

Asbestos Management Policy (F-013)

Version Number:	1.6
Author (name & job title)	Steven Leeman, Estates Operations Manager
Executive Lead (name & job title):	Peter Beckwith, Director of Finance
Name of approving body:	Health and Safety Group
Date full policy approved:	May 2016 (v1.2)
Date Ratified at Trust Board:	May 2016
Next Full Review date:	March 2026

<i>Minor amendments made prior to full review date above (see appended document control sheet for details)</i>	
<i>Date approved by Lead Director:</i>	<i>H & S Group – 3 March 2023</i>
<i>Date EMT as approving body notified for information:</i>	<i>March 2023</i>

Policies should be accessed via the Trust intranet to ensure the current version is used

Contents

- 1. INTRODUCTION 3
- 2. SCOPE 3
- 3. DEFINITIONS 4
- 4. DUTIES AND RESPONSIBILITIES 4
- 5. PROCEDURES RELATING TO THE POLICY 6
- 6. IMPLEMENTATION AND MONITORING 7
- 7. TRAINING AND SUPPORT 8
- 8. REFERENCE TO ANY SUPPORTING DOCUMENTS 9
- 9. MONITORING COMPLIANCE 9
- APPENDIX 1: DOCUMENT CONTROL SHEET 10
- APPENDIX 2: EQUALITY IMPACT ASSESSMENT (EIA)..... 11

1. INTRODUCTION

Asbestos is a naturally occurring mineral present in many building materials, found particularly in older buildings built prior to 2000. Inhalation of a significant quantity of asbestos fibres can lead to asbestos-related diseases.

Asbestos is the greatest single cause of work-related deaths in the UK. Humber Teaching NHS Foundation Trust has a duty under the Health and Safety at Work Act 1974 to ensure, so far as is reasonably practicable, the health, safety and welfare of employees, self-employed persons, contractors, members of the public in general and those who are specifically in their care.

Asbestos is only a risk to health if asbestos fibres are released into the air and breathed in. There is usually a long delay between first exposure to asbestos and the onset of disease; this can vary from 10 to 60 years.

The Control of Asbestos Regulations 2012 requires employers to prevent the exposure to asbestos so far as is reasonably practicable. Where it is not reasonably practicable Humber Teaching NHS Foundation Trust shall reduce the exposure to asbestos to the lowest level reasonably practicable by measures other than the use of respiratory protective equipment and ensure that the number of employees who are exposed to asbestos is as low as possible.

Humber Teaching NHS Foundation Trust's strategy is to remove asbestos whenever the opportunity presents itself as part of alteration or refurbishment work, prior to demolitions, where necessary due to its condition or where maintenance work would require any potential disturbance of asbestos. It is not Humber Teaching NHS Foundation Trust's strategy to systematically remove asbestos, but to consider the risk level of any asbestos-containing materials found.

Regulations (CAR) 2012, the Trust has an Asbestos Management Plan and Register which must be referred to whenever work is carried out on buildings built prior to 2000. This is the key document for the safe management of asbestos in the organisation.

2. SCOPE

This policy applies to all buildings that are owned or maintained by Humber Teaching NHS Foundation Trust and covers activities where inadvertent exposure to asbestos may occur i.e. maintenance, IT and telecoms, refurbishment and demolition work. It also applies to all staff in the Trust and appointed contractors who carry out works in all Humber Teaching NHS Foundation Trust buildings built prior to 2000 which may contain asbestos.

Where Humber Teaching NHS Foundation Trust staff are working in landlord managed properties, it is expected that the landlord will have their own asbestos management plan available, controlling the risk presented by such products and will monitor to ensure a safe environment for all users.

The Trust will take all reasonable steps to source copies of the landlord's asbestos management plan and asbestos register, which will be checked for compliance (Asbestos Register and appropriate Asbestos Management Plan) and given approval by the Responsible Persons before taking tenancy.

