

Asbestos Management Policy

Operational Owner:	Director of Health and Safety
Executive Owner:	Chief Operating Officer (COO)
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Approval History

Version	Reviewed by	Brief reason for review	Approved by	Date
1.0	Clive Parkinson Health and Safety	First Draft (Old Format)	Health and Safety Committee	20 March 2014
2.0	Clive Parkinson Health and Safety and Asbestos Management Group	Reviewed and updated (2018 format)	Health and Safety Committee, Executive Board	19 October 2018
3.0	Matt Purcell Asbestos Management Group, Health and Safety Consultative Committee	Reviewed and updated (including new Policy template)	Health and Safety Committee, Executive Board	17 June 2020 6 July 2020

1 Introduction

1.1 Purpose

1.1.1 This Policy outlines the arrangements adopted by the University to prevent staff, contractors, students and visitors being exposed to asbestos in a manner that could adversely affect their health. The arrangements are based on the requirements contained in the Control of Asbestos Regulations 2012 and accompanying Approved Code of Practice, Managing and working with asbestos (L143), together with other legislative and best practice performance standard.

1.1.2 The aim of this Policy is, therefore, to provide an asbestos management framework which provides a safe environment for our students, employees, contractors and visitors by conducting our business in a way that protects the health, safety and welfare of each individual.

1.2 Scope

1.2.1 This Policy covers work of any kind involving the removal, handling, and disposal of any material containing asbestos. Its requirements apply to all staff, students, contractors, visitors, and others.

1.3 Definitions

1.3.1 Duty Holder

The Director Estates, Facilities and Commercial Services (EFCS) is the Duty Holder as defined by the "Control of Asbestos Regulations 2012". The Duty Holder has delegated the management of Asbestos as outlined in the Asbestos Management Plan to a Competent person.

Additionally, Designated Persons have also been appointed within each department and faculty to assist the Duty Holder (see Appendix 1).

1.3.2 Competent Person

A competent person has the skills, knowledge, attitude, training and experience to undertake the role effectively.

1.3.3 Training and Briefing

Training is equipping staff, students (and others where the University has a duty-of-care) with relevant skills to deal appropriately with a given Health and Safety situation.

Briefing is informing such persons of relevant knowledge in relation to Health and Safety.

Training and briefing will be made available in a range of formats according to the needs of the trainee and different groups of staff, students and others.

1.3.4 **Occupational Health, Safety and Environment** is defined as "the measures and systems aimed at preventing harm and ill health to those at work, whilst protecting the environment from damage that could result from work practices."

1.3.5 Asbestos Containing Materials (ACMs)

Asbestos is a natural mineral fibre and Asbestos Containing Materials (ACMs) were used extensively in buildings prior to the year 2000, because of their good mechanical strength, their thermal and sound insulating properties, as well as their insulation and fire resistant properties. Asbestos can be found in a number of products including, *inter alia*, pipe lagging, wall insulation, ceiling tiles, sprayed onto steelwork, external roofing material, guttering and

downpipes, floor tiles, lining in fire doors, fume cupboards, ovens and gaskets, and as textured ceiling coatings.

Some of the University's premises were built when asbestos was a common construction material and it is likely to remain in our buildings for many years to come. However, this does not mean that it poses a risk to staff, students and others. If left intact and undisturbed, asbestos presents no direct risk. It is the disturbance of the material leading to release of fibres into the environment which could be detrimental to health.

1.3.6 Accessibility

The duty to make reasonable adjustments, as far as possible, to ensure that all staff and students (and others where the University has a duty-of-care) with a disability have equal access to everything they need to do a job or studies as those persons without a disability.

2 Policy

2.1 Principles

2.1.1 Compliance with the requirements of this Policy will ensure:

- The University meets its statutory obligations in respect of the Control of Asbestos Regulations.
- The health protection of staff and students, whilst working in University buildings having asbestos containing materials.
- The health protection of others (including contractors, visitors, members of the public).
- The safe and effective management of all asbestos containing materials.
- Everyone is aware of their roles and responsibilities.
- That affected staff (and others, including contractors) who are liable to disturb asbestos during their normal work activities are appropriately informed, instructed, and where necessary trained and supervised.

