

## Management of Asbestos

<b>Department / Service:</b>	Estates
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<b>Approved by:</b>	Ray Cochrane – Head of Estates
<b>Approval Date:</b>	23 <sup>rd</sup> August 2017
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<b>This is the most current document and should be used until a revised version is in place</b>	
<b>Target Organisation(s)</b>	Worcestershire Acute Hospitals NHS Trust
<b>Target Departments</b>	Estates, IT,
<b>Target staff categories</b>	Trust Estates, Trust IT, Cofely Staff

### Policy Overview:

This policy sets out the systems which the Trust will employ, to ensure that it has identified all asbestos containing materials in the Estate, reviews the condition of these materials regularly and manages these materials. It will detail how this information is passed on to the staff who need to be aware of it, including Trust and PFI contractors. It will also specify the arrangements for carrying out work that might disturb such materials and procedures to follow in the event of accidental disturbance of such materials or discovery of previously unidentified materials.

### Latest Amendments to this policy:

23/08/2017- Document Approved at the Key Document Approval Group Meeting  
 23<sup>rd</sup> January 2020 – Document extended for 6 months whilst review takes place with new Director of Facilities and Estates  
 1<sup>st</sup> August 2021- Document extended for 6 months during COVID period – Approved by QGC/Gold Meeting

## Contents page:

1. Introduction
2. Scope of this document
3. Definitions
4. Responsibility and Duties
5. Policy detail
6. Implementation of key document
  - 6.1 Plan for implementation
  - 6.2 Dissemination
  - 6.3 Training and awareness
7. Monitoring and compliance
8. Policy review
9. References
10. Background
  - 10.1 Equality requirements
  - 10.2 Financial Risk Assessment
  - 10.3 Consultation Process
  - 10.4 Approval Process
  - 10.5 Version Control

## Appendices

### Supporting Documents

Supporting Document 1	Equality Impact Assessment
Supporting Document 2	Financial Risk Assessment

## 1. Introduction

This Asbestos Policy sets out Worcestershire Acute Hospitals Trust's (WAHT) strategy for compliance to all relevant Health and Safety legislation regarding asbestos.

It also details the responsibilities, with regard to asbestos, of the Trust and its employees and contractors working for or on behalf of the Trust. All procedures outlined below are mandatory for all parties involved.

This Policy and the procedures outlined require the cooperation of all employees, all regular building users and contractors who also have responsibilities to ensure a safe and healthy working environment is maintained at all times.

The specifics of how asbestos is managed are not covered in this document. Rather this document lays out the broad structures to be put in place by the Trust to achieve the goal of effective asbestos management.

For the purposes of this policy the Estate comprises all the buildings currently owned or occupied under a full maintenance lease or otherwise by the Trust. A full list of properties/buildings and status of occupation is held within the Estates and Facilities Departments at WAHT. This policy applies to all the properties owned or managed on behalf WAHT.

## 2. Scope of this document

The purpose of this policy is to provide a comprehensive asbestos management system, which by a series of practical measures will eliminate or where that is not possible, safely manage exposure, to Asbestos Containing Materials (ACMs) as far as is reasonably practicable.

## 3. Definitions

ACM	Asbestos Containing Materials.
Asbestos	A naturally occurring mineral.
Types of asbestos	Three main types: chrysolite (white); amosite (brown); crocidolite (blue).
Asbestos Survey	Type 1 Occupation and Maintenance
	Type 2 Demolition Survey

Duty Holder	Chief Executive. Worcestershire Acute Hospitals NHS Trust
Appointed Person	Principal Engineer / Statutory Standards Manager
MDHS	Methods for determination of Hazardous Substances – Health and Safety Executive publication, (MDHS 100 is surveying, sampling and assessment of asbestos containing minerals).
Asbestos Register	A paper and electronic register of all identified locations, type and condition of asbestos materials. The records of ACMs will be kept for a period of 50 years.
Enforcing Authority	Health and Safety Executive
UKAS	United Kingdom Accreditation Service (which is currently the sole recognised accreditation body).
Method Statement	Details of how the work is to be done safely.
Permit to Work	<p>A permit-to-work ensures a formal check is undertaken to ensure all the elements of a safe system of work are in place before people are allowed to enter or work in a potentially dangerous environment. It is also a means of communication between the Estates Department and those carrying out the hazardous work. Essential features of a permit-to-work are:</p> <p>Clear identification of who may authorise particular jobs (and any limits to their</p>