An annual check will be completed by the Trust of all landlord information, which will require the landlord to provide evidence of re-inspection data and any works completed relating to asbestos.

All Trust staff working in landlord managed properties will comply fully with the landlord's management plan(s).

This policy also applies to tenants housed in Trust buildings. All tenants are to be notified in writing of their duty to work with the Humber Teaching NHS Foundation Trust to comply with this policy and the CAR 2012.

All staff, contractors and sub-contractors must comply with this policy. When contractors are on site, they must ensure that they and their sub-contractors do the same.

All contractors, irrespective of the nature of their work, must view the building's Asbestos Register, and where asbestos exists and is likely to be disturbed as part of their works, liaise with the Estates Department before any work commences. They can then be advised on procedures by the Estates Department as laid out in Humber Teaching NHS Foundation Trust's Asbestos Management Plan and Standard Operating Procedures.

3. DEFINITIONS

ACM	Asbestos Containing Material
ACoP	Approved Code of Practice
CAR	Control of Asbestos
HSG	Health and Safety Guidance
HTM	Health Technical Memoranda
IT	Information Technology
SOP	Standard Operating Procedure

4. DUTIES AND RESPONSIBILITIES

Chief Executive

Has overall responsibility for the health, safety and welfare of all Humber Teaching NHS Foundation Trust staff, patients, visitors, etc. This will include compliance with all Statutory Instruments and Approved Codes of Practice relating to the safe management of asbestos products.

Director of Finance

Has the delegated responsibility for the health and safety of all personnel who may come into contact with asbestos products. He/she shall ensure that appropriate policies and strategies for the safe management, removal and disposal of asbestos related products are in place, maintained and correctly executed.

He/she is responsible for seeking sufficient resources to be made available to the Estates Department with the aim of ensuring that the duties outlined in this policy are carried out.

In the event that sufficient resources are not available, prioritisation of allocation of expenditure will be agreed via the relevant approval processes.

He/she will work closely with the head of estates and estates operations manager.

Responsible Persons

Humber Teaching NHS Foundation Trust's Responsible Persons are:

- Estate operations manager
- Estates officer (Building)

The Responsible Person(s) are responsible for understanding legislation relevant to this policy and for working closely with senior estates and capital development project managers/officers to ensure compliance with policies and procedures relating to asbestos and that staff and

contractors are familiar with and comply with all relevant sections of Humber Teaching NHS Foundation Trust's Asbestos Management Plan and Standard Operating Procedures.

The Responsible Persons are responsible for ensuring staff and contractors check estate records for any known asbestos before commencement of any work likely to disturb the fabric of any building pre-2000. They are also responsible for the identification and prioritisation of asbestos removal/encapsulation schemes and the provision of personal protective equipment.

The Responsible Persons must be trained in the necessary precautions and procedures relating to asbestos and must be proactive to ensure the Trust remains up to date with all legislative and best practice developments. They will need to keep up to date reference material, for use by themselves and other Trust staff in managing asbestos. These should include as a minimum:

- Approved Code of Practice (ACoP) L143 'Managing and working with asbestos.'
- HSG 227 'A comprehensive guide to Managing Asbestos in premises'.
- HSG 247 'Asbestos: The licensed contractors' guide'.
- HSG248 'Asbestos: The analysts guide for sampling, analysis and clearance procedures'.
- HSG 264 'Asbestos: The survey guide'
- HSE 210 'Asbestos Essentials Task Sheets'.

The Responsible Persons will have a wide range of duties as set out in the Asbestos Management Plan and Standard Operating Procedures.

