (amosite)
- Blue asbestos (crocidolite)

The versatile properties of asbestos have resulted in it being used for a wide variety of tasks between the 1960's to 1980's, as it is resistant to heat, chemically inert and has high tensile strength.

Further information on the properties of asbestos is identified within the E-Training session on asbestos that are available from within the learning zone and can be accessed using the following link:

<https://nottinghamcity.learningpool.com/course/view.php?id=2621>

Where Can Asbestos Containing Materials (ACM's) Be Found

Although the use of asbestos has been prohibited since 1999, however ACM's are still prevalent and is most likely to be present if the premises was constructed or refurbished between 1950 and 1980.

Refurbished or used plant and machinery installed into new builds may also contain ACM's.

Managers need to consider the potential locations that asbestos may be found within the workplace and can include:

- **Sprayed loose packing / insulation** e.g. fire breaks in ceiling voids;
- **Moulded or pre-formed sprayed coatings and lagging** e.g. thermal insulation of pipes and boilers;
- **Sprayed material mixed with asbestos cement** e.g. fire protection in ducts, firebreaks, panels, partitions, soffit boards, ceiling panels and around structural steel work;
- **Insulating boards** for fire protection, thermal insulation, partitioning and ducts.
- **Gaskets** to seal joints;
- **Ceiling tiles** (certain types);
- **Millboard, paper & paper products used for insulation in electrical equipment.** Asbestos paper has also been used as a fire proof facing on wood fibre board;
- **Cement products** e.g. corrugated sheets used as roofing and wall cladding, gutters, rainwater pipes and water tanks;
- **Textured coatings** such as artex;
- **Bitumen roofing material;**
- **Vinyl or thermoplastic** including floor tiles, toilet cisterns etc.

Managers and colleagues need to understand that asbestos cannot be identified through visual inspection and can only be positively identified through microscopic laboratory analysis.

Where any doubts exist, managers must presume that the material contains asbestos until its content can be confirmed.

Managers should also appreciate that asbestos may still be present in an environment, even where a 'destructive / refurbishment' survey has been undertaken and has not identified ACM.

This is due to the limitations of surveys when they are undertaken which may not have located ACM potentially hidden behind walls, attached to metal supports or in areas which were not accessed or surveyed.

It is therefore important that prior to any works within a premises take place, managers consider this hidden asbestos potential that may be present in the environment and could be disturbed when the work takes place.

What Are The Risks Of ACM's

Asbestos only presents a potential risk to health where the asbestos fibres are released into the air (e.g. when materials are being broken, damaged or disturbed) and those fibres are subsequently inhaled.

The fibres when disturbed can form a fine dust and breathing in the air containing these fibres can lead to asbestos related diseases, such as asbestosis, mesothelioma and cancer of the bronchus (windpipe and lungs).

The more 'friable' a material is, the more likely it will release fibres when it is disturbed and the greater the risk of potential exposure.

The more asbestos dust that is inhaled, the greater the risk to health.

Colleagues At Risk Of Exposure To Asbestos

Since many buildings still contain ACM's, the following are the main categories of colleagues who may be considered as being at risk due to the nature of their work (e.g. through refurbishment, repair and maintenance):

- **Contractors doing building work/repairs;**
- **Computer and cabling installers;**
- **Fire alarm installers;**
- **Caretaker / Site manager;**
- **Window blind fitter;**
- **Void Building clearance.**

In many premises, minor building work is often carried out by facilities management caretaker or handy-person.

Control of Asbestos Regulations 2012

This legislation places a specific duty to manage asbestos in non-domestic premises and directly covers anyone who owns, occupies, manages or otherwise has responsibilities for maintenance and repair of any building or structure that **may** contain asbestos.

The Regulations also prohibit the importation, supply and use of all forms of asbestos, set licensing conditions to control higher risk work, set control limits for exposure levels (in general and during asbestos works) and also specifies the work methods and controls that should be used to prevent exposure and limit the unplanned disturbance of those fibres.

Managers should also be aware of the following requirements so ACM's can be managed effectively:-

Competency

Anyone liable to disturb asbestos during their work or who supervises such employees must receive the correct level of information, instruction and training.

There are 3 main types of training identified:-

- 'Category A' - Asbestos awareness E-Training from Learning Zone;
- 'Category B' - task specific non-licensable work with asbestos including>NNLW* (1 day external course covering specific standards of working around asbestos);
- 'Category C' – licensable work with asbestos (external session requiring up to 3 days intensive training)

**NNLW is Notifiable Non-licensed Asbestos Works*

The Regulations also clarify that a training course on its own will not make someone competent.

Competence is developed over time by implementing and consolidating skills learnt during training, on the job learning, instruction and assessment.