	<p>authority) and who is responsible for specifying the necessary precautions (e.g. isolation, air testing, emergency arrangements etc).</p> <p>Provision for ensuring that contractors engaged to carry out work are included.</p> <p>Training and instruction in the issue of permits.</p> <p>Monitoring and auditing to ensure that the system works as intended.</p>
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**4. Responsibility and Duties**

**5.1 Chief Executive**

The Chief Executive has overall responsibility for all matters relating to Asbestos management. This responsibility includes ensuring that all Asbestos management matters are seen as an important priority for the Trust and are addressed through comprehensive policies and procedures that are effectively implemented and appropriately resourced within the overall financial position of the Trust. The Chief Executive will ensure that financial resources are made available to support this Policy based upon a risk assessment of priorities.

**5.2 The Responsible Person (RP)**

The RP is responsible for ensuring that this policy is implemented across the Trust and by partner organisations.

For the purposes of the policy the Principal Engineer / Statutory Standards Manager will be the “Responsible Person (RP)” and will oversee the implementation of this policy on behalf of the Duty Holder (Chief Executive) for the Trust. The RP, on behalf of the Duty Holder, has to ensure that the risk from the asbestos is assessed, that a written plan identifying where that asbestos is located is prepared and that measures to manage the risk from the asbestos are set out in the plan and implemented. The Appointed Person will ensure that:

- The Trust Estates Officers at Alexandra Hospital and Kidderminster are provided with all the necessary information in regard to the presence of Asbestos in those assets to allow the Estates team to safely manage all work carried out

- Worcestershire Hospital SPC plc. (Project Co) are provided with all the necessary information in regard to the presence of Asbestos in those assets which they maintain in the retained estate, to allow the Hard FM Service provider to carry out their contractual obligations in a safe, timely and efficient manner.
- Take reasonable steps to find out if there are materials throughout the estate, containing asbestos, the amount, where it is and what condition it is in.
- Presume materials contain asbestos unless there is strong evidence that they do not.
- Ensure that systems are in place to identify and manage asbestos on all Trust properties/sites or materials which are presumed to contain asbestos.
- Ensure that systems are in place to assess the risk of anyone being exposed to fibres from the materials identified.
- Ensure that plans are prepared that set out in detail how the risks from these materials will be managed.
- Put measures in place to ensure that the necessary steps to put the plan into action are taken.
- Periodically review the plan to ensure that the plan remains relevant and up-to-date.
- Periodically monitor the safe systems of work to evaluate their efficacy.
- Ensure that information is provided on the location and condition of the materials to anyone who is liable to work on or disturb them.

**5.3 Project Co and Contracted Services**

Will ensure that suitable contractual arrangements are put in place to ensure that asbestos related risks are managed and that the WAHT are compliant in fulfilling their duties in regard to CAR 2012. As such they will ensure that this policy is communicated to the Hard FM provider and oversee in consultation with the Trust and Hard FM provider the implementation and monitoring of this policy. The arrangements should take into consideration all buildings provided under the PFI agreement as well as those assets that fall within the retained estate and the specified list of facilities as below:

The properties that need to be surveyed will be formally agreed in a separate schedule by Project Co with WAHT and the Hard FM provider.

