



**CORPORATE RESOURCES DEPARTMENT
FACILITIES MANAGEMENT**

**POLICY FOR THE MANAGEMENT
OF ASBESTOS IN BUILDINGS
OWNED AND/OR OPERATED BY
LEICESTERSHIRE COUNTY
COUNCIL**

LCC ASB/001

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ASBESTOS POLICY AND PROCEDURES

Statement of document purpose

The following document is a statement of the policy adopted by Leicestershire County Council in order to comply with its legal responsibilities brought about by the Control of Asbestos Regulations 2012 and to prevent the accidental release of asbestos within Leicestershire County Council properties. It **must** be adhered to by all employees, contractors and persons charged with the responsibility for the management of asbestos at sites owned or operated by Leicestershire County Council.

If a release of asbestos occurs that is subsequently proved to have been caused by failure to follow this policy, a prosecution may be made by the Health and Safety Executive of an individual who has not complied with this policy.

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1. GENERAL

- 1.1. Corporate Facilities Management (CFM), within the Corporate Resources Department of Leicestershire County Council (LCC) is ultimately responsible as the dutyholder as defined by The Control of Asbestos Regulations 2012 (CAR 2012) for the management of asbestos at all sites owned and/or maintained by LCC. Where sites are leased to LCC, then this duty may be shared with the landlord (e.g. where the demise to LCC is not in respect of the entirety of the building). Day to day responsibility for asbestos management in order to comply with Regulation 4 of CAR 2012 is within the remit of the site occupier. It is not necessary for the Council to own the relevant building to be considered as a dutyholder for the purposes and within the meaning of CAR 2012.
- 1.2. New buildings and structures are no longer legally allowed to be constructed using asbestos containing materials (ACMs). Many LCC buildings were built prior to the prohibition of the use of ACMs, and thus the majority will either contain, or must be strongly presumed to contain, ACMs. Some ACMs have been removed from various sites in previous years, but the majority of ACMs included during construction are still likely to remain.
- 1.3. LCC fully supports the Health and Safety Executive (HSE) policy on asbestos and this document is the LCC policy on asbestos. The policy must be complied with by all employees, contractors and persons charged with the responsibility for the management of asbestos at sites owned or operated by LCC. Failure to comply with this policy could create hazards and risks to human health, result in prosecution by the HSE and generate significant civil claims against the authority, if a release of asbestos occurs.

2. POLICY STATEMENT

- 2.1. This policy will apply, without exception, to all buildings in respect of which LCC is a dutyholder and to all individuals employed and/or engaged by Leicestershire County Council (LCC). Where LCC employees work in non LCC owned and/ or maintained buildings, it is the responsibility of the host building operator to

- provide evidence that the building is being managed in line with the requirements of The Control of Asbestos Regulations 2012 (CAR 2012).
- 2.2. Responsibility for the implementation of this Policy and Procedures will rest with the Head of Corporate Facilities Management.
 - 2.3. The policy of LCC is to follow the guidelines given by the Health and Safety Executive (HSE) to manage the asbestos that is in place. Asbestos in good condition and not in vulnerable positions where it may be disturbed can be safely managed. Removal of asbestos is a hazardous procedure. Competent management of asbestos within premises is the policy of LCC, which fully complies with CAR (2012).
 - 2.4. LCC recognises that it is responsible for complying with CAR 2012, in particular Regulation 4, the management of asbestos in non-domestic premises.
 - 2.5. Asbestos surveys or re-surveys will be carried out on a five-yearly cycle (to coincide with the AMPs surveys). These surveys will be as defined by HSE document HSG264 *Asbestos: The Survey Guide* as a Management Survey. (Prior to 2010 known in MDHS100 as a *Type 2: Standard sampling and identification and assessment survey (sampling survey)*). Only properly qualified competent individuals or organisations shall be employed to carry out surveys.
 - 2.6. All types of asbestos are treated the same as there is no "less-dangerous" type of asbestos.
 - 2.7. An up to date copy of the Asbestos Survey report must be retained on site and be accessible to all site staff, contractors, visitors and visiting CFM staff. It is incumbent upon local site management to ensure that asbestos information (the asbestos survey) is made available to site staff and that it is used to proactively manage asbestos issues on site.
 - 2.8. Annual inspections of asbestos will take place by suitably trained staff, or by UKAS accredited asbestos surveying organisations, in order to comply with the terms of Regulation 4 of CAR 2012.
 - 2.9. Sites must ensure that the Asbestos Survey report and register (e.g. ASB100) are available at the signing-in point. The ASB100 is contained within the LCC Building Maintenance Manual, in which all contractors are required to sign in on attendance at site.
 - 2.10. All contractors attending site to carry out works must inspect the site asbestos survey before they start work and sign a register (e.g. ASB100) to indicate that