The Responsible Person(s) will be responsible for:

- The management of re-inspection surveys and periodic inspection in high-risk areas as identified on the building management plans
- The production and maintenance of a written record of the locations of asbestos and presumed ACMs
- The production of a register of ACMs and keep it up to date which will include the location, condition, maintenance arrangements and details of removal for all ACMs from within the Humber Teaching NHS Foundation Trust Management plans
- Working with appointed consultants to assess the risk of exposure and document actions necessary to manage the asbestos
- Training staff to oversee the Asbestos Management Policy
- Reviewing the conditions of all ACMs on Trust property at a frequency representative of their risk and update the asbestos register as required
- Making current and appropriate information available to those who may come into contact with or disturb ACMs
- Providing relevant information, training and supervision to all Trust staff and contractors
- Liaison with landlords regarding asbestos

Nominated Officers

The Nominated Officers will assist the Responsible Persons in their duties and complete all relevant activities on behalf of the Trust; ensure the contents of this policy are fully compliant, implemented and reviewed as specified within.

Humber Teaching NHS Foundation Trust's Nominated Officers are:

- Head of estates
- Estates officers (Projects)

If a Nominated Officer believes the policy (or any parts within) cannot be implemented, they will notify the Responsible Persons. The Nominated Officers are to monitor that the policy meets

the requirements of current legislation at all times and escalate any departures or concerns to the Responsible Person.

The head of estates will specifically:

- Ensure that no materials containing asbestos are used in any development work
- Ensure that all capital projects carried out on buildings built prior to 2000, have an Asbestos Refurbishment/Demolition survey carried out (where required), and that any asbestos works are carried out in line with all current asbestos regulations and guidance, and that the Responsible Persons are made aware of any such work to ensure compliance.
- Ensure all contractors and sub-contractors working on projects are competent and qualified to undertake the work specified and are up to date with their relevant asbestos training

Humber Teaching NHS Foundation Trust Directors and Line Managers

Directors and line managers are managerially responsible for organising health and safety matters within their area/locality. The Trust's Health and Safety Policy outlines their responsibilities in more detail. In addition they will:

- Ensure that all departments within their areas of responsibility are adhering to this and other health and safety related policies and procedures
- Ensure that all tenants and other bodies using Trust premises within their areas of responsibility are aware of this policy and procedure
- Ensure an effective line of communication is maintained within their locality/area for all matters relating to this policy
- Respond to reports and requests from their line managers to take appropriate remedial action to minimise risks
- Identify and allocate resources, both human and financial in order to comply with this policy

Contractors

Must ensure that they and any sub-contractors reporting to them:

- Are competent and qualified to undertake the work specified and are up to date with their relevant asbestos training
- Report to the Estates department or specific building's reception, sign in and check the most up to date Asbestos Register
- Comply with the relevant sections of the Trust's Asbestos Management Plan and Standard Operating Procedures, other relevant Trust Policies and procedures and current health and safety legislation

5. PROCEDURES RELATING TO THE POLICY

Asbestos Management Plans

The Asbestos Management Plans have been designed with the purpose of managing the risk from ACMs identified within Humber Teaching NHS Foundation Trust so that as far as reasonably practicable no one can come to any harm from ACMs on its premises.

Asbestos Management Plans are site-specific, reflecting local information and management instructions which relate to ACMs which are present on that site. In conjunction with this Policy and Standard Operating Procedures for Asbestos, the Asbestos Management Plans are an integral part of the Trust's strategy for compliance with all current health and safety legislation regarding asbestos.

The main principles of asbestos management are to:

- assess;
- record;
- inform;
- monitor.

The Trust's Asbestos Management Plans can be viewed in Humber Teaching NHS Foundation Trust's Estates Department, Mary Seacole Building, Willerby Hill, Beverley Road, Willerby. HU10 6ED.

Standard Operating Procedures

The Asbestos Standard Operating Procedure document referred to throughout this policy is to be used to manage and monitor all aspects of asbestos compliance all as detailed in Section 7.