2.1.2 In order to meet the above objectives, the University will:

- Clearly define the organisational arrangements for achieving compliance (see roles and responsibilities section of this Policy);
- Ensure resources are made available to achieve compliance and will operate on the principle that where asbestos is identified as presenting a risk because of its unstable condition or where there is a distinct likelihood it will be disturbed, it will be removed, sealed or encapsulated or such other method as appropriate;
- Take reasonable steps to find out if there are materials containing asbestos within its premises, and if so, its amount, location and condition;
- Presume materials contain asbestos unless there is strong evidence that they do not;
- Make, and keep up-to-date, a record of the location and condition of the asbestos materials or materials which are presumed to contain asbestos;
- Assess the risk of anyone being exposed to fibres from the materials identified;
- Prepare and implement an Asbestos Management Plan that sets out in detail how the risks from asbestos will be managed;
- Periodically review and monitor the effectiveness of Asbestos Management Plan and the arrangements to act on it, so that the plan remains relevant and up-to-date;

- Provide information on the location and condition of the materials to anyone who is liable to work on or disturb them and promote an awareness with the wider University community of the hazards presented by asbestos;
- Establish contingency arrangements to deal with any inadvertent release of asbestos fibres into the environment;
- Appoint a competent person (and nominated deputy) to ensure the requirements of this Policy and other relevant asbestos-related performance standards are met;
- Review asbestos management arrangements periodically or whenever there are changes in relevant legislation, guidance or University activities.

2.2 Policy Procedures

2.2.1 Asbestos Management Plan

The University has an Asbestos Management Plan which sets out how the risks from asbestos will be managed. The purpose of the Asbestos Management Plan is to:

- Demonstrate the University of Surrey's commitment to complying with the Control of Asbestos Regulations 2012
- Clearly identify the responsibilities of the duty holder
- Detail the mechanism by which the University of Surrey will prevent exposure of staff, students and others to asbestos and prevent the release of asbestos fibres.

The plan is the responsibility of the Director of EFCS. It will be reviewed annually by the Competent Person and Asbestos Management Group

2.2.2 Asbestos Information, Instruction and Training

The University will ensure that anyone who is liable to disturb asbestos during their normal work, or who supervises those personnel, gets the correct level of information, instruction and training so that they can work safely and competently without risk to themselves or others.

Different levels of training will be needed for different building users and this is detailed in the Asbestos Management Plan.

2.2.3 Labelling

Standard red/black asbestos warning labels will be applied to ACMs considered to be a significant risk where this is deemed to prevent accidental damage, and not cause undue concern. In areas where it is recognised that such labels may cause anxiety to the building occupants, ACMs will be labelled with yellow 'DO NOT DRILL or DISTURB', to reduce the chance of inadvertent damage and exposure.

The Asbestos Register must still be consulted on every occasion when intrusive work is proposed.

2.3 Roles and responsibilities

All responsibilities can be delegated, unless otherwise stated, but it remains the responsibility of the named individual to ensure they are completed in accordance with this Policy and the Asbestos Management Plan.

The information below should be read in conjunction with the Asbestos Management Plan.

2.3.1 Director of Estates, Facilities and Commercial Services (EFCS)

The Director, as the 'Duty Holder' has overall responsibility for implementing the requirements of this Policy, including:

- Implementing a management system which ensures that maintenance/building work is organised such that maintenance staff and contractors do not unknowingly work on asbestos, and whenever they knowingly work directly with or near such material, it is adequately controlled;
- Appointing a Competent Person (and nominated Deputy) to assist them with the execution of their responsibilities and agreeing the arrangements for their involvement in any works, along with such other measures necessary for the execution of this role holder's duties;
- Formally identifying the roles and responsibilities of their staff in respect of the day-to-day management of maintenance/building work;
- Applying for such resources as are appropriate to discharge the University's statutory obligations;
- Periodically reviewing, with the Competent Person (and other relevant staff), the effectiveness of the above management system.

2.3.2 Deputy Director Operations (EFCS) and Deputy Director Planning and Development (EFCS)

In respect of the areas under their control, these Directors are responsible for:

- Ensuring that the requirements of this Policy are implemented and for drawing to the attention of the Duty Holder and Competent Person any matters which may inhibit the execution of this Policy and which lie outside the post holder's remit to resolve;
- The application of, and allocation of, resources towards the effective management of asbestos issues;
- Obtaining advice from the Competent Person on the inclusion/suspension/removal of asbestos contractors and acting upon such advice;
- Ensuring the Competent Person arranges suitable initial and refresher training in respect of their staff.

2.3.3 Director of Health & Safety

The Director will be responsible for:

- The provision of advice and guidance on the application of legislative requirements;
- Where necessary, liaising with the enforcement authorities;
- Reporting incidents under RIDDOR (see Appendix 2);
- Ensuring that asbestos-related incidents are appropriately investigated, and records are kept for a minimum of 40 years.