- they have done so and that they are aware of any asbestos in the area in which they will carry out work.
- 2.11. If unknown materials are discovered during works then the work must stop immediately, the work area shall be closed down and advice sought as to the nature of the material.
 - 2.12. All accidental releases of asbestos fibres must be notified to the HSE as required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR 1995).
 - 2.13. Asbestos information will be given to the Emergency Services should they be called out to an incident at a site.
 - 2.14. For all projects or planned works a Management survey or Type 2 survey is **not** suitable for works that will or are likely to significantly disturb the fabric of the building. For works such as these works a *Refurbishment and Demolition Survey* as defined in HSG264 must be carried out. (Prior to 2010 known in MDHS100 as Type 3: *Full access sampling and identification survey*). Examples of works that require an RDS are detailed in Appendix 4 paragraph 2. It is the responsibility of the designer/ specifier to determine whether or not a RDS is required. If so, it must be carried out at the planning stage of the project prior to the commencement of works. Advice should be sought from a competent trained person if doubt remains regarding the need for a RDS survey. Corporate Facilities Management is also available for advice as required.
 - 2.15. For basic maintenance works (servicing, routine, planned or emergency) advice from the HSE is that an up to date Asbestos Management Survey to HSG264 standard should be sufficient to allow for these basic maintenance activities. Advice should be sought from a competent trained person if doubt remains regarding the need for a RDS survey. CFM is available for advice as required.
 - 2.16. Asbestos materials must only be worked upon by a licensed asbestos removal contractor. The only exception to this is specialist contractors in other areas (e.g. demolition) that have staff with suitable asbestos expertise and training. These contractors may remove asbestos cement products (roof sheets etc.) for demolition or refurbishment purposes.
 - 2.17. The Control of Asbestos Regulations 2012 introduced a third category of work with asbestos containing materials (ACMs). The new category of non licensed notifiable work allows for general contractors to work with ACMs following

notification to the HSE. LCC policy will remain the same in only commissioning licensed contractors to work with asbestos apart from in certain scenarios as outlined above in 2.16.

- 2.18. The CAR 2012 permits general contractors to carry out short duration work activities with licensable ACM's. LCC policy will remain the same in only commissioning licensed contractors to work with all forms of licensable ACMs whatever the duration.
- 2.19. All notifiable works with asbestos shall be monitored and the Four-stage clearance certification for reoccupation (required by CAR 2012) issued by an accredited independent Analytical Consultant appointed directly by whoever ordered the asbestos works.
- 2.20. Those persons responsible for managing asbestos should be competent to do so. Training must also be provided to those who may be exposed to asbestos products in the course of their duties in accordance with Regulation 10 of CAR 2012.
- 2.21. Applications to the HSE for a waiver to reduce the statutory asbestos work notification period will only be made in extreme circumstances.

3. MEANS OF COMPLIANCE WITH THE POLICY STATEMENT

- 3.1. Leicestershire County Council (LCC) is committed to managing asbestos in order to comply fully and in all respects with the terms of The Control of Asbestos Regulations 2012. For those LCC buildings where Corporate Facilities Management (CFM) has the responsibility and funding for repairs and maintenance, CFM will ensure that it follows the policy statement requirements set out in this document.

Comment	Policy
All buildings will be treated the same and all CFM staff will comply with the policy.	2.1
The Head of CFM recognises the responsibility for asbestos management	2.2
Asbestos will not be removed as a matter of course unless its condition is such that fibre release is possible, if it is in a vulnerable position, if changes to the building or plant and equipment require its removal or other	2.3

