

PA HOUSING

ASBESTOS SAFETY POLICY

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PA Housing is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.

We will make sure that all our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats, we will provide them.

1. Policy Statement

- 1.1 **PA Housing (PA)** owns and manages a range of assets, and this policy applies to domestic and communal dwellings. The key objective of this policy is to describe how PA will manage Asbestos Safety Risk so far as is reasonably practicable. This includes:
- The identification of its specific responsibilities for each of its assets.
 - The creation of an Asbestos Safety Management Plan (ASMP) and associated staff training to provide guidance on the implementation of the commitments contained in this Policy.
 - The key activities that PA undertakes to manage risk including:
 - Taking reasonable steps to assess if asbestos is present
 - Recording the location, type, and condition of the asbestos
 - Assessing the risk of anyone being exposed to the asbestos
 - Identify and implement any actions to address asbestos risks where necessary
 - Providing information to anyone likely to work on or disturb Asbestos Containing Materials (ACMs).
 - Maintaining competent staff and contractors.
 - Communication internally and with residents, staff, and other stakeholders
 - How the PA Board, as duty holder, will delegate responsibility for the implementation of policy, monitor its effectiveness and receive assurance of compliance.
- 1.2 The scope of this policy includes all properties built before the year 2000 and only dwelling constructed in 2000 or later will be considered asbestos free and not subject to it due to the use of asbestos being banned in the UK in 1999.
- 1.3 PA will seek to comply with all current and relevant statutory obligations, including:
- Control of Asbestos Regulations (CAR) 2012.
 - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
 - Defective Premises Act 1972
 - Building Safety Act 2022.
 - Social Housing Regulation Act 2024.
 - Housing Health and Safety Rating System (HHSRS)
- 1.4 The delivery of the commitments within this policy will ensure that the requirements of other legislation, such as the Health and Safety at Work etc Act 1974 and Landlord Tenant Act 1985 will also be met.
- 1.5 PA must meet the requirements of both the Regulator for Social Housing's (RSH) Safety and Quality Standard and the requirements of the Care Quality Commission (CQC).

- 1.6 Our primary objective is to ensure that residents, contractors, staff, and visitors remain safe in our premises (both domestic and non-domestic). Failure to properly discharge our legal responsibilities may also result in:
- Prosecution under the Health and Safety at Work Act 1974, or Corporate Manslaughter and Corporate Homicide Act 2007.
 - Regulatory intervention by the RSH or CQC.
 - Reputational damage.
 - Loss of confidence by stakeholders in the organisation.
- 1.7 This Policy statement establishes the broad framework for compliance with the key statutory and regulatory obligations.

2. Roles and Responsibilities

- 2.1 Detailed roles and responsibilities will be documented within the ASMP and associated Operational Guidance. The overarching roles and responsibilities are as follows:

The **Finance Audit and Risk Committee** will be responsible for ensuring that the PA Board receives the assurance it requires.

The **Director of Compliance** will take overall responsibility for the delivery of the Policy commitments described in the Data, Key Activities to Manage Risk and Communications sections of this policy.

The **Executive Director of Asset Management** will take overall responsibility for planning and implementing the assurance activities described in this Policy and for the effective upward reporting of performance. The **Executive Director of Asset Management** will attend the Risk & Audit committee meeting and ensure that any issues arising from assurance activities are discussed, and that areas of non-performance are reported and escalated where required.

All **Directors within the Asset Directorate** will take responsibility for ensuring that staff and contractors they employ have the skills, knowledge, and expertise necessary to deliver the commitments outlined in the Policy. Directors will identify Competent Person(s) (internal or external) suitable for the delivery of specific tasks.

Competent Person(s) will have a responsibility to identify any concerns about their own competency for the task that they are being asked to undertake and recommend additional competency is procured where required.

3. Management Plan

- 3.1 Asbestos is the name given to a group of fibrous minerals found naturally in many parts of the world. Asbestos fibers are strong and resistant to heat and chemicals which led to a range of building products manufactured with asbestos to strengthen them and to provide fireproofing and noise reduction.

3.2 The presence of an asbestos containing material does not constitute a danger. However, there is a potential risk to health if such material is disturbed and damaged. An isolated accidental exposure to asbestos fibres for a short duration is extremely unlikely to result in the development of asbestos related diseases. However, regular exposure – even at relatively low levels – can present a risk.