6. IMPLEMENTATION AND MONITORING

The aims of this policy are to:

Fully comply with Regulation 4 of the Control of Asbestos Regulations (CAR) 2012
Identify roles and responsibilities for the management of asbestos
Outline the requirement and areas for review in relation to this policy

This policy should also be read in conjunction with Humber Teaching NHS Foundation Trust's Asbestos Management Plans and Standard Operating Procedures, which will confirm the procedures for:

- The management of asbestos including timescales for management works and reviews
- Identifying and recording the presence of asbestos
- Finding materials likely to contain asbestos and how their condition should be checked ensuring the presumption that materials contain asbestos unless there is strong evidence that they do not is reinforced
- Recording the location and condition of asbestos and presumed ACMs and keeping the records up to date
- Monitoring the condition of known and presumed ACMs
- Providing information on the location and condition of ACMs to people who may be at risk of disturbing them during work activities
- Outlining how workers will be prevented from inadvertently disturbing asbestos when works are commissioned
- Recording the actions required to be taken in response to any planned refurbishment or demolition works
- Assessing the risk of the likelihood of anyone being exposed from asbestos from these materials
- Ensuring any material known or presumed to contain asbestos is kept in a good state of repair
- Repairing or removing any material that contains asbestos, if necessary, because of the likelihood of disturbance, and its location or condition
- Outlining the actions to be taken should asbestos be accidentally disturbed
- Preparing an Asbestos Management Plan detailing how the risks are to be managed

The use of all asbestos in products and buildings was finally and completely banned in the UK in 1999. As a result this Policy relates to all Humber Teaching NHS Foundation Trust properties constructed prior to the year 2000.

Humber Teaching NHS Foundation Trust has produced this policy in order to comply with the

CAR 2012 and understands its duty to manage asbestos in non-domestic premises (Regulation 4 of CAR 2012).

This document sets out the policy that Humber Teaching NHS Foundation Trust will implement, so that all reasonable and practicable steps are taken to secure the health, safety and welfare of all persons who may be exposed to asbestos. This applies to all staff, contractors, patients and visitors.

The objective is to keep exposure and risks to damaging asbestos or from exposure to asbestos to a minimum whilst managing the ACMs within any of the organisation's properties or premises. This will be achieved by controlling all building and maintenance works and IT Infrastructure and dealing with asbestos which is known or is found to be situated in the premises of Humber Teaching NHS Foundation Trust.

This document will be reviewed by the Responsible Persons on a three yearly basis or amended as and when new legislation requires or in line with good practice.

7. TRAINING AND SUPPORT

Those who are appointed in writing to carry out the control measures and strategies will be suitably informed, instructed, trained and suitability assessed which ensures that tasks are carried out in a safe and technically competent manner. Regular refresher training will be provided and records of all initial and refresher training will be maintained.

All members of staff including those with managerial responsibilities for asbestos will receive training commensurate with their duties as identified in the table below:

Role	Training Requirement	Period
Designated Person	Responsible Person or Managing Asbestos Training Course *	Every three years
Responsible Person	Accredited Responsible Person (Asbestos) Course (typically British Occupational Health Society (BOHS) P405) Also Managing Asbestos Projects Training Course *	Every three years
Nominated Officer	Managing Asbestos Projects Training Course *	Every three years
Maintenance Operatives	Asbestos Awareness Course*	Annual
Site Handymen	Asbestos Awareness Course*	Annual
Fire, Health and Safety and Security Management	Asbestos Awareness Course*	Annual
Hotel Services Management	Asbestos Awareness Course*	Annual
IT Management	Asbestos Awareness Course*	Annual

* Accredited training course or via ISO/UKAS accredited training provider.

Although training is an essential element of competence, it is not the only factor – it should be viewed as a product of sufficient training, experience, knowledge and other personal qualities which are needed to undertake a job safely. Competence is dependent on the needs of the situation and the nature of the risks involved.

Additional asbestos toolbox talks will also be provided to staff by the Trust's health and safety lead or Responsible Persons as required.