circumstances require its removal (e.g. Hygiene considerations in kitchens).	
Comment	Policy
CFM recognises that it is that it is the Dutyholder as defined in CAR 2012 for these properties.	2.4
CFM will ensure that for all properties there is a comprehensive Management Survey (as defined by HSE document <i>HSG264 Asbestos: The Survey Guide</i> . Prior to the issue of HSG264 the relevant document was MDHS100 and the survey was defined as a <i>Type 2: Standard Sampling and identification and assessment survey (sampling survey)</i> . The surveys to MDHS100 are still in a suitable form to allow for appropriate management of asbestos.	2.5
Only asbestos surveyors and analysts that are UKAS certified and are members of CHAS (Contractors) will be employed.	2.5
All Management Surveys will be updated at a maximum interval of five years, in order to ensure that a qualified professional checks all occurrences of asbestos and re-assesses their condition and removal priority. All surveys or updates should coincide with the Asset Management Programme Surveys.	2.5
Where a building was constructed after 2000 a "Non-asbestos" report for the building will be issued in order to comply with Regulation 4 of CAR2012	2.5
Where a building constructed prior to 2000 has been declared free of asbestos in two management surveys, then no further formal management surveys need to be carried out. The latest survey of the building concerned shall be annotated to this effect. For any works that will significantly disturb the fabric of the building a RDS will be required, as the management survey will not be suitable.	2.5
Surveys and assessments will be reviewed by a competent person on receipt or if there is reason to suspect that the assessment is no longer valid or if there has been a significant change in the use of the premises. This is in accordance with Control of Asbestos Regulations 2012.	2.5

Comment	Policy
<p>For the purpose of Risk Assessments for removal priorities and assessments carried out in accordance with HSG227 all types of asbestos will be scored as equal at the maximum allocation of 3 points. This additional control measure goes beyond the requirements of the Control of Asbestos Regulations (2012) and the expectations of the HSE. It demonstrates CFM's commitment to the safe management of asbestos materials on sites it retains responsibility for and confirms its opinion that there are no "safe" forms of asbestos.</p>	2.6
<p>A copy of the Asbestos survey will be delivered to site as soon as practicable after receipt by LCC when any immediate action asbestos issues have been resolved. An electronic copy of the report will be retained by Corporate FM.</p>	2.7
<p>Local site management will make the asbestos survey available to staff and use it to proactively manage asbestos issues on site.</p>	2.7
<p>All site asbestos occurrences will be inspected on a regular basis, not less than yearly, to comply with Regulation 4 of The Control of Asbestos Regulations 2012. Inspections will be carried out by UKAS accredited survey consultants. A copy of the inspection report on the condition of the asbestos shall be forwarded to Corporate FM.</p>	2.8
<p>Random inspections of the register (ASB100) will be carried out by CFM staff in order to check that the terms of this Policy are being complied with by sites and by contractors. The Health, Safety and Wellbeing Service will also monitor compliance with the Policy when carrying out Health and Safety audits.</p>	2.9
<p>For unplanned works, especially for repairs and maintenance (however ordered) contractors attending site must view the site Asbestos Survey report. They must sign the register (ASB100) in the LCC Maintenance Log Book to confirm that they have inspected the Asbestos Survey report and are aware of procedures to be taken if previously unknown asbestos is discovered.</p>	2.10
<p>Contractors will be instructed to cease work if they discover unknown materials and seek advice.</p>	2.11

Comment	Policy
<p>For any incidents where asbestos is disturbed and there has been a release of asbestos fibres, staff responsible for the management of the site will report this immediately to CFM via the Helpdesk on 0116 3055000. CFM will report the incident to the HSE RIDDOR Incident Contact Centre as soon as details of the incident are known. CFM will carry out, or arrange to have carried out, an assessment of risk caused by exposure to asbestos in the particular situation and arrange for remedial works to be carried out as appropriate.</p>	2.12
<p>The asbestos survey report will be made available by the site management to the Emergency services.</p>	2.13
<p>Where projects or planned works are modifications to the structure or any demolition and the plans indicate there will be a significant disturbance to the building structure or where there is any element of demolition within the works, a <i>Refurbishment and Demolition Survey (RDS)</i> – Previously defined in MDHS100 as a <i>Type3: Full access sampling and identification survey (pre-demolition/major refurbishment)</i> - must be carried out to establish if there is asbestos within the area of the works. This is in compliance with CAR 2012. For projects, this survey will form part of the project specific pre-construction information required for all construction projects. This is in accordance with Construction (Design and Management) Regulations 2007 (CDM 2007) that apply whether or not the project should be notified to the HSE under CDM 2007.</p>	2.14
<p>The Asbestos Management Survey to HSG264 should be sufficient to allow for basic maintenance activities. Where there is any doubt as to the presence or otherwise of asbestos materials, further advice must be sought as 2.11 above and an intrusive survey (RDS) carried out if deemed necessary. – See also comment as 2.5 above.</p>	2.15
<p>All work on asbestos (including asbestos cement) in LCC properties will only be carried out by a licensed asbestos removal contractor in accordance with a written plan of work. Specialist contractors (e.g. demolition) will have to prove the competency of their staff by submitting training records etc. before the removal of asbestos cement products (roof sheets etc.) for demolition or refurbishment purposes.</p>	2.16