3.3 PA will maintain an ASMP and associated Operational Guidance which shall:

- Provide additional guidance on how the commitments outlined within this policy will be implemented including the approach to monitoring, repair/removal, and management of ACMs.
- Provide clear lines of responsibility for the management of asbestos risk.
- Set out key operational processes.
- Ensure that a clear and consistent process is in place to obtain access to properties where this is required. This will include proactive assessment of available data for relevant information about the resident to help gain access (disability, vulnerability, local connections, etc.). Tenancy enforcement action will be used where required.
- Maintain a process for dealing with unsafe situations or incidents.

3.4 All staff who have roles identified in the ASMP will receive associated training appropriate to their role.

4. Data

4.1 PA acknowledges that to meet its obligations it must maintain a robust approach to identifying the assets and components for which it has responsibility. PA will:

4.1.1 Maintain an up-to-date master database (within the asset management system) of all properties that will indicate both where it does and does not have a responsibility for asbestos surveys and subsequent re-inspection of ACMs. This will include the identification of properties where PA has no responsibility but has an interest (e.g., a block managed by others, but PA owns a leasehold dwelling) or those where there is more than one responsible person.

4.1.2 Maintain an up to date Asbestos Register data in an auditable and reportable format which will include key summary information including but not limited to: UPRN; survey status (inspected/cloned); location; component; type of asbestos (including any materials confirmed to be non-asbestos); inspections status (confirmed/presumed/negative); amount; condition; the last survey date; results of the risk assessment; the next survey date (re-inspection); details of any remedial action required; completed date for any remedial action necessary; details of areas not accessed at the time of survey; links to survey reports; links to evidence of successful and compliant completion of remedial actions.

4.1.3 Where PA has no responsibility for maintaining the communal areas of a block, because it does not own the block or it is managed by a third party, but PA has one or more residents living within a block, we will liaise with the responsible person at the start of their tenancy/ownership/leasehold agreement to make sure that:

- They are fully aware of all relevant legislation and their obligations.
- All relevant activity - including but not limited to survey, risk assessment and remedial works - has been undertaken by a person competent to do so and is not overdue.
- They are in full compliance with all relevant legislation.
- PA will be informed of any material issues relating to resident health and safety.

4.1.4 The approach to data control will be documented in the ASMP.

5. Key Activities to Manage Risk

5.1.1 PA will take reasonable steps to determine the location and condition of materials likely to contain asbestos through a programme of asbestos surveys and re-inspections.

- Management Surveys – designed to locate, as far as reasonably practicable, the presence and extent of any suspected ACMs in buildings owned and / or controlled by PA which could be damaged or disturbed during normal occupancy, including foreseeable maintenance and installation and assess their condition.
- Refurbishment and Demolition Survey – is intended to be completed before any refurbishment or demolition work is carried out. This survey will be used to locate as far as reasonably practicable the presence of ACMs, will be fully intrusive and as necessary may involve destructive inspection.

5.1.2 These surveys will be Management Surveys undertaken in accordance with *HSG264 Asbestos: The Survey Guide* and will determine if asbestos is present, and if so, determine the type/amount, where it is, and its condition. Surveys will be undertaken as follows:

- *Non dwelling assets and dwellings (including blocks, common parts and independently let garage blocks associated with dwellings)*- all stock is subject to a Management Survey, or a desk top risk assessment for non-accessed properties and identified ACMs will be periodically re-inspected at frequencies as recommended by the competent person undertaking the survey.
- ACMs in dwellings will generally be re-inspected on an annual planned programme, at void stage, during stock condition surveys, prior to planned works or when PA is notified of any damage or disturbance.

- 5.1.2 Every non-surveyed property has the potential to contain all the ACMs that have been identified in the sample of that archetype and will be managed on that basis. PA will presume that materials contain asbestos unless there is strong evidence that they do not.
- 5.1.3 The results of surveys and re-inspections will be held in accordance with this policy. Surveys will have accompanying floor plans in complex buildings where locations and materials are not readily identifiable from text-based descriptions.

5.1 Risk Assessment

- 5.2.1 PA assesses the risk associated with ACMs by considering the risk from the material and the likelihood of disturbance. A summary is below:

Risk Assessment	Description
Material Risk Assessment (MRA)	Considering the material, product type, asbestos type and asbestos fibre content, and condition
Priority Risk Assessment (PRA)	Assessing the likelihood of disturbance considering accessibility and the activities carried out in the area around the ACM
Overall Risk Assessment (ORA)	This is calculated by adding the MRA and PRA scores together.