Project Co will ensure:

- That this policy is communicated to the Hard FM provider and oversee the implementation of this policy on behalf of the Trust, in particular regard to management and statutory compliance arrangement for asbestos, by the Hard FM provider.
- That any measures deemed necessary by the Duty Holder / RP are implemented by the Hard FM service provider or their contractor.
- The Hard FM service provider will immediately alert Duty Holder / RP and Project Co when asbestos is found or suspected so that arrangements can be agreed immediately to take appropriate action to manage any risk.
- Any work likely to affect asbestos materials is carried out after consultation with, and in agreement with, the Duty Holder / RP.
- The Hard FM Provider will ensure, so far as is reasonable, that departmental staff, patients, contractors or visitors are not at risk of exposure to hazardous asbestos materials.
- Hard FM Provider will ensure compliance with the requirements of current legislation and this Policy where alteration, demolition or maintenance works are required in Trust premises.
- Hard FM Provider will train their staff to identify the type and condition of ACMs and will inform the RP if any ACMs are found which are not on the Asbestos register.
- Hard FM Provider will ensure that Risk assessments are carried out and communicated to staff, wherever asbestos is found, or is suspected to be present in Trust premises.
- Hard FM Provider will ensure that appropriate steps are taken to manage asbestos and regularly review their procedures.
- Hard FM Provider will ensure appropriate remedial steps are taken where existing means of access and escape are temporarily affected by asbestos working enclosures.
- Hard FM Provider will ensure that the Project Managers appointed for major project works, are aware of their responsibilities under this Policy.
- Hard FM Provider will ensure that the Contractors employ competent accredited companies/ contractors for asbestos surveying and removal and will ensure that the appropriate records are received and maintained.

- Hard FM Provider ensures that the Trust Asbestos Register and Plan is communicated and implemented.
- Hard FM Provider ensures that appropriate records of asbestos works are properly kept. That the Trust has access to the Asbestos Register and other such information as required.
- Hard FM Provider will ensure that all incidents are reported, including RIDDOR, are copied to the Trust Health and Safety Manager .

## 5.4 WAHT Estate Officers

- Will ensure that this policy is communicated to Estates staff and oversee the implementation of this policy on behalf of the Trust.
- That any measures deemed necessary by the RP are implemented by Estates staff or their contractor.
- Will immediately alert the RP if asbestos is found or is suspected, so that arrangements can be agreed to take appropriate action to manage any risk.
- Ensure that any work likely to affect asbestos materials is carried out after consultation with, and in agreement with, the RP.
- Ensure, so far as is reasonable, that departmental staff, patients, contractors or visitors are not at risk of exposure to hazardous asbestos materials.
- Ensure compliance with the requirements of current legislation and this Policy where alteration, demolition or maintenance works are required in Trust premises.
- Ensure adequate steps are taken to identify the location, type and condition of asbestos materials where they are likely to be present in premises occupied by the Trust.
- Ensure that Risk assessments are carried out wherever asbestos is found, or is suspected to be present in Trust premises.
- Ensure that appropriate steps are taken to manage asbestos and regularly review their procedures.
- Ensure appropriate remedial steps are taken where existing means of access and escape are temporarily affected by asbestos working enclosures.
- Ensure that Contractors under their control employ competent accredited companies/contractors for asbestos removal and surveying.

- Ensure that the Trust Asbestos Register and Plan is maintained, communicated and implemented
- Ensure that appropriate records of asbestos works are properly kept and that the RP has access to the information as required.
- Ensure that all incidents are reported, including RIDDOR, are copied to the Trust Health and Safety Manager

## 6 Policy detail

### 6.1 Asbestos

Asbestos is a naturally occurring, fibrous silicate mineral. There are many types of asbestos, the most prevalent of which are Crocidolite (blue asbestos), Amosite (brown asbestos), and Chrysotile (white asbestos). All asbestos is hazardous to health. However it can only pose a risk if the asbestos fibres become airborne and are then inhaled. Most asbestos materials therefore pose a low risk unless they are disturbed and fibres are released.

Asbestos is highly resistant to chemical attack, an excellent insulator (electrical, thermal and acoustic) and has a very high tensile strength. For these reasons it was commonly used in building materials particularly from the 1950's to the mid 1980's.

The importation, sale and installation of products containing all types of asbestos was completely banned in the UK in 1999, however historically many thousands of tonnes of raw asbestos were imported and manufactured to make a wide range of asbestos containing materials (ACMs). It is estimated that across the UK over half a million non-domestic premises still contain ACMs (source: HSE, 2005).