Comment	Policy
Only licensed asbestos removal contractors will work with all forms of ACMs apart from in exceptional circumstances as specified in 2.16.	2.17
Only licensed asbestos removal contractors will work with licensed ACMs whatever the duration of the work.	2.18
An independent Asbestos Analyst will be appointed to carry out monitoring during the works and to issue the Four-stage clearance procedure.	2.19
CFM staff will be given suitable and sufficient training for them to be able to carry out their responsibilities with regard to asbestos. Refresher training will be given as appropriate.	2.20
Corporate Resources - Health, Safety and Wellbeing will liaise with CFM on appropriate training courses and agree the content of such courses and the attendees. All establishments will be expected to ensure that appropriate personnel are nominated to attend these courses. Course organisation to be undertaken by the Corporate Learning and Development team – See Appendix 3.	2.20
Waivers to the statutory notice period to the HSE will only be applied for in exceptional circumstances and only then after all other means to avoid the making of a waiver application have been examined. The Corporate Facilities Manager must be consulted prior to the application.	2.21

4. ESTABLISHMENTS WHERE PROPERTY SERVICES AND ASSET MANAGEMENT ARE NOT INVOLVED

- 4.1. **Academy Schools** are entirely responsible for the maintenance and management of the school buildings. Academy schools take on Duty holder responsibility as defined by CAR 2012 and must formulate and implement their own policy, procedures and arrangements to meet the statutory requirements of CAR 2012. As part of the conversion process to academy school status, LCC Strategic Asset Management will ensure that all of the latest asbestos survey information is handed over to the school at the relevant time.
- 4.2. This policy will apply to LCC owned and or maintained Establishments that order work directly from contractors without reference to CFM (e.g. School Devolved

Capital Funding schemes, maintenance works at non-buy-back schools etc. – see below). In these circumstances the establishment management team take on Duty holder responsibility as defined by The Control of Asbestos Regulations 2012.

- 4.3. CFM and Strategic Asset Management act as Landlords for premises owned by Leicestershire County Council. Certain establishments do not use the services of CFM or Strategic Construction as an agent for new construction, extensions modifications, repairs and maintenance, being autonomous in this respect and are therefore the Duty holder as defined by The Control of Asbestos Regulations 2012. Under the terms of The Control of Asbestos Regulations 2012 these establishments are responsible for the management of asbestos in their properties and such establishments must follow the policy of Leicestershire County Council in this document. CFM is available to give advice as required and those responsible for premises are strongly advised to contact CFM as soon as any concerns arise.
- 4.4. It is the Dutyholders responsibility to ensure that they appoint a competent organisation or person to undertake the asbestos survey. The surveying organisation must be able to prove that they can undertake the survey safely. All contractors and consultants operating in LCC buildings must be registered with CHAS (Contractors Health & Safety Assessment Scheme).
- 4.5. It is the responsibility of these establishments to ensure that suitable and sufficient staff training is given in order to comply with Regulation 10 of The Control of Asbestos Regulations 2012.
- 4.6. It is recommended that these Establishments follow the guidance and procedures used by CFM in paragraph 3 (Means of compliance with the policy statement) and that they follow the guidance given in Appendix 2 LCC Roles and Responsibilities.

5. DOMESTIC PROPERTIES

The ‘duty to manage asbestos’ requirements of Regulation 4 of CAR 2012 do not normally apply to domestic premises. Paragraphs 10 to 12 of HSG264 specifically refer to domestic properties. The inference within these paragraphs is that where domestic properties are owned by a Local Authority there is a duty on that Authority to provide information about health and safety risks to anyone working in that property. HSG264

also refers to Sections 2 and 3 of the Health and Safety at Work etc Act 1974 and the Management of Health and Safety at Work Regulations 1999.

