

Document Control

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Asbestos Policy			
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Directorate Facilities			Department Facilities
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CONTENTS

1.	Introduction.....	3
2.	Scope of This Policy.....	3
3.	Definitions.....	3
4.	Roles and Responsibilities.....	5
5.	Training.....	6
6.	Communications.....	6
7.	Background to the Risk of Exposure to Asbestos Containing materials.....	7
8.	Methods of Recording.....	7
9.	Asbestos Removal.....	8
10.	Policy Review.....	9
11.	Equality Impact Assessment.....	9
12.	References.....	10
13.	Approved Licensed Asbestos Removal Companies.....	10
14.	Appointed Consultant & Accredited Testing Laboratory.....	11

1. Introduction

- 1.1. The Northern Devon Healthcare NHS Trust (NDHT) recognises the risks to health in relation to the presence of asbestos in buildings. The Trust is fully committed to comply with all legislative and regulatory requirements together with Approved Codes of Practice as applicable to the Estate buildings owned or leased and operated by the Trust.
- 1.2. To comply with the Statutory document “Control of Asbestos Regulations 2012” the Trust has in place procedures to control the removal, monitoring and management and communication of this hazardous material. In doing so processes in place ensure that it is treated with extreme care, diligence and caution by all concerned.
- 1.3. This document sets out the (NDHT) policy for the control and management of Asbestos Containing materials (ACM’s) within its properties.
- 1.4. The Trust will as far as reasonably practical ensure that the risk from exposure to asbestos is kept to the minimum by the identification and logging of asbestos presence, and by its’ acceptance of this policy
- 1.5. Within this Asbestos Policy document the Trust has committed to wherever possible removing the risk posed from existing ACM’s. This will be facilitated through:-
 - Risk based funding with a priority given to all high & significant risk locations identified in the site Portal Asbestos Registers. These registers list ACMs with a prioritised score, which considers condition, frequency of access and the likelihood of risk to exposure through damage (See Appendix 4 of the Asbestos Management Plan(AMP))
 - An annual capital allocation of funds to all areas of the Trust’s properties.
 - Where Capital development or small schemes are to be provided every opportunity to remove the presence of ACM’s will be taken.

2. Scope of This Policy

- 2.1. The requirements of this policy apply to all staff, contractors and any third party that could be involved with the disturbance of the fabric of the Trusts buildings.

3. Definitions

- 3.1. **Asbestos Containing materials** - such materials can be located in the following locations:
 - In the formation of the building to assist the fire resistive quality of the finish
 - Used in fire breaks above ceilings
 - In some ceiling tiles
 - Used on pipe and tank lagging

- On some floor finishes
- Within electrical switch panels
- As sealant around hot surfaces
- This is not a definitive list, there may be other areas containing asbestos materials.

3.2. Contractor

Any person employed by or on behalf of the Trust and by the very nature of their actions could come into direct contact with the Asbestos Containing materials.

3.3. Third Party

Any person who by the very nature of their actions could come into direct contact with the asbestos based materials, such an individual could be employed by the emergency services.

3.4. **The Asbestos Management Plan** - Lists a plan of approach to the practical management of ACM's within the Trusts estate.

3.5. **Asbestos Register** - A register that contains all known Asbestos within a given area, the register being produced by a surveyor with sufficient competency and training.

3.6. Asbestos Register Portal

The Portal is a secure online access point to NDHT's asbestos registers for all of its portfolio of buildings it is located at:

<https://www.environtec-amp.com/Account/Login?ReturnUrl=%2f>

Access to the site is granted through the Appointed Person

3.7. Appointed Asbestos Consultants

A specialist asbestos consultancy company appointed by NDHT to provide professional advice and assistance with policy documentation and specifications. To conduct asbestos surveys, asbestos air monitoring and project management and provide asbestos training. The consultant will be a UKAS accredited company to ISO 17020 & ISO 17025 with trained, experienced and knowledgeable staff both of surveying, analytical and air monitoring principals but also operating in Hospital environments. They will be approved by both the British Occupational Health Society (BOHS) and either the United Kingdom Asbestos Training Association (UKATA) or the Independent Asbestos Training Providers (IATP) to deliver asbestos training