- 5.2.2 PA will use the ORA to decide if remedial works are required to reduce the risk or remove the material. PA will seek to undertake the recommended actions in timeframes recommended by the competent person. Any proposed changes to the agreed remedial works or completion targets will be documented and agreed by a Competent Person. Further detail on the application of the risk assessment will be contained within the ASMP.
- 5.2.3 PA will also use the risk assessment to identify the re-inspection requirements for ACMs that remain in situ. An annual programme is created based on the risk levels, status, action, location and recommended timescales. The table below highlights the most common timescales applied; however, this could vary depending on all the factors identified within the risk assessment. In general, PA aim to re-inspect all assets containing ACMs at least every 5 years though ideally more frequently.

Risk level, status, action and location	Frequency of review
Confirmed safe – no risk	No further inspection
Very low risk, no further action	Inspect prior to disturbance
Low risk	Every 3 years
Medium risk	Annually
Inaccessible (no access on the day)	Annually
Inaccessible (nobody can disturb)	Follow risk level frequency
Inaccessible roof voids and tiles	Every 3 years

Floor tiles under coverings or areas under risers	Annually in case of deterioration
Any components due to be replaced as part of cyclical works e.g. facias and soffits	Annually until ACM removed

5.2.4 The asbestos register will be updated following any remedial works or re-inspection and the risk assessment updated accordingly.

5.2 Resident Commissioned Works

PA will maintain a consent process for any resident commissioned works. PA will highlight asbestos risk and the need for appropriate controls within any consents issued. Approval will not be unreasonably withheld, although consent may be refused or conditions imposed where appropriate.

Where unauthorised work with the potential to impact asbestos risk is discovered, PA will take the appropriate action to remedy. The cost of doing so will be recovered from the resident.

5.3 Management. PA will:

- Implement a risk-based approach to the periodic inspection of communal areas. Whilst not in itself a re-inspection of ACMs, staff will be trained to identify typical ACMs within common parts and to follow emergency procedures where potential damage is noticed.
- Maintain a clear staged access process to gain access to properties to undertake the activities described above. This shall include enforcement action when required. PA will proactively assess available data for relevant information about the resident to help gain access (disability, vulnerability, local connections, etc.).
- Enforce resident responsibilities where required considering a balance of individual residents' rights with the need for effective, timely action where there is a risk to the safety of other residents.

5.4 Repairs and Maintenance Activity

Owing to the volume and nature of repairs works it is not practicable to undertake specific asbestos surveys prior to all jobs. PA will manage this risk by taking reasonable steps to ensure that all R&M contractors (internal and external) who have a reasonably foreseeable risk of disturbing ACMs:

- Have undertaken risk assessments relating to the disturbance of ACMs during their work and maintain associated procedures.
- Provide regular asbestos awareness training to relevant staff.
- Have access to the asbestos register and arrangements in place to check before work commences.
- Are aware that management surveys are limited in their scope and extent of intrusion.

- Have a programme of supervision to ensure procedures are followed.

This is monitored as part of regular contract management meetings.

Where required, PA will undertake additional survey activity to manage the risk.

5.5 Working with Asbestos

Prior to commissioning any work on ACMs PA will carry out a risk assessment. This will identify if the work needs to be carried out by a licensed contractor and if the work needs to be notified to the HSE. It is important to note that some works on or around ACMs may not require a licence but may still have requirements i.e., notification of work, medical surveillance and record keeping. For all licenced work, PA will use a licensed contractor. For all work on ACMs, PA will take reasonable steps to ensure that the persons undertaking the work are competent to do so and follow appropriate method statements.

5.6 Planned, Major Works and Construction

Where planned, major work or construction work is to be carried out, PA will provide designers and contractors who are bidding for the work (or who they intend to engage) with project-specific information about the presence of asbestos, so that the risks associated with design and construction work, including demolition, can be addressed.

Refurbishment and Demolition Surveys will be incorporated into the planning phase of such work as far as possible. This will avoid delays and disruption etc. Where the work is urgent the refurbishment surveys may have to be carried out just before the work itself.

PA programmes of work to dwellings can be carried out across large numbers of properties (e.g., kitchen or bathroom replacement programmes) across similar archetypal groups. In such circumstances, it may be appropriate to carry out a survey in a proportion of the dwellings within the work programme. However, PA's default position will be to survey all properties, and this will only be reduced once results demonstrate as far as reasonably practicable that there is consistency in the range of ACMs in a property type and there is an accurate picture of asbestos presence. This will be agreed by a Competent Person.