2.3.4 Occupational Health Service

The Service will be responsible for:

- Providing occupational health advice to management and staff on issues relating to asbestos;
- Ensuring that following referral, any exposure is recorded on the employee's medical notes and retained for a period of 40 years after the date of final exposure.

Note: The procedure for potential exposure to asbestos and referral to occupational health is detailed in the Asbestos Management Plan.

2.3.5 Competent Person

The Competent Person will:

- Co-ordinate the implementation of the Asbestos Management Plan (The Competent person be supported by appropriate EFCS staff);
- Provide relevant information to Designated Persons based upon the Asbestos Register

- Ensure that any remedial or asbestos works are overseen in liaison with Designated Persons, and that all works are carried out in accordance with the regulatory requirements and codes of practice for asbestos work;
- Maintain the asbestos records in a controlled location, and liaise with the Archibus Administrator regarding any necessary amendments to the asbestos record;
- Inform the EFCS Head of Systems and Business Support of any updates to asbestos information required where works have been undertaken.

Note: The Compliance Officer (EFCS) will be responsible for the above duties in the post holder's absence.

2.3.6 Designated Person

To assist the Duty holder in fulfilling their obligations under The Control of Asbestos Regulations 2012 where applicable Departments/Faculty's will nominate a Designated person. See Appendix 1 for a list of Designated persons.

The extent of the responsibility the designated person will have, depends of the degree of responsibility this person has in relation to intrusive works into the fabric of the building.

The extent of co-operation is as follows:

- To prevent accidental disturbance or contact with any ACM.
- To supply suitable and sufficient information in relation to asbestos to any person carrying out intrusive works into the fabric of the building.
- To keep the duty holder updated on any works carried out to an ACM; this may be repair, removal or damage to the ACM.
- To manage and co-ordinate the asbestos management surveys, ensuring the asbestos register is kept up to date.
- To coordinate with the Competent Person and/or further survey works where activities will be affected by the presence of ACM.
- To ensure that any remedial or asbestos works undertaken in buildings are overseen in liaison with the Competent Person that all works are carried out in accordance with the regulatory requirements and codes of practice for asbestos work.

2.3.7 Head of Systems and Business Support

The Head of this service will be responsible for:

- Receiving certified asbestos data from the University's Competent Person and/or Designated Persons, uploading the data into the asbestos register held in the University's CAFM system and ensuring this is accessible to relevant persons within the University.

2.3.8 Contractors

All contractors that may disturb asbestos as part of their day-to-day activities must:

- Work in accordance with the findings of any risk assessment, and the requirements of any information, instruction and training (including induction) provided;
- Ensure that their workforce (including that of any sub-contractor working on their behalf) have the appropriate level of asbestos training for the work/activities being undertaken;
- Immediately report to the Competent Person (either directly or via the Designated Person) any incident involving asbestos, including any suspected inadvertent release of asbestos fibres;
- Immediately stop work if suspected asbestos containing material is discovered, and immediately seek the advice of the Competent Person (either directly or via the Designated

Person);

- Have attended the contractor's 'Green Book' induction training within the last 12 months before starting work on site.

2.3.9 Members of staff and students

We ask all staff and students to play a part in ensuring that people are not exposed to asbestos by:

- Reporting any damage to buildings to the Estates, Facilities and Commercial Services (EFCS) Help Desk, irrespective of whether it is labelled as containing asbestos;
- Not, under any circumstances, carrying out repairs or alterations. All maintenance and building work must go through EFCS.

2.3.10 Asbestos Management Group

The purpose of this Group is to contribute to the development and direction of asbestos management at the University. The Group will monitor asbestos management performance and provide a forum for obtaining input from relevant departments on matters relating to asbestos management.

The Group will meet quarterly and report to the University Health, Safety and Wellbeing Committee and Health and Safety Consultative Committee via the EFCS H&S Management Group.

3 Governance Requirements

3.1 Implementation / Communication Plan

3.1.1 The Policy is communicated to all staff as part of the University Policy website.

It is also communicated through specific, relevant training – including: inductions and special training sessions for staff and contractors 'Green Book' training (repeated every 12 months).

Relevant Health and Safety Committees and EFCS Committees will be notified and information disseminated through line management.

The Policy and Asbestos Management Plan are communicated through the 'Green Book', available on EFCS web-site and/or H&S Intranet sites.

Relevant information is also published on the University Health and Safety intranet site and Health and Safety Handbook, as appropriate.