8. REFERENCE TO ANY SUPPORTING DOCUMENTS

- Asbestos Management Plans and Standard Operating Procedures
- Health and Safety at Work Act 1974
- Estates Department - Safe Working Procedures
- The Control of Asbestos regulations 2012 and its Approved Codes of Practice, (The Management of Asbestos in Non-domestic Premises, L127 and “Work with Materials Containing Asbestos, L143) and Note HSG227 (A Comprehensive Guide to Managing Asbestos in Premises)
- The Management of Health and Safety at Work Regulations 1999
- The Health and Safety (Safety Signs and Signals) Regulations 1996 (as amended)
- The Hazardous Waste (England & Wales) Regulations 2011

9. MONITORING COMPLIANCE

This Policy will be reviewed on an annual basis by the Responsible Person(s) to ensure that:

- The Asbestos Register is updated
- The Asbestos Management Plans and Standard Operating Procedures are reviewed and up dated
- Those procedures for working in areas containing ACMs are followed
- Refurbishment and demolition surveys are carried out prior to any such work commencing
- Estates staff are up to date with asbestos awareness and refresher training
- All contractors who are brought to work on their sites by Estates and IT departments are made aware of the presence of asbestos during their sign in and induction process and that they are questioned every time they sign in to site
- Only UKAS approved licensed asbestos consultants and removal contractors are appointed to carry out asbestos related works, in accordance with the latest regulations
- Incidents that are reported/recorded on Datix are investigated by the Responsible Person(s)
- All findings will be reported back to the Trust’s Asbestos Management Group.

APPENDIX 1: DOCUMENT CONTROL SHEET

This document control sheet, when presented to an approving committee must be completed in full to provide assurance to the approving committee.

Document Type	Policy		
Document Purpose	Statutory compliance, corporate assurance and documented guidance to ensure that buildings are maintained in a safe condition, that Trust locations with asbestos containing materials are known and that management procedures are in place. Also ensures control measures are in place whenever works are planned in locations where asbestos containing materials are either known or suspected.		
Consultation/ Peer Review:	Date:	Group/Individual	
List in right hand columns consultation groups and dates		Health and Safety Group	
	10 February 2022	Asbestos Management Group	
Approving Committee:	N/A	Date of Approval:	
Ratified at:	N/A	Date of Ratification:	
Training Needs Analysis: (please indicate training required and the timescale for providing assurance to the approving committee that this has been delivered)	For three individuals: British Occupational Health Society (BOHS) P405 (Refresher due). For approx. 10 individuals: Managing Asbestos Projects Training Course For Estates and Facilities to complete annual Asbestos awareness training as required	Financial Resource Impact	Yes: To be included within 2022/23
Equality Impact Assessment undertaken?	Yes [<input checked="" type="checkbox"/>]	No [<input type="checkbox"/>]	N/A [<input type="checkbox"/>] Rationale:
Publication and Dissemination	Intranet [<input checked="" type="checkbox"/>]	Internet [<input type="checkbox"/>]	Staff Email [<input checked="" type="checkbox"/>]
Master version held by:	Author [<input type="checkbox"/>]	HealthAssure [<input checked="" type="checkbox"/>]	
Implementation:	Describe implementation plans below - to be delivered by the author:		
	Integral to duties of Responsible and Nominated persons, oversight via the Trust Asbestos Management Group.		
Monitoring and Compliance:	Continual review by Responsible Persons and oversight of Trust Asbestos Management Group (meets quarterly). Amended as and when new legislation requires, or in line with good practice.		

Document Change History:			
Version Number/Name of procedural document this supersedes	Type of Change i.e. Review/Legislation	Date	Details of Change and approving group or Executive Lead (if done outside of the formal revision process)
V1.2	Review	25/05/2016	ISCC/EMT
V1.3	Review	Feb 2019	Review of responsibilities following Estates re-structure. Inclusion of specific training requirements for staff managing capital projects.
V1.4	Review	Oct-2021	
V1.5	Review	Feb 2022	3 yearly review
V1.6	Review	March 2023	Reviewed – No changes. Approved at H&S Group (3 March 2023).