All colleagues involved in asbestos management (Duty Holders and their deputies completing activities such as the formal 6 monthly inspections) must complete the CSA Asbestos Management training which is classified as Category A 'Asbestos Awareness' training.

Role Of The NIC Duty Holder

This is considered to be the Property Manager for the purposes of asbestos management within the National Ice Centre.

They are also considered to be the Primary Duty Holder for the environment under their control and is their responsibility for ensuring asbestos compliance and that the requirements of this document and best current practice is followed at all times within the workplace.

The 'Responsible Person' has overall responsibility for the management of asbestos and the prevention of exposure to asbestos fibres for colleagues and others. This person can delegate the inspection and other operational duties to a colleague who may be based within the premises or provided from a central resource.

Any colleague who is delegated to undertake any activities to support the management of asbestos is considered as a 'Duty Holder' and is there to support the 'Responsible Person' to ensure the effective management of asbestos. The 'Responsible Person' is directly responsible for ensuring that any person who is doing any asbestos related activities within their control is suitably trained and competent.

The main responsibility for the 'Responsible Person' is to ensure that the Asbestos Log Book is maintained in an up to date and all recording is completed correctly and that any activity that affects asbestos condition is managed effectively.

To ensure the National Ice Centre effectively manages its asbestos risk, the 'Responsible Person' may delegate asbestos management activities to other colleagues.

Each of these people will be classed as a 'Duty Holder' and in undertaking this role, are required to ensure that the activity that they have been assigned to complete is done in accordance with this policy.

The Duty Holder activities may include a variety of different tasks including:

- Inspecting the asbestos on the site on a 6 monthly basis, completing in the log book and understand the assessment basis for assessing the condition of ACM
- Ensuring that the contractors sign the asbestos log book when undertaking work that would disturb ACM
- Amending the survey in accordance with identification of new or removal of ACM

The Responsible person can also be the duty holder and undertake all the tasks of asbestos management themselves, as long as they are deemed competent.

Types Of Asbestos Work (Licensed & Non Licensed Work)

The Regulations identify that there are 3 categories of work involving asbestos and prior to any work involving asbestos or ACM, clarification on what type of work is to be undertaken needs to occur.

The categories of work involving asbestos is identified within the document, Types of Asbestos Work and should be read prior to doing any work on asbestos and ACM's

Organisational Arrangements For Managing Asbestos

The primary requirement of the Control of Asbestos Regulations is the duty to manage all asbestos present in non-domestic premises.

The duty to manage asbestos, is placed on the 'Duty-holder' as defined under 'Control of Asbestos Regulations 2012'.

The duty-holder is provided with an Asbestos Log Book and asbestos awareness training in order to assist them in their role.

It is a requirement that all colleagues who may come into contact with ACM's or asbestos complete training on the management of asbestos awareness.

The duty-holder is responsible for keeping the Asbestos Log Book and their training up to date as detailed below and It is essential that these documents are readily available in a secure location on site e.g. in reception linked to the signing in book.

Asbestos Log Book

Premises checks should include:

- The condition of all asbestos identified or presumed to be in the premises (see 'assessing the condition of asbestos materials')*;
- Reporting any damaged/deteriorated ACMS to NIC Health & Safety Advisor;
- Contractors have signed relevant documentation as required
- Updating the Asbestos Register and Location Plans to indicate where asbestos has been removed together with any formal evidence as necessary.

*The **only 2 exceptions** are where the survey has not identified any known asbestos or where there is formal evidence that all known asbestos has been removed (and therefore there is no asbestos to check).

Asbestos Management for Premises Constructed post 1999

Following a change in the use of asbestos in construction associated with the ban in place under the Regulations, premises built after 1999 would not have used ACM in their construction however, plant and machinery within the building may still contain asbestos.

Formal documented evidence that the building was fully constructed post 1999 must be readily available on site e.g. Construction Health & Safety File or a legal contract.

Verbal or written evidence from individuals that does not include an audit trail is not sufficient for the purposes of demonstrating the building is ACM free.

Once this formal confirmation is in place and there are no ACM identified within the site, this formal confirmation can be used to demonstrate that the premises is ACM free and a log book will not need to be retained and completion of asbestos viewing records will not be required when commissioning work.

Managers must understand that this process of not requiring an asbestos log book is for new build only and does not account for refurbishment or building modification post 1999 which would still require full compliance with the requirements of retaining an Asbestos Log Book.

Asbestos Surveys

There are two types of survey for ACM and they are very different in what they cover and how they are carried out and are identified as:

- Management Survey;
- Refurbishment / Demolition Survey.

Management Survey

A Management Survey locates ACM that could be damaged or disturbed during the normal occupation of the premises, including foreseeable maintenance, or by installing new equipment.

