

Paragon Asra Housing Limited

PA Housing ASBESTOS SAFETY POLICY

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Policy Owner

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Assets

Approved by

EMT

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Paragon Asra Housing Limited 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 **Paragon Asra Housing Limited PA Housing** owns and manages a range of assets including single dwellings and non-domestic assets. The key objective of this Policy is to describe how PA Housing 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 Housing undertakes to manage risk include:
 - 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
 - Preparing and implement a plan on how to manage the risks
 - Providing information to anyone likely to work on or disturb ACMs.
 - Maintaining competent staff and contractors.
 - Communication internally and with customers, staff, and other stakeholders
 - How the PA Housing 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.
- 1.3 PA Housing will seek to comply with all current and relevant statutory obligations, including:
- The Housing Act 2004.
 - Control of Asbestos Regulations (CAR) 2012.
- 1.4 PA Housing takes the view that 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 In addition, PA Housing must meet the requirements of both the Regulator for Social Housing's (RSH) Homes Standard and the requirements of the Care Quality Commission (CQC).
- 1.6 Our primary objective is to ensure that customers, 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 PA Housing **Board** has overall responsibility for approving this Policy, delegating responsibility for its implementation, monitoring its effectiveness at high level, and receiving assurance of compliance. The PA Housing Board will also ensure that there is a system in place that provides adequate protection from detrimental treatment or victimisation for anyone making disclosures that they genuinely believe to be necessary in the interests of Asbestos Safety.

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

The **Chief Executive Officer (CEO)** will be responsible for the implementation of the Policy and will allocate responsibilities within the Executive Management Team and ensure that there is adequate management, monitoring and visibility of performance. The CEO will recommend this Policy to the Board on behalf of the Executive Management Team (EMT).

The **Assistant Director of Asset Management & Compliancy** 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 **Assistant Director of Asset Management & Compliancy** will attend the Audit Committee meetings and ensure that areas of non-performance are, reported, and escalated where required. All potential, material non-compliance will be reported to the CEO/ EMT irrespective of whether this relates to a KPI scrutinised by the EMT or other groups.

The **Assistant Director of Asset Management & Compliancy** will take overall responsibility for planning and implementing the assurance activities described in this Policy and for the effective upward reporting of performance.

All **Directors** 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 PA Housing 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 customer 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.
- 3.2 All staff who have roles identified in the ASMP will receive associated training appropriate to their role.

4. Data

- 4.1 PA Housing acknowledges that to meet its obligations it must maintain a robust approach to identifying the Assets and components for which it has responsibility. PA Housing will:
- 4.2 PA Housing acknowledges that to meet its obligations it must maintain a robust approach to identifying the assets and components for which it has responsibility. PA Housing will:
- 4.1.1 Maintain an up-to-date master database 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 Housing has no responsibility but has an interest (e.g., a block managed by others but PA Housing 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; target date for any remedial action necessary; 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 Housing has no responsibility for an asbestos related activity described in this policy but has one or more residents living within a block where one may be required, PA Housing will write to the responsible person on an annual basis asking for written confirmation 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 Housing has been informed of any material issues relating to resident health and safety.

Where PA Housing does not receive an adequate response, it will take reasonable steps to follow this up. Further details will be contained within the Management Plan. Records will be kept for the current and previous year.

4.1.4 The approach to data control will be documented in the Data Management Protocol and ASMP.

5. Key Activities to Manage Risk

5.1.1 PA Housing 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. 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 (including blocks, common parts and independently let garage blocks associated with dwellings)*- all stock is subject to a Management Survey and identified ACMs will be periodically re-inspected at frequencies as recommended by the competent person undertaking the survey.
- *Dwellings*- a representative sample of Management Surveys has been undertaken on the basis of a desktop study of archetypal groups. At the time of policy approval this meant that 97% of the stock had been surveyed and or risk assessed. PA Housing undertakes further management surveys to all relevant void properties before letting. PA Housing is also proactively surveying the remaining un-surveyed dwellings within the portfolio to enhance the information it holds and further manage the risk. This programme will be risk based on the extent of information currently held and instances/variability of ACMs within

archetypes. Further detail on the programme for the survey of dwellings is contained within the ASMP and PA Housing will target holding survey information on all relevant stock by the 30/3/2022. ACMs in dwellings will generally be re-inspected at void stage, during stock condition surveys, prior to planned works or when PA Housing is notified of any damage or disturbance.