LCC has made the decision that all of its domestic properties will have a Management Survey carried out and that they will not be subject to a quinquennial re-survey as for other LCC properties. If the property becomes subject to modification or demolition, then a Refurbishment and Demolition Survey must be carried out.

6. DOCUMENT REVIEW

6.1. This document will be reviewed annually in October of each year, or whenever a change to legislation relating to the control of asbestos is enacted.

7. QUERIES

7.1. If you have any queries about any asbestos matters or surveys etc. please discuss them with Steve Linnett (0116 305 6828).

8. DOCUMENT AUTHOR

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9. ISSUE HISTORY

1.1. Issue 01	Original issue of document	October 2004
1.2. Issue 02	Revised and rewritten to comply with CAR 2006, CDM 2007 and the issue of HSG264	September 2010

1.3. Issue 03	Revision to various paragraphs to reflect Regulatory reform, HSE updated advice and organisational structure changes within Property Services.	May 2013
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A copy of this document is maintained on LCC Corporate Information System (CIS) intranet

GLOSSARY OF TERMS USED

Term	Definition
ACM	Asbestos-containing material
Analyst	A specialist that is accredited to ISO 17025 to sample and/or analyse materials for asbestos
Asbestos Removal Contractor	A contractor licensed by the HSE to work with asbestos under CAR 2012
Asbestos Surveyor	A competent specialist. Competence can be proven through accreditation to ISO 17025 to sample and/or analyse materials for asbestos
Asset management plan (AMP)	The written document for each site that lists the condition of the site and its services, together with expected life, and the priority for replacement. Produced from the computer database that the Condition Survey of the property is stored in
CAR 2012	The Control of Asbestos Regulations 2012, applies to non-domestic premises only
CDM 2007	Construction (Design and Management) Regulations 2007
CHAS	Contractors Health and Safety Assessment scheme
Condition Survey	A planned series of property inspections that takes place on a 5-year basis to identify the condition of the property and all services within. Findings are input to the Asset Management Plan (AMP)
Dutyholder	The person who is defined in CAR2012 as responsible for asbestos matters
HSE	Health and Safety Executive
HSG264	Asbestos: The Survey Guide (Replaces MDHS100)
LCC	Leicestershire County Council
Maintenance Log Book	Maintenance Log Book and Building Maintenance Manual (issued to Leicestershire schools in September 2001)
Management Survey	As defined in HSG264 for the management of asbestos. Previously known as a Type 2 Asbestos Survey
MDHS100	Methods for the Determination of Hazardous Substances 100 HSE document issued in July 2001 giving guidelines on the surveying, sampling and assessment of asbestos-containing materials Superseded in 2010 by HSG264

Term	Definition
Method statement / Plan of Work	The contractor's statement as to how they will remove the asbestos, showing where enclosures will be formed, access details and how they will deal with the risks identified in the Risk Assessment and others that they have identified during their planning for the works
Non buy-back Schools	Schools that are not contracted to use the building repairs and maintenance services offered by Property Services
Non-destructive survey	As Type 2 survey
PMIS	Property Management Information System. A computer database that holds details of properties and all works orders, (planned and for repairs and maintenance) issued by Property Services
RDS	Refurbishment and Demolition Surveys, as defined in HSG264 . Must be carried out prior to refurbishment or demolition works. This survey will involve destructive inspection to gain access to all locations.
Regulation 4 of CAR 2006	This regulation is the requirement to manage asbestos in non-domestic premises. Practical guidance on ways to comply with this regulation is contained in the HSE approved code of practice and guidance L127.
RIDDOR	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
Risk Assessment	An assessment process made at the design stage to identify perceived inherent risks with the work. Significant dangers should be planned out of the works at this stage
Type 2 Asbestos survey	Now superseded by Management Survey A survey defined by MDHS100 as <i>Standard sampling, identification and assessment survey (sampling survey)</i> . The condition of the asbestos and its vulnerability to damage is noted, and this forms the basis of the prioritisation for the removal, repair and management of asbestos.
Type 3 Asbestos survey	Now superseded by RDS A survey defined by MDHS100 as <i>Full access sampling and identification survey (pre-demolition/major refurbishment survey)</i> . Condition of the asbestos is not commented upon, only its presence and quantity.
UKAS	United Kingdom Accreditation Service
Walk-round survey	As Type 2 survey

APPENDIX 2**LCC ROLES AND RESPONSIBILITIES**

The roles and responsibilities of LCC staff involved in the asbestos management process are defined within this section. Similar responsibilities are placed upon persons acting in similar roles e.g. as a Project Officer in schemes where CFM is not involved or where CFM has appointed consultants to work on behalf of CFM. Where schools/establishments do not use CFM for repairs and maintenance or construction works then they must follow the general guidance within this Policy document and take over the roles and responsibilities that would otherwise have been carried out by LCC staff as outlined below.