WHAT is committed to preventing exposure of staff, contractors, patients or visitors to asbestos wherever possible. It is also committed to ensuring that the Trust complies with its legal requirements relating to the identification of areas containing asbestos, control of exposure and selection of suitable contractors to carry out asbestos work.

Any staff carrying out work or managing contractors who carry out work, should ensure that they have reviewed the information in the asbestos register and that the proposed method of working complies with this policy before work starts.

## 6.2 The Trust Asbestos Management Procedure

### 6.2.1 Survey/Risk Assessment and Monitoring of ACMs

WAHT will ensure that a UKAS accredited analytical company carries out a 'Type 1' (occupation and maintenance) survey in line with current prevailing legislation and or guidance.

The RP will ensure that a register is maintained and kept up to date so that all works can be managed and coordinated safely in all asbestos containing areas.

The survey will be reviewed at a maximum interval of 12 months or less as defined by risk assessment.

The Trust acknowledges that this type of survey has limitations as it is non-destructive and any works which may involve major alteration/removing of ceilings etc. may reveal ACMs. The Trust will therefore plan such works carefully and ensure a 'Type 2' demolition survey is performed before carrying out such work.

The risk scores will be based on methodology taken from MDHS100 which take into consideration:-

- Product type of ACM
- Type of asbestos
- Surface treatment
- Condition
- Size of area
- Use of area
- Likelihood of damage to ACMs in normal circumstances.

Each of the above elements will be risk rated from 0-3, 3 being the highest risk, then added together to form an overall risk rating (0 being the lowest and 21 being the highest).

Elements with a high-risk rating will be entered into an action plan, which will consider the best option for minimisation of risks.

Following each survey update a report will be prepared which will detail actions required to reduce the risk of exposure to ACMs.

The Trust may not remove all ACMs from its buildings as this could be extremely costly and may introduce a greater risk than leaving ACMs in situ and managed.

The action plan will detail what is required to manage, treat or encapsulate the ACMs so as to minimise risk.

Where the survey indicates an immediate or high risk, remedial works will be actioned as soon as possible and a prohibition of entry to the area will be enforced.

The action plan will be presented to the Trust Board, who will authorise funding to carry out remedial works.

### 6.2.2 Action to be taken before Refurbishment or Demolition

The Trust RP will ensure that, all staff and contractors are fully informed of the requirements of this procedure and that necessary measures are put in place to deal with any ACMs in an appropriate manner.

Dependent on the nature of the work further destructive surveying techniques may be required by the “accredited specialist company” (Type 2 survey) so that an informed judgement can be made to ensure that suitable and sufficient control measures are in place.

Details of the findings shall be entered into the asbestos register.

### 6.2.3 Labelling as Appropriate of ACMs Including Prohibition of Entry to Certain Areas.

The use of labelling is intended as an additional control measure and one which will not replace proper management control.

The fact that labels can become detached and give a false impression that the substance is not asbestos based is recognised, it is therefore essential that proper use of the asbestos database is followed.

- Where practicable each ACM shall be clearly identified with a label.
- In sensitive public areas an alternative label may be used.

## 6.3 Asbestos Register

The Trust recognises that asbestos is present in its properties and there is need for a management strategy and associated procedures to be in place in order to manage the situation

The RP will engage a competent surveyor to assess whether the premises contain asbestos, assess the risk and take appropriate action to manage any risk. If existing asbestos containing materials are in good condition, they may be left in place; their condition monitored and managed

to ensure they are not disturbed. The survey will also take due cognisance of the likelihood of ACMs becoming damaged and fibres released

This information will be held and recorded in an asbestos register and will be maintained on site for the life of each building.

The register will be available to Trust staff and contractors working on site in order to prevent accidental exposure.

The register will be periodically reviewed and updated.

## 6.4 Damage to Materials Containing Asbestos

In the event that damage occurs to fibreboard, insulation board or other ACMs, the Departmental Manager must be notified immediately and all persons within the area must leave.

It is the responsibility of all staff to report any suspected or known damaged ACMs.