3.2 Exceptions to this Policy

3.2.1 There are no exceptions.

3.3 Review and Update

3.3.1 This Policy is regularly reviewed by the Director of Health and Safety; and the Asbestos Management Group.

- Minor changes will be reviewed and agreed by Asbestos Management Group, and approved through Health and Safety Committee (HSC);
- Major changes will be reviewed through Asbestos Management Group, agreed via Estates Health and Safety Committee and approved by Health and Safety Committee - and if required, submitted to Executive Board, for approval.

Review will generally be every three years or in line with any relevant changes to Legislation, if

sooner. Health and Safety Consultative Committee will be consulted during the review process, as required.

3.4 Legislative context

3.4.1 This Policy complies with the requirements of the Health and Safety at Work Act 1974, the Control of Asbestos Regulations 2012, and other associated legislation.

3.4.2 Health and Safety Policy legal statement

This policy sets out to comply with the required 'duty of care' placed upon the University. Under Health and Safety Law a 'duty of care' is generated between organisations and individuals when carrying out activities that could foreseeably cause harm.

The primary duty of care is owed through the employer-employee relationship in which the employer owes a duty of care to ensure that work activities that could result in harm to the employee are assessed and controlled. That duty of care is put into practice by the line management responsibilities as set out in the hierarchy of the organisation.

This duty of care cannot be delegated away; instead the act of delegation must be accompanied by a realistic and workable system of monitoring or supervision to ensure that the delegated task has been adequately implemented (i.e. the responsibility is not met by giving directions; it is met when those directions have been confirmed as carried out). The result is a cascade of delegated accountability that runs through the organisation via the line management network, accompanied by a system of monitoring, supervision and feedback.

The duty of care extends to assurance that services provided by others (be they another department of the University or contractors) are undertaken safely. The level of assurance required should be commensurate with the risk of the activity. In addition, anyone carrying out an activity owes a duty of care to anyone who may be put at risk by the activity, such as students, staff and visitors.

3.5 Stakeholder Statements

3.5.1 **Equality:** Consideration is given to the protected characteristics of all people groups identified in the Equality Act 2010. The protected characteristics are gender, age, race, disability, sexual orientation, religion/belief, pregnancy and maternity, and marriage/civil partnership.

The University recognises the need for specific measures to ensure the health and safety of each of these groups. This policy and all other associated Health and Safety related policies take this into account.

3.5.2 **Health & Safety:** This Policy forms part of the overarching statement on health and safety for the University.

3.5.3 **Executive Board, Health and Safety Committee, Asbestos Management Group – reporting to Estates Health and Safety Committee, and Health and Safety Consultative Committee (as required)**

Changes to this policy will be consulted, reviewed and approved at the appropriate level, in line with policy guidance.

Appendix 1

FACULTY AND DEPARTMENT DESIGNATED PERSONS

Designated Persons

The positions listed below from each faculty/department have been selected due to their responsibility for works in relation to the fabric of the University's buildings.

- EFCS Deputy Director of Operations
- EFCS Deputy Director Planning and Development
- Head of Maintenance Services (EFCS)
- Maintenance Building Surveyor, EFCS Operations Team
- Compliance Officer, EFCS Operations Team
- Project Manager, EFCS Projects Team
- Team Leaders, EFCS Projects Team
- Faculty Facilities Managers
- University IT Project Managers
- University Health and Safety Officers
- Archibus Administrator and Systems Administrator

Appendix 2

RIDDOR reportable incidents in relation to asbestos

The Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) places duties on employers, the self-employed and people in control of work premises (the responsible person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses).

Health and Safety Executive (HSE) Guidance states that exposure to asbestos is reportable under RIDDOR when a work activity causes the accidental release or escape of asbestos fibres into the air in a quantity sufficient to cause damage to the health of any person. Such situations are likely to arise when work is carried out without suitable controls or where those controls fail.

They often involve:

- use of power tools (to drill, cut, etc.) on most asbestos-containing materials (ACMs)
- work that leads to physical disturbance (knocking, breaking, smashing) of an ACM
- that should only be handled by a licensed contractor (e.g. sprayed coating, lagging, asbestos insulating board (AIB))
- manually cutting or drilling AIB
- work involving aggressive physical disturbance of asbestos cement e.g. breaking or Smashing.

If these activities are carried out without suitable controls or the precautions fail to control exposure, these would be classed as a 'dangerous occurrence' under RIDDOR and must be reported.

At the University of Surrey, all incidents involving asbestos will be investigated with the aim of identifying lessons learned and preventing similar occurrences in future. Any remedial actions required must be implemented immediately where possible and lessons learned communicated. The decision on whether the incident is reportable under RIDDOR will be made in consultation with a member of the University Health and Safety Office.

Note: Emergency procedures are detailed in the University Asbestos Management Plan.