1. The CFM Regulatory Compliance Officer (Construction) is specifically charged with:

- 1.1. Implementing and monitoring an effective asbestos management system.
- 1.2. Ensuring the Authority remains at the forefront of best practise in asbestos management.
- 1.3. Updating the LCC Asbestos policy to take into account changes in legislation.
- 1.4. For buildings, where CFM are responsible for asbestos, to programme and arrange asbestos removal and repair works identified in asbestos surveys and annual inspections in accordance with the priorities given.
- 1.5. Monitoring and reporting on the allocated budget as well as prioritising remedial actions accordingly.
- 1.6. Advising on appropriate training and induction (in liaison with the Corporate Health, Safety and Wellbeing Service).
- 1.7. Programming and ordering the asbestos Management surveys on a 5 year cycle.
- 1.8. Checking the asbestos survey report meets the requirements of LCC and is free from any obvious errors.
- 1.9. Logging asbestos surveys and annual inspection reports onto the LCC property directory system.

- 1.10. Ensuring that all asbestos removal contractors, surveyors and analysts used by LCC have the appropriate licences, insurance and accreditation from certification bodies.
- 1.11. Being the initial point of contact from the Corporate Facilities Management Help Desk for reports of accidental damage to asbestos, and arranging inspection and any remedial action.
- 1.12. To work with the rest of CFM to ensure that LCC discharges its responsibilities with regard to asbestos.
- 1.13. Commission LCC approved asbestos consultants to provide guidance and support for establishments and to carry out audit inspections in support of LCC Policy.
- 1.14. Advising on CDM 2007 and Risk assessment aspects of schemes, taking particular note of the special requirements relating to asbestos.
- 1.15. Ensuring Method Statements/ Risk Assessments from general contractors are checked by Project Officers etc. and ensuring that the special requirements relating to asbestos have been taken into account.
- 1.16. Where the project has to be notified to the HSE under CDM 2007 to advise on the adequacy of documents such as the construction phase Health and Safety Plan.

2. The trainee Building Surveyor (Asbestos) is specifically charged with:

- 2.1. To assist the Regulatory Compliance Officer (Construction) in all of his/ her undertakings.
- 2.2. Providing advice on asbestos matters (including surveys) to colleagues and to establishments within Leicestershire County Council and to non – LCC establishments that buy back into CFM Property Services.
- 2.3. To ensure that general contractors are aware of the requirements when dealing with asbestos and that they are aware that site operatives must receive awareness training about asbestos as required by The Control of Asbestos Regulations 2012, and to check that where awareness training has not been provided that it is provided by the contractor in a timely manner.
- 2.4. To carry out un-programmed inspections of sites during asbestos removal projects to ensure that asbestos removal contractors and analysts are fully

discharging their duties and that all documentation etc. required by CAR 2012 is in place.

- 2.5. When visiting LCC sites to check that the requirements of CAR 2012 and this Policy are being complied with and if not, to advise sites of their responsibilities with regard to asbestos. Where sites are not complying with CAR2012 and or this Policy, to make further follow-up visits to check that remedial measures have been put in place.

3. The CFM Condition Survey Team are specifically charged with:

- 3.1. Checking the Asbestos Report when they visit site to ensure that they do not inadvertently disturb asbestos during the course of their inspections.
- 3.2. Reporting back to the Regulatory Compliance Officer (Construction) as to the condition of any asbestos on site that they consider may need further inspection.

4. The CFM Building Services Inspectors are specifically charged with:

- 4.1. Checking the Asbestos Report and Contractor Register within the LCC Building Maintenance Manual when they visit site to ensure that contractors have checked the Asbestos Survey report and signed the Register ASB100.
- 4.2. Checking the Asbestos Survey report when they visit site to ensure that they do not inadvertently disturb asbestos during the course of their inspections.