In all areas where the marking of ACMs will not cause undue concern or increase the risk of damage by the encouragement of vandalism, the ACM will be marked by the B.S approved yellow and black label.

Where the marking of ACMs may be considered to be inappropriate as above, the material will be marked with discrete ACM labels. Information on the meanings of discrete labels will be available to all estates and relevant IMT staff and be passed on to all relevant contractors as part of the Trust site induction process by the Hard FM service provider

Staff working for Trust Estates / IT team, Hard FM services providers or their contractors are most likely to encounter ACMs. In line with this policy all these staff will be trained in Asbestos Management Procedures to control such an eventuality.

Where ACMs are discovered by contractors they will immediately vacate the area of concern and inform the Trust RP.

The RP will arrange for appropriate action dependant on the area and risk encountered, by sealing off the minimum area possible via double skinned approved thickness polythene sheeting, and seek the attendance as soon as possible of the approved specialist contractor to advise on the safest method of dealing with the issue. If possible, dependant on the area and risk advised, emergency damping and or vacuuming with an approved vacuum equipped with a HEPA filter of the area surrounding the damage will be undertaken. The operative undertaking this action will use disposable overalls, and gloves and mask, and will dispose of these in approved double thickness bags double tied marked ACM, and this will be securely stored with the vacuum for

decontamination disposal by the approved contractor. Training by an external specialist trainer will be arranged for staff likely to be undertaking this emergency work, and only persons trained and competent will be allowed to do such tasks.

## 6.5 Notification of Asbestos Related Works (Licenced and Non Licenced)

The Trust in conjunction with Project Co and its contractors will ensure that ALL works are carried out by licenced companies / contractors. The revised Control of Asbestos Regulations (CAR) 2012 now require organisations to follow guidance which ensures that works which are non-licensed but notifiable are followed.

Project Co and its Contractors will ensure that all works whether licensed or non-licensed are notified in line with the CAR 2012 regulations a flow chart of works that are notifiable is appended to this policy.

See flow chart figure 1.

## 5. Implementation

### 5.1 Plan for implementation

Procedures will be created to manage the risks presented by the presence of Asbestos Containing Materials. All affected staff will be trained in the procedures

### 5.2 Dissemination

The policy will be saved on the Trust's intranet, where it is available to all Trust staff. It will be sent to all the Trusts contractors and service providers and to Project Co. The production of each new version will be advertised via the corporate Team Brief and managers must ensure that it is implemented within their section.

### 5.3 Training and awareness

All staff employed by the Trust who will potentially come into contact with Asbestos, will be trained in asbestos awareness, the Trust Asbestos Register and the asbestos management policy.

Contractors attending the sites will be pre-qualified in Asbestos awareness training and will be notified in their induction of areas containing Asbestos to ensure they have undertaken suitable and sufficient training to protect their employees and others affected by the works they undertake.

ACM location will be provided to the managers employing contractors who are responsible for advising their contractors of the location and labelling of ACMs. The pre-qualification will consider

the method statement/ kind of task being undertaken to ensure the risk of disturbance of ACMs is avoided.

## 6. Monitoring and compliance

Page/ Section of Key Document	Key control:	Checks to be carried out to confirm compliance with the Policy:	How often the check will be carried out:	Responsible for carrying out the check:	Results of check reported to: <i>(Responsible for also ensuring actions are developed to address any areas of non-compliance)</i>	Frequency of reporting:
	<b>WHAT?</b>	<b>HOW?</b>	<b>WHEN?</b>	<b>WHO?</b>	<b>WHERE?</b>	<b>WHEN?</b>
	Asbestos Policy	Review	Yearly or if an incident occurs or law changes	Asbestos RP	New document uploaded onto intranet.	yearly
	Asbestos Procedures	Review	Yearly or if an incident occurs or law changes	Asbestos RP	New document uploaded onto intranet.	yearly
	Training	Review Training Matrix	Yearly or if an incident occurs or law changes	Estates Officers	Training Matrix held on Estates drive, training refreshers done 3 yearly	yearly
	Safe system of work	Audit	Yearly or if an incident occurs	Asbestos RP / Estates Officers	Report issued to Director of / Head of Estates	yearly
	Incident Reports	Review	Quarterly	Asbestos RP	Report issued to Director of / Head of Estates	quarterly