6. Communication with Stakeholders

6.1 Residents

PA will encourage asbestos awareness by the following actions:

- Periodically inform residents of the risks associated with asbestos and informing PA of any concerns, through the provision of information via MY PA app, website, newsletters, leaflets, and information at sign-up.

- Provide residents with a summary of the results of an asbestos survey relating to their home at letting or when requested by the resident to do so.
- Maintain a clear approach to gaining access to carry out works and be clear that enforcement action may be taken when it is necessary to do so.

6.2 Contractors

Provide access to the asbestos register to contractors and consultants who carry a reasonably foreseeable risk of disturbing asbestos during their commission.

6.3 HSE

Inform the HSE of all notifiable tasks.

6.4 Staff

- Communicate key asbestos awareness advice to relevant staff through induction and refresher H&S training.
- Provide access to the asbestos register to staff who require it.

7. Monitoring and Assurance

7.1 Monitoring

7.1.1 The following Performance Indicators (PIs) and KPIs will be reported to the Investment Committee and the PA Board at each meeting cycle.

- Non-dwellings with a valid asbestos survey and re-inspections of **all** ACMs (where required) within its due date as a percentage of non-dwellings requiring an assessment.
- Dwellings with a valid asbestos survey and re-inspections of **all** ACMs (where required) within its due date as a percentage of dwellings requiring an assessment.
- Asbestos remedial actions that are overdue as a percentage of total outstanding remedial actions.
- Buildings with no outstanding and overdue remedial actions as a percentage of total buildings subject to an asbestos survey.
- HSE or Regulator during the reporting period.
- Number of safety occurrences - including any reported asbestos related occurrence reporting e.g. to the These PIs or KPIs will be reviewed periodically, and additional/amended measures may be recommended.

- 7.1.2 Where appropriate, KPIs will include the total number of actions or buildings required and the total number within target as well as percentage figure.

7.2 Assurance

The following assurance activity will be undertaken:

- Internal audit to provide independent assurance on the operation and effectiveness of controls. Frequency agreed as part of the **Internal Audit Programme** and reported to Audit and Risk Committee.

8. Competence

- 8.1 It is not possible to succinctly define competence requirements for all roles and activities outlined in this policy. In many areas, competence will be assessed based on skills, knowledge and experience as opposed to a single qualification or standard. As defined above, PA has a system of Directors evaluating competence within their areas of responsibility and Competent Person(s) are required to highlight the limits of the competence.
- 8.2 However, in relation to asbestos work PA will appoint a competent person internally or, if the skills do not exist internally, appoint an external competent person to provide retained advice and support in relation to asbestos management.
- 8.3 PA will require that organisations undertaking surveys can demonstrate that they are technically competent to do so. This will typically be through commissioning organisations with accreditation to ISO/IEC 17020. However, other individual surveyors may be able to demonstrate that they have sufficient competency to undertake specified surveys through a combination of qualifications and experience (e.g., P405 and suitable minimum experience) and this may be permitted if agreed by a Competent Person. More detail on competence relating to asbestos survey and works are listed within the ASMP along with a procedure outlining the reasonable steps PA will take to ensure the competence of those carrying out work who are not under its direct control.

9. Consultation

- 9.1 This Policy is based on legislative and regulatory requirements and as such consultation with residents has not taken place. There has been consultation with teams within PA.

10. Policy Review

- 10.1 The policy will be reviewed upon any change to legislation or major guidance documentation, and at least every 36 months (or earlier if deemed necessary through the Monitoring and Assurance Process).

10.2 **Monitoring and reporting**

- The Director of Compliance has overall responsibility for monitoring and reviewing the operation of this policy to ensure it meets legal requirements, is fit for purpose and reflects best practice.
- All managers have a specific responsibility for operating within the boundaries of this policy and procedure, ensuring that colleagues understand what is expected of them.
- All colleagues are responsible for reading, understanding, and adhering to the policy and any questions regarding its content or application should be directed to their line manager or the HR team.

10.3 **Advice and Guidance**

Advice, guidance, and support will be provided by the Building Services Team to all colleagues on the Electrical Safety Policy. The policy will also be made available to all colleagues via the company SharePoint site to ensure that they are aware of its existence.