5. The Project Officers / Designers (Hard FM & Strategic Construction teams) and CFM Building Services Inspectors are specifically charged with:

- 5.1. Ensuring that planned works for which they are responsible do not go ahead until the Asbestos Survey report for the site has been consulted, and a Refurbishment and Demolition Survey (RDS) has been carried out and any requirements relating to asbestos have been incorporated into the scheme plans.

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- 5.2. Assessing any risks from asbestos within the scheme design. The RDS findings must form part of the pre-construction information for all construction projects in accordance with CDM 2007 (whether or not they must be notified to the HSE under CDM 2007).
 - 5.3. Ensuring that contractors are aware of their responsibilities towards asbestos, in particular ensuring that adequate Risk Assessments and Method statements / Plans of Work produced by the contractor include the risks associated with asbestos.
 - 5.4. Checking that documents submitted by contractors comply with the requirements of CDM 2007 take account of the special requirements relating to asbestos. These documents include Method statements / Risk assessments and, where the project has to be notified under CDM 2007, the Construction Phase Health and Safety Plan.

6. The Corporate Health, Safety and Wellbeing Service is specifically charged with:

- 6.1. Assisting the Regulatory Compliance Officer (Construction) in respect of monitoring the arrangements of this policy.
- 6.2. Working with CFM to agree the content of LCC asbestos awareness training courses and provide training for LCC staff. Promotion and organisation of training provision to be carried out with the Corporate Learning and Development team to ensure that all LCC staff have access to appropriate asbestos training.

7. Local School/ Establishment Managers are specifically charged with:

- 7.1. Ensuring all relevant staff receive an appropriate level of asbestos awareness training.
- 7.2. Regularly monitor the condition of asbestos containing materials (ACM's) as part of routine walk round building inspections/ checks.
- 7.3. Ensure that asbestos survey information is shared with and provided to all staff.

APPENDIX 3

CORPORATE FACILITIES MANAGEMENT PROCEDURES

1. PLANNED WORKS AND ASBESTOS PROCEDURES

- 1.1. Corporate Facilities Management (CFM) holds asbestos surveys for those properties for which they are responsible for Repairs and Maintenance. These surveys will be *Management Surveys* as defined by *HSG264 - Asbestos: The Survey Guide*. The majority of surveys currently held are *Type 2* as defined by MDHS100 and are of the non-destructive type, and therefore cannot be relied upon to record all possible asbestos on site. These types of survey do not investigate areas behind boxing-in etc. This can have serious consequences, to both cost and time, when asbestos or suspected asbestos materials are discovered during the course of works.
- 1.2. In the first instance the Asbestos Survey report must be consulted, and advice must be sought from the Regulatory Compliance Officer (Construction) regarding the interpretation of the report, and the likelihood of there being asbestos in the building and it being disturbed during the works. It is the policy of Leicestershire County Council that in compliance with CAR 2012 where works involve modifications to the structure, or significantly disturbs the fabric of the building, or where there is an element of demolition within the works, that a *Refurbishment and Demolition Survey (RDS)* (previously MDHS100 *Type 3: Full access sampling and identification survey (pre-demolition/major refurbishment)*) **must** be carried out to establish if there is asbestos within the area of the works.
- 1.3. The RDS must be carried out well in advance of the proposed works start date, so that any consequences can be included in the planning and pre-construction information provided to designers and contractors and that any asbestos works can be incorporated into the scheme. All fully licensed work with asbestos is subject to 14 days notice to the HSE by a licensed contractor. The lead-in time is approximately one month from an enquiry to the asbestos removal contractor before works can commence on site. Requests for a RDS should therefore be

made a minimum of 8 weeks prior to the planned start date for the works. It is the responsibility of the Project Officer planning the works to ensure that a RDS is both requested and carried out in good time before the works commence.

- 1.4. Asbestos within the scope of the works or adjacent to the works that may be disturbed by the works must be removed prior to works starting.
- 1.5. Where demolition is involved all asbestos must be removed prior to the commencement of the demolition.