3.8. Approved Licensed Asbestos Contractor

A contractor registered with the Health & Safety Executive holding a license to remove and dispose of asbestos and approved in the Trust Asbestos Policy

3.9 Duty Holder

A Senior employee within the Trust that has been designated the legal responsibilities of the management of asbestos in writing. This individual will ensure that the operational requirements of both the policy and The Asbestos Management Plan are adhered to by all who could come into direct contact with the Asbestos Containing materials. They will devolve the management duties but not the legal responsibilities to an Appointed Person and their Deputies.

3.10 Appointed Person

A Senior Estates employee within the Trust that has been designated the duties of the management of asbestos in writing. This individual will ensure that the operational requirements of both the policy and The Management of Asbestos Plan are adhered to by all who could come into direct contact with the Asbestos Containing Materials.

4. Roles and Responsibilities

Chief Executive (reporting direct to the Board): The Duty of Care placed on the Trust rests ultimately with the Chief Executive the “Duty Holder”, who should satisfy themselves that measures are in place to ensure that the risk of exposure to Asbestos Containing materials has been reduced.

Executive Director (reporting to the Chief Executive): The accountable Director will act as the responsible Director the “Deputy Duty Holder” who will ensure that such measures are in place and keep the Chief Executive informed of any such issues if and when they arise.

Appointed Person (reporting to the Executive Director): This will be a senior Estates person who has been appointed in writing by the Executive Director.

Deputy Appointed Person: This will be a senior Estates person who in the event of the Appointed Person not being available assumes the role fully and provides back up to the Appointed Person.

Managers, Estate Officers and Supervisors: Will ensure that they are familiar with the Trusts Asbestos Policy and the requirements of “The Asbestos Management Plan” document. They will adopt all the procedures as laid down in the two documents and apply them to all projects under their control.

Staff, Contractors and third party individuals: (accountable to the Manager, Estate Officer or Supervisor):

They will ensure that they act in a safe manner when working near to asbestos based materials thereby not putting themselves or others at risk from the exposure to asbestos.

They will carry out the requirements of the Trust's Asbestos Policy and The Asbestos Management Plan in all work base activity as conveyed by the Manager, Estate Officer or Supervisor for the Trust.

Note: - A key document to support the application of this policy is "The Control of Contractors Policy". This document identifies the specific requirements of the Trust for contractors when working on the Trusts estate.

5. Training

Training will be given by the Trust Asbestos Consultant to all Trust staff who are likely to be involved with projects that could involve exposure to Asbestos Containing materials.

The training will be specific for the role performed i.e. Managers, Supervisors, maintenance staff, IM&T and telephone installation. The level and type of training given will be subject to advice from key sources:-

- The Health & Safety Executives website on "Asbestos Health & Safety"
- The Trusts accredited training provider

In respect to contractors the "Contractors handbook" will be circulated to all contractors detailing their training requirements and what is expected of them in respect to preventing the risk of exposure to asbestos containing materials. Contractors will be expected to have a level of training and competency that reduces the possible risk of exposure to asbestos whilst in the execution of their duties. It will be the Trusts supervising officer's responsibility to ensure that appropriate information is made available to the contractor prior to project commencement.

For the Trust full asbestos training requirements refer to Appendix 5 of the AMP

6. Communications

This policy will be communicated to all staff, Contractors and third party individuals. This will be carried out by the issue of information packs and training of the individual, where required, the latter being required where the risk assessment carried out identifies such a need.

With respect to the Trust Board they will be kept aware of any High or Significant risks identified and recorded on the Asbestos Register by Executive Director. All such risks will be held on the Portal Asbestos Register.