**7. Policy Review**

This Policy will be reviewed annually by the Principal Engineer / Statutory Standards Manager, the Head of Estates and the Health and Safety Manager

**8. References**

**References:**

Code:

Health and Safety at Work, etc Act 1974	
The Management of Health and Safety Regulations 2003	
Control of Asbestos Regulations 2012	
Control of Asbestos Regulations 2012. Approved Code of Practice and guidance	
Asbestos Essentials - A task manual for building, maintenance and allied trades of non-licensed asbestos work	
<b>Managing and working with asbestos</b>	
Control of Asbestos Regulations 2012. Approved Code of Practice and guidance	

**9. Background**

**9.1 Equality requirements**

The contents of this policy has no adverse effect on equality and diversity

**9.2 Financial risk assessment**

Some additional training will be required to have the necessary Responsible and competent people in place, but this is a statutory requirement.

**9.3 Consultation**

Consultation will take place with Estates and Facilities, ICT, Project Co and the Hard and Soft FM service providers

**Contribution List**

This key document has been circulated to the following individuals for consultation;

Designation
Ray Cochrane – Head of Estates
Paul Graham – Health and Safety Manager
Peter Sleightholme – Project Co
Helen Lumley - Engie
Martin Jones – Engie

This key document has been circulated to the chair(s) of the following committee's / groups for comments;

Committee
COOG

#### 9.4 Approval Process

Written by Principal Engineer, proof read and approved by Head of Estates, circulated to Trust Estates Officers, Cofely FM, Project Co and ISS for comment. Final Draft sent to COOG for approval.

#### 9.5 Version Control

This section should contain a list of key amendments made to this document each time it is reviewed.

Date	Amendment	By:

## Supporting Document 1 - Equality Impact Assessment Tool

To be completed by the key document author and attached to key document when submitted to the appropriate committee for consideration and approval.

		Yes/No	Comments
<b>1.</b>	<b>Does the Policy/guidance affect one group less or more favourably than another on the basis of:</b>		
	• Race	No	
	• Ethnic origins (including gypsies and travellers)	No	
	• Nationality	No	
	• Gender	No	
	• Culture	No	
	• Religion or belief	No	
	• Sexual orientation including lesbian, gay and bisexual people	No	
	• Age	No	
<b>2.</b>	<b>Is there any evidence that some groups are affected differently?</b>	No	
<b>3.</b>	<b>If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?</b>	N/A	
<b>4.</b>	<b>Is the impact of the Policy/guidance likely to be negative?</b>	N/A	
<b>5.</b>	<b>If so can the impact be avoided?</b>	N/A	
<b>6.</b>	<b>What alternatives are there to achieving the Policy/guidance without the impact?</b>	N/A	
<b>7.</b>	<b>Can we reduce the impact by taking different action?</b>	N/A	

If you have identified a potential discriminatory impact of this key document, please refer it to Assistant Manager of Human Resources, together with any suggestions as to the action Required to avoid/reduce this impact.

For advice in respect of answering the above questions, please contact Assistant Manager of Human Resources.

**Supporting Document 2 – Financial Impact Assessment**

To be completed by the key document author and attached to key document when submitted to the appropriate committee for consideration and approval.

	<b>Title of document:</b>	<b>Yes/No</b>
1.	Does the implementation of this document require any additional Capital resources	No
2.	Does the implementation of this document require additional revenue	No
3.	Does the implementation of this document require additional manpower	No
4.	Does the implementation of this document release any manpower costs through a change in practice	No
5.	Are there additional staff training costs associated with implementing this document which cannot be delivered through current training programmes or allocated training times for staff	Yes
	Other comments:	Implementation is a statutory requirement and could be considered a cost avoidance measure

If the response to any of the above is yes, please complete a business case and which is signed by your Finance Manager and Directorate Manager for consideration by the Accountable Director before progressing to the relevant committee for approval