2. ASBESTOS DISCOVERED DURING WORKS & GENERAL EMERGENCY PROCEDURES

- 2.1. The RDS will not necessarily find or identify all asbestos products on a site, as they may be concealed behind other materials or may have been used in a random manner on sites (e.g. packing under joists, around doorframes and concealed behind plaster finishes, etc.). A contingency plan must therefore form part of the Principal Contractors site specific Risk Assessment and plan of work.
- 2.2. If asbestos or suspected asbestos is damaged during the course of works, then all works must stop immediately and all personnel must be evacuated from the area and isolated, taking care not to spread any contamination to adjacent areas, and the area sealed off. Corporate Facilities Management Help Desk (0116 305 5000) must be informed immediately so that specialist asbestos consultant analysts can be sent to site. The analyst will assess the nature of the material and course of action to be taken to rectify the problem if the material is discovered upon inspection (visual or after microscopic analysis) to be asbestos. Until the nature of the material is confirmed, it must be assumed to be asbestos and suitable precautions taken to prevent spread of contamination. The analyst will also advise and implement decontamination measures for all persons affected.
- 2.3. All accidental disturbances to asbestos or release of asbestos fibres must be reported to the Corporate Facilities Management Help Desk (0116 305 5000) so that it can be reported to the Regulatory Compliance Officer (Construction) who will notify the incident to the HSE RIDDOR Incident Contact Centre.

3. NON "BUY-BACK" SCHOOLS / RENTED PROPERTIES

- 3.1. The planning for the job must follow the processes outlined above and a RDS must be carried out.

REFURBISHMENT AND DEMOLITION SURVEYS

(previously known as “Type 3: Full access sampling and identification survey (pre-demolition/major refurbishment survey)”)”

1. It is a requirement of *The Control of Asbestos Regulations 2012* and the LCC Asbestos policy, that any works that will significantly disturb the fabric of the building **must** be preceded by a *Refurbishment and Demolition Survey* as defined in HSE document HSG264.
2. Example works that come into the requirement will be such as: Full or partial demolition, breaking through for extensions or doors or windows, removal of walls or ceilings, replacement of windows, electrical rewires, heating plant replacement, etc. This list is not exhaustive and advice should be sought from a competent trained person if doubt remains regarding the need for an RDS survey. Corporate FM is available for advice as required.
3. This survey must be arranged by the scheme designer directly with an asbestos surveying consultant.
4. HSG 264 is prescriptive about the information that must be given by the person requesting the survey to the surveying consultant. Existing site layout drawings and drawings of the proposed work and a written brief for the surveyor will be required. For all but simple schemes there will be a need for the designer to meet with the surveyor and walk around the site with them.
5. The following is an extract from HSG264

Box5: Information the surveyor needs from the client

Details of buildings or parts of buildings to be surveyed and survey type(s).

Details of building(s) use, processes, hazards, priority areas.

Plans, documents, reports and surveys on design and construction

Safety and security information: fire alarm testing, special clothing areas (e.g. food production)

Access arrangements and permits

Contacts for operational or health and safety issues

6. Costs will be on a time-charge basis and must be paid for out of the scheme budget.
7. It is likely that surveys will need to be carried out outside normal site hours, with some work possibly taking place at weekends.
8. Consultants that carry out surveys must be UKAS approved and must be registered with CHAS (Contractors).

9. Due to the intrusive nature of this type of survey (potential damage to décor requiring temporary repairs) there will be a need for close liaison with the site on what will be an acceptable standard of "temporary" repairs carried out after the survey, as the site will have to face the damage and repairs on a daily basis until works commence.
10. It is likely to take at least two weeks for the survey to be completed and for receipt of the report. Any asbestos removal or remediation works will then need to be carried out; allowing for a tender period and the requisite 14-days notice to the HSE it may be around 5 to 6 weeks before the licensed asbestos removal contractor actually starts on site. There may even be the need for access equipment and a personal decontamination unit to be taken to site for use by those tendering if significant contamination is discovered during the survey (e.g. roof voids).
11. It is therefore important to arrange for the survey in good time, i.e. at least 3 months prior to a main contractor starting work. This period could be extended if the removal works are such that they can only be carried out during a site closure period.
12. It may be that the survey finds no asbestos, but the appointed works contractor should be made aware that they may come across hidden asbestos materials during the course of the work and that they should have documented procedures in place to deal with possible asbestos discoveries.
13. The Regulatory Compliance Officer (Construction) will give assistance and advice in the interpretation of the survey, but your first call for advice and further interpretation must be to the company that actually carried out the survey.

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