With regard to The Asbestos Management Plan, this will be communicated to all staff, contractors and third party individuals based on the risk to those individuals. The key AMP is to reduce the risk of exposure to asbestos. To

ensure that the Trust has confidence in the measures that are in place, the Executive Director will report all High and Significant risks to the Board.

7. Background to the Risk of Exposure to Asbestos Containing materials

Health hazards associated with materials containing Asbestos

Breathing air containing asbestos fibre can lead to asbestos related diseases which kill more people than any other single work-related cause. If asbestos fibre is inhaled, some of the fine fibres may work their way into the lungs and remain embedded for life. Asbestos related diseases include asbestosis, lung cancer and mesothelioma. There is no known cure for asbestos related diseases.

Materials containing asbestos were in the past used in the structure of buildings such as ceiling insulation, fire protection, noise insulation or as insulating materials to boilers, calorifiers and similar plant. Principally it is asbestos insulation of the soft fibrous nature encountered in these applications that present a hazard if disturbed in any manner.

Asbestos may also be found in a range of building materials including fibreboard and asbestos cement sheeting. Asbestos products in engineering included use in gaskets, seals, asbestos rope and string, it can also be found in a woven form in protective clothing and equipment.

All recent installations, equipment and components should be asbestos free (see Asbestos Prohibition Regulations 1992) as asbestos free substitutes are available.

8. Methods of Recording

8.1. Areas known to have materials containing asbestos

The Trust has in place an Asbestos Register for each property which is held on an web based Portal . The Portal Asbestos Register gives details of areas where known or presumed Asbestos Containing Materials(ACM's) have been identified. To ensure that records are maintained Portal Asbestos Register will be and updated regularly and maintained by the Asbestos Consultant. An electronic version of the registers is held at the Facilities office by the Appointed Person as a Master Backup.

All areas within the Trust's properties known to contain asbestos containing materials are maintained in a sealed condition, some being labelled and are monitored on regular basis.

9. Asbestos Removal

9.1. Planned work

Only Licensed Asbestos Contractors will be allowed to remove Asbestos Containing Materials. Such removal will be carried out in full compliance with HSE approved methods. Some removal may require notification to the HSE which can require a 14 day notice period and should be planned accordingly when preparing project timescales.

In such situations where the work is taken on by the Trusts its own staff will only be of a non-licensed non-notifiable category or an emergency small scale category. Prior to performing the task the supervisor will be required to produce a suitable and sufficient Plan of Work and Risk Assessment See section 10 AMP

9.2. Emergency Work

In the event of an emergency situation the Trust's supervising officer has two courses of action:

- Contact a Licensed Asbestos contractor and seek a waiver to the 14 day HSE pre-notification period
- Use a trained directly employed member of staff

Such an action would only be selected to gain access to ceiling voids for emergency purposes and at NDDH only. The work must be considered Non notifiable non-license work in accordance with the Control of Asbestos Regulations 2012. Trust staff will not conduct and work that is deemed to be Licensable or Notifiable non- licensable work. See section 10 AMP

9.3. Disposal

Asbestos waste must be disposed of in full compliance with all legal requirements, it will be double bagged in UN approved 500 gauge hazardous waste bags and stored in containers designed, constructed, labelled and maintained to prevent any of the contents escaping during normal handling. Asbestos waste must be labelled and disposed under a hazardous waste consignment note in accordance with:

- Hazardous Waste Regulations 2005
- The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009.
- The Control of Asbestos at Work Regulations 2012
- Control of Pollution Act 1974.

- Carriage of Dangerous Goods by Road Regulations and Special Waste Regulations 2001
- Environment Protection Act 1990

10. Policy Review

The Trust Board is fully committed to continually reviewing and updating its' policies and procedures as far as reasonably practical for the safe, monitoring, management and safe disposal of hazardous materials including those containing asbestos. This is to be achieved by adopting current and proposed legislation, best practice and guidance information issued by enforcing agencies etc.

By adopting this procedure and the AMP, the Trust board hopes to ensure the safest practical conditions possible for patients, visitors and staff at all of its' properties.