It will involve minor intrusion and minor asbestos disturbance in order to take samples in order to produce an Asbestos Register to guide the client in prioritising any remedial work.

It assesses the condition and location of ACM and the ability of the ACM, if disturbed, to release fibres into the air.

Asbestos management surveys are non-destructive, and it may be necessary to take further samples to identify the presence of asbestos in locations that have not been covered.

NIC will arrange for asbestos management surveys and samples to be carried out for all premises for which it has maintenance responsibility.

Duty Holders are responsible for retaining records of removal and re-occupation certification in the appropriate sections of the Log Book and updating the Asbestos Register.

Refurbishment/Demolition Survey

The refurbishment/demolition Survey is required where the premises, or part of it, need upgrading, refurbishment or demolition. The Survey does not need a record of the ACM condition.

The Survey must locate and identify all ACM before any structural work begins at a stated location or on stated equipment at the premises. It involves destructive inspection and asbestos disturbance.

The area surveyed must be vacated and certified 'fit for reoccupation' after the survey and all reports held in the appropriate section of the Log Book.

Labelling

It is not corporate policy to label ACM however if it is labelled, all ACM's must be labelled within the property.

Staff and contractors should be made aware of the location of asbestos in the areas in which they work via the Asbestos Log Book.



Assessing The Condition Of ACM's

It is the policy of Nottingham City Council that the Duty Holder ensures a **monthly** visual inspection of all known or presumed ACMs is carried out to assess the condition.

This must be recorded on the Monthly Inspection Record sheet (part A) within the Asbestos Log Book.

These persons must also attend the mandatory training mentioned under 'Control of asbestos Regulations 2012 - Competency'.

The main signs of damage, and therefore risk of asbestos fibres being released into the air, are where:

- The material is being disturbed (e.g. in a prominent position and prone to accidental damage);
- The surface of the material is damaged, frayed or scratched;
- Surface sealants are peeling or breaking off;
- The material is becoming detached from its base (this is a particular problem with pipe and boiler lagging and sprayed coatings);
- Protective coverings designed to protect the asbestos are missing or damaged;
- There is suspected asbestos dust or debris in the immediate surrounding area.

If any of these signs apply to ACMs in your building, you must report this to the Building Services as action will be required to have it sealed, enclosed or removed and this work will usually need to be carried out by a specialist contractor.

General Precautions

Before starting any work on a building, however minor, (e.g. pinning displays to internal walls) establish whether these areas could contain asbestos.

If in doubt, presume that a material contains asbestos unless there is strong evidence to suggest that it does not. These precautions require that the responsible person

- Always check the site survey to see if it is known whether the materials contain asbestos. If it is not known, it may be necessary for further sampling.
- Always be especially careful when working near old insulation board, ceiling tiles, cement sheeting and other materials that may contain asbestos. If you have to cut, drill, sand or handle these materials, treat them as if they contain asbestos.
- Where you come across unexpected materials you think are asbestos stop work immediately, inform your supervisor or manager and seek advice from NIC Health & Safety Advisor.
- For further information about safe working practices, please contact the NIC Health & Safety Advisor and Corporate Safety Advice.

Managing Contractors & Colleagues Who Carry Out Works On Your Premises

It is essential that adequate information on asbestos management within the building is given to any internal or external contractors or NIC services/colleagues who carry out works on City Council premises, where they will or are likely to disturb the fabric of the building or come into direct contact with asbestos.

This information **must** be provided during the planning or ordering of work.

Where you know that work will be carried out, on or near asbestos, the contractors **must** be reminded of this before they commence work on site and a formal risk assessment must be in place.

Evidence must be obtained by signing the 'Contractor/Colleague Viewing Record' at the back of the Log Book.

It is also essential that the contractor has the necessary competence to carry out the works and checks are undertaken to ensure that they have this competence to complete the required works.

For further information, see 'Control of Asbestos Regulations 2012 - Competency' and 'Asbestos Management for Properties built post 1999'.

Procedures or specific contracts (clarifying roles, responsibilities and competencies) must be in place prior to any works being carried out by external or internal contractors/services on behalf of the Duty Holder.

Any concerns about the method of work used by contractors during removal or repair must be reported to the NIC Health & Safety Advisor and Corporate Safety Advice.

Further Information & References

The following information and reference material is in place to assist managers to understand their responsibilities and duties.

NIC Documentation

- Asbestos Checklist
- Asbestos Log Book 2014

External References

- Asbestos Essentials (HSE Website)
- L143 – 'Managing and Working with Asbestos' (HSE)
- HSG 227 – 'A Comprehensive Guide to Managing Asbestos in Premises' (HSE)
- INDG 223 – 'A Short Guide to Managing Asbestos in Premises' (HSE)
- INDG 289 – 'Working with Asbestos in Buildings' (HSE)