APPENDIX 2: EQUALITY IMPACT ASSESSMENT (EIA)

For strategies, policies, procedures, processes, guidelines, protocols, tenders, services

1. Document or Process or Service Name: Asbestos Management Policy
2. EIA Reviewer (name, job title, base and contact details): Steven Leeman, Estates Operations Manager, Estates Dept., Mary Seacole Building, Willerby Hill. Tel: 07900 900 217
3. Is it a Policy, Strategy, Procedure, Process, Tender, Service or Other? Policy

Main Aims of the Document, Process or Service
Please indicate in the table that follows whether the document or process has the potential to impact adversely, intentionally or unwittingly on the equality target groups contained in the pro forma

Equality Target Group Age Disability Sex Marriage/Civil Partnership Pregnancy/Maternity Race Religion/Belief Sexual orientation Gender reassignment	Is the document or process likely to have a potential or actual differential impact with regards to the equality target groups listed? Equality Impact Score Low = Little or No evidence or concern (Green) Medium = some evidence or concern (Amber) High = significant evidence or concern (Red)	How have you arrived at the equality impact score? who have you consulted with what have they said what information or data have you used where are the gaps in your analysis how will your document/process or service promote equality and diversity good practice
---	---	---

Equality Target Group	Definitions	Equality Impact Score	Evidence to support Equality Impact Score
Age	Including specific ages and age groups: Older people Young people Children Early years	Low	Management plans and standard operating procedures. These are to be followed to ensure that buildings are safe, and that control measures are in place whenever work is carried out within buildings containing ACMs.
Disability	Where the impairment has a substantial and long term adverse effect on the ability of the person to carry out their day to day activities: Sensory Physical Learning Mental health (including cancer, HIV, multiple sclerosis)	Low	Policy applies for all groups and is applicable across all of our estate, irrespective of specific patient profile.
Sex	Men/Male Women/Female	Low	Management plans and standard operating procedures. These are to be followed to ensure that buildings are safe, and that control measures are in place whenever work is carried out within buildings containing ACM's. Not gender specific.
Marriage/Civil		Low	Management plans and

Equality Target Group	Definitions	Equality Impact Score	Evidence to support Equality Impact Score
Partnership			standard operating procedures. These are to be followed to ensure that buildings are safe, and that control measures are in place whenever work is carried out within buildings containing ACMs.
Pregnancy/ Maternity		Low	Management plans and standard operating procedures. These are to be followed to ensure that buildings are safe, and that control measures are in place whenever work is carried out within buildings containing ACMs.
Race	Colour Nationality Ethnic/national origins	Low	Management plans and standard operating procedures. These are to be followed to ensure that buildings are safe, and that control measures are in place whenever work is carried out within buildings containing ACMs. Covers all sites, not specific to any nationality or ethnicity.
Religion or Belief	All religions Including lack of religion or belief and where belief includes any religious or philosophical belief	Low	Management plans and standard operating procedures. These are to be followed to ensure that buildings are safe, and that control measures are in place whenever work is carried out within buildings containing ACMs.
Sexual Orientation	Lesbian Gay Men Bisexual	Low	Covers all groups
Gender reassignment	Where people are proposing to undergo, or have undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attribute of sex	Low	Not applicable

Summary

Please describe the main points/actions arising from your assessment that supports your decision above	
<p>This is an organisational policy reflecting actions and procedures to be followed to ensure that buildings containing ACM's are safe, and that control measures are in place whenever work is carried out within buildings containing ACMs.</p> <p>Consistent practice is in place between the Estates Operations and Capital Project team, and Humber Teaching NHS Foundation Trust have appointed Responsible and Nominated Persons in place, as advised by the Control of Asbestos Regulations (2012), statutory legislation and approved codes of practice.</p>	
EIA Reviewer: Steven Leeman, Estates Operations Manager	
Date completed: 03/03/2023	Signature: 