This procedure will be reviewed every three years by the Appointed Person as a minimum and could change based on:

- Updates to legal requirements;
- A significant incident; and / or
- Through an outcome identified within the annual Management of Asbestos Audit.

11. Equality Impact Assessment

The author must include the Equality Impact Assessment Table and identify whether the policy has a positive or negative impact on any of the groups listed. The Author must make comment on how the policy makes this impact.

Table 1: Equality impact Assessment

Group	Positive Impact	Negative Impact	No Impact	Comment
Age			X	
Disability			X	
Gender			X	
Gender Reassignment			X	
Human Rights (rights to privacy, dignity, liberty and non-degrading treatment), marriage and civil partnership			X	
Pregnancy			X	
Maternity and Breastfeeding			X	
Race (ethnic origin)			X	
Religion (or belief)			X	
Sexual Orientation			X	

12. References

- The NDHT Control of Contractors Policy
- The NDHT Asbestos Management Plan
- Health and Safety at Work etc Act 1974
- The Control of Asbestos Regulations 2012
- Managing and working with Asbestos 2013 (ACOP L143 2nd edition)
- HSG 227 – A comprehensive guide to managing asbestos in non-domestic buildings
- HSG 264 – The Survey guide
- HSG 247 - The analysts guide for sampling, analysis and clearance process.
- HSG 248 - The Licensed Contractors guide
- HSG 53 – The RPE guide
- HSE Asbestos Essentials Task Manual HSG210
- HSE Asbestos Essentials Task sheets EM0-EM10, A0-A38
- Medical guidance note MS13
- The Workplace (Health Safety & Welfare) Regulations 1992
- The Management of Health Safety and Welfare Regulations 1999
- Hazardous Waste Regulations 2005
- Construction (Design & Management) Regulations (CDM) 2015
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Asbestos (Prohibition) Regulations August 2003
- Asbestos (Licensing) (Amendment) Regulations 1998
- Control of Pollution (Special Waste) Regulations 1980 amended 1988
- The Control of Substances Hazardous to Health Regulations 2002 amendments 2003 & 2004(COSHH)
- Carriage of Dangerous Goods by Road Regulations 1996.
- European Standard EN 45001 General criteria for the operation of testing Laboratories 1989

Any other relevant documentation relating to the removal, handling or disposal of materials containing Asbestos.

13. Approved Licensed Asbestos Removal Companies

Shield Environmental Services Limited
Shield House, Caxton Business Park, Crown Way, Warmley, Bristol BS30

8XJ

Licence No: 841900684
Licence expiry date 30th September 2022
Contact: Ann-Marie Scott
Phone: 01392 369902 07585807118
e-mail:bidteam@shieldenvironmental.co.uk
annmariescott@shieldenvironmental.co.uk
Emergencies: Rob Miotla 01392 367299 / 07887952022

Clear Asbestos Solutions Ltd
1 Barbican Close, Barnstaple, Devon EX32 9HE
Licence No: 16190584
Licence expiry date 10th October 2019
Contact: Paul Tuffy
Phone: 01271 410444 / 07967227084 (24 Hours)
E-mail: info@cas-asbestos.co.uk

AA Woods
Unit 4, Poole Industrial Estate, Wellington, Somerset, TA21 9HW
Licence No: 941903748
Licence expiry date: 9th Sep 2022
Contact: Phil Yull
Phone: 01823 664925 / 07779664314
Email: Phil.yull@aawoods.com
Emergencies: Peter Dixon: 07495414002 (Regional Manager)

14. Appointed Consultant & Accredited Testing Laboratory

Envirotec Ltd
5a Turner Street, Newport, NP19 &BA
UKAS:- 17020 Inspection (Accreditation 0197) 17025- Testing (Accreditation 2030)
Contact: Mark Bartlett *Consultant* Ian Faul *Regional Manager*
Email: mark.bartlett@envirotec.com ian.faul@envirotec.com
Phone: 01633 262992 24 Hr/365 Day