- 5.1.2 PA Housing recognises that Management Surveys are limited in their scope and extent of intrusion and therefore do not necessarily provide sufficient information on the presence of ACMs for larger scale refurbishment and other improvement projects. PA Housing will undertake a Management and or R &D survey prior to planned maintenance or void property works where there is the potential to disturb asbestos in previously un-surveyed areas. This will include a Refurbishment and Demolition Survey localised to the area of work and a management survey to the rest of the property in accordance with HSG 264. Further detail is provided below and within the Management Plan.
- 5.1.3 PA Housing will maintain a clear specification for both Management and Refurbishment and Demolition Surveys to ensure that its requirements relating to surveys and data are clear, this will also be in accordance with HSG 264.
- 5.1.4 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 Housing will presume that materials contain asbestos unless there is strong evidence that they do not.
- 5.1.5 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.
- 5.1.6 PA Housing will label ACMs in accordance with the ASMP and recommendations. PA Housing's labelling policy needs to balance the benefits of labelling as a second line of defence with the fact that dwellings and associated common parts form people's homes. In general, PA Housing will label ACMs in all concealed areas, but not generally where visible in shared areas or in dwellings.

5.1 Risk Assessment

- 5.2.1 PA Housing 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 Housing will use the ORA to decide if remedial works are required to reduce the risk or remove the material. PA Housing 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, agreed by a Competent Person, and proposed to the HSC for approval. The decision will be recorded and reported within the Key Performance Indicators (KPIs) to ensure clear visibility. Further detail on the application of the risk assessment will be contained within the ASMP.

5.2.3 PA Housing will also use the risk assessment to identify the re-inspection requirements for ACMs that remain in situ. Again, further detail on re-inspections is contained within the ASMP.

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 Housing will maintain a consent process for any resident commissioned works. PA Housing 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 Housing will take the appropriate action to remedy. The cost of doing so may be recovered from the resident.

5.3 Management

PA Housing 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 Housing will proactively assess available data for relevant information about the customer 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 Housing 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.
- If there is uncertainty as to the extent of ACMs then further survey investigations may be required.
- Are aware that management surveys are limited in their scope and extent of intrusion.
- Have a programme of supervision to ensure procedures are followed.

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

5.5 Working with Asbestos

Prior to commissioning any work on ACMs PA Housing 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 notifiable licenced work and notifiable non-licensed work, PA Housing will use a licensed contractor. For all non-notifiable work on ACMs, PA Housing 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 Housing 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 Housing 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 Housing'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 Internal

Operate an HSC comprising of a cross organisation team of staff. Terms of Reference of the Group will be included in the ASMP.

6.2 Residents

PA Housing will encourage asbestos awareness by the following actions:

- Periodically inform residents of the risks associated with asbestos and informing PA Housing of any concerns, through the provision of information via 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.
- Maintain a clear complaints process and monitor and record complaints that indicate a risk to safety.

6.3 Contractors

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

6.4 HSE

Inform the HSE of all notifiable tasks.

6.5 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 HSC, Executive Team or Board at the frequencies outlined in our Landlord H&S Compliance Strategy:

- 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 one.
- Dwellings with a valid asbestos survey and re-inspections of **all** ACMs (where required) within its due date as a percentage of dwellings requiring one.
- 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.
- Number of safety occurrences - including any reported asbestos related occurrence reporting (e.g., to the HSE or Regulator) during the reporting period.

7.1.2 These PIs or KPIs will be reviewed periodically by the HSC and additional/amended measures may be recommended.

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

7.1.4 Commentary will be provided for any properties or actions out of date to include the date they became overdue, days overdue, and the action proposed to bring them back into a compliant position. To provide additional context, commentary will also include information on the proportion of activities within the reporting period that were undertaken before and after their due date.

7.1.5 A detailed PI suite will be defined within the Management Plans and monitored by Operations Teams.

7.2 Assurance

The following assurance activity will be undertaken:

- Internal checking independent of the Operational Teams to provide additional assurance around the accuracy of data and reporting. The approach will be documented within the Data Management Protocol and will include sample testing of the accuracy of data and the operation of controls. The outcomes will be reported to the HSC.

- 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.
- Works based quality assurance to test the quality of work delivered. This will be at levels detailed within the ASMP and reported to HSC.

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 Housing 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 Housing 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 Housing 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., P402 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 Housing 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 customers has not taken place. There has been consultation with Teams within PA Housing.

10 Equality Impact Assessment

- 10.1 An Equality Impact Assessment (EIA) will be undertaken on this Policy. See the full EIA document for further details.

11. Policy Review

11.1 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).

12. Amendment Log/Version Control

12.1 Revision Detail/Record:

Date of Revision:	Record of Amendments:	Reason for Revision:	By Whom: Name and Title