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|  **Review Sheet** |
| Last Reviewed Last Amended Next Planned Review in 12 months, or17 Dec '20 17 Dec '20 sooner as required. |
| Business impact | Changes are important, but urgent implementation is not required, incorporate into your existing workflow.**MEDIUM IMPACT** |
| Reason for this review | Scheduled review |
| Were changes made? | Yes |
| Summary: | This policy will inform staff on how to manage asbestos and the measures to put in place to ensure safety. Review of policy with few changes, more reference materials provided. |
| Relevant legislation: | * Control of Asbestos Regulations 2012
* The Hazardous Waste (England and Wales) Regulations 2005
* The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
* Health and Social Care Act 2008 (Registration and Regulated Activities) (Amendment) Regulations 2015
* Health and Safety at Work etc. Act 1974
* Management of Health and Safety at Work Regulations 1999
* The Workplace (Health, Safety and Welfare) Regulations 1992
* Health and Social Care (Safety and Quality) Act 2015
* The Control of Substances Hazardous to Health Regulations 2002
* Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
 |
| Underpinning knowledge - What have we used to ensure that the policy is current: | * Author: HSE, (2018), *What to do if you discover or accidentally disturb asbestos during your work*. [Online] Available from: <https://www.hse.gov.uk/pubns/guidance/em1.pdf> [Accessed: 17/12/2020]
* Author: HSE, (2020), *Asbestos essentials*. [Online] Available from: <https://www.hse.gov.uk/asbestos/essentials/>[Accessed: 17/12/2020]
* Author: HSE, (2002), *A comprehensive guide to Managing Asbestos in premises*. [Online] Available from: <https://www.hse.gov.uk/pUbns/priced/hsg227.pdf>[Accessed: 17/12/2020]
* Author: HSE, (2012), *Asbestos: The survey guide*. [Online] Available from: <https://www.hse.gov.uk/pUbns/priced/hsg264.pdf>[Accessed: 17/12/2020]
* Author: Department of health, (2014), *Health Technical Memorandum 00 Policies and principles of healthcare engineering*. [Online] Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_d](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/299276/HTM_00.pdf) [Accessed: 17/12/2020]
* Author: HSE, (2013), *Managing and working with asbestos - Control of Asbestos Regulations 2012. Approved Code of Practice and guidance L143 (Second edition)*. [Online] Available from: <https://www.hse.gov.uk/pubns/priced/l143.pdf>[Accessed: 17/12/2020]
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| Suggested action: | * Encourage sharing the policy through the use of the QCS App
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| Equality Impact Assessment: | QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law. |

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**1. Purpose**

* 1. Holbeach & East Elloe Hospital Trust recognises its duty to comply with legislation, namely the Health and Safety at Work Act 1974 and the Control of Asbestos Regulations (CAR) 2012, in respect of the management of asbestos in the workplace.
	2. To support Holbeach & East Elloe Hospital Trust in meeting the following Key Lines of Enquiry:

# Key Question Key Lines of Enquiry

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| --- | --- |
| RESPONSIVE | R2: How are people’s concerns and complaints listened and responded to and used to improve the quality of care? |
| SAFE | S2: How are risks to people assessed and their safety monitored and managed so they are supported to stay safe and their freedom is respected? |
| WELL-LED | W1: Is there a clear vision and credible strategy to deliver high-quality care and support, and promote a positive culture that is person-centred, open, inclusive and empowering, which achieves good outcomes for people? |
| WELL-LED | W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed? |
| WELL-LED | W4: How does the service continuously learn, improve, innovate and ensure sustainability? |
| WELL-LED | W5: How does the service work in partnership with other agencies? |

* 1. To meet the legal requirements of the regulated activities that {Holbeach & East Elloe Hospital Trust} is registered to provide:
		+ Control of Asbestos Regulations 2012
		+ The Hazardous Waste (England and Wales) Regulations 2005
		+ The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
		+ Health and Social Care Act 2008 (Registration and Regulated Activities) (Amendment) Regulations 2015
		+ Health and Safety at Work etc. Act 1974
		+ Management of Health and Safety at Work Regulations 1999
		+ The Workplace (Health, Safety and Welfare) Regulations 1992
		+ Health and Social Care (Safety and Quality) Act 2015
		+ The Control of Substances Hazardous to Health Regulations 2002
		+ Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

**2. Scope**

* 1. The following roles may be affected by this policy:
		+ All staff
		+ Maintenance
		+ Contractors
	2. The following Service Users may be affected by this policy:
		+ Service Users
	3. The following stakeholders may be affected by this policy:
		+ Family
		+ Advocates
		+ Representatives
		+ Commissioners
		+ External health professionals
		+ Local Authority
		+ NHS

**3. Objectives**

* 1. To meet its objectives, Holbeach & East Elloe Hospital Trust will:
		+ Comply with all statutory requirements for the management of asbestos in the buildings of Holbeach & East Elloe Hospital Trust
		+ Comply with the requirements of Managing and Working with Asbestos, ACOP L143
		+ Comply with best practice from healthcare guidance e.g. [HTM 00 - Policies and Principals of Health Care Engineering](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/299276/HTM_00.pdf) and supporting documents
	2. To ensure the safety of all persons within the buildings of Holbeach & East Elloe Hospital Trust.

**4. Policy**

* 1. This policy seeks to set out measures to safely manage asbestos that may be contained within the buildings of Holbeach & East Elloe Hospital Trust.

As a duty holder, Holbeach & East Elloe Hospital Trust will identify the location and condition of asbestos in its premises and manage the risk so as to prevent harm to, and protect anyone working on the building or occupying it.

* 1. Holbeach & East Elloe Hospital Trust recognises its responsibilities to all staff, Service Users and visitors with regards to the management of asbestos and to protect them from harm, with stringent measures being put in place where required.

Equally, Holbeach & East Elloe Hospital Trust recognises its responsibility to contractors and maintenance officers involved in maintenance works within establishments of Holbeach & East Elloe Hospital Trust and its duties as the ‘Duty Holder’ of the buildings of Holbeach & East Elloe Hospital Trust, as defined by Regulation 4 of the Control of Asbestos Regulations 2012.

**5. Procedure**

* 1. The Regulations place explicit duties on the people who are in control of the premises of Holbeach & East Elloe Hospital Trust (including employers, occupiers and landlords), requiring them to:
		+ Identify and determine the location of any asbestos materials within buildings (Regulation 5)
		+ Record the location and make an assessment of the condition of the materials (Regulation 6)
		+ Prepare and implement a plan for managing the risks (Regulation 7)
		+ Provide information to employees, contractors and others (Regulation 10)
		+ Monitor and review the arrangements
	2. Asbestos was used for many years in many building applications, the most common being:
* Sprayed asbestos coating for fire protection on structural steelwork or in ducts and ceiling voids
* Moulded or preformed lagging used in thermal insulation of pipes and boilers
* Insulating boards used for fire protection or thermal insulation in heating ducts, panels, partitions, soffit boards, ceiling panels and for fire breaks
* Some ceiling tiles (with trade names such as Asbestolux and Marinite)
* Millboard, paper and paper products used for insulation of electrical equipment, or as a fire-proof facing on wood fibreboard
* Asbestos cement products, which may be fully or semi-compressed into flat or corrugated sheets commonly used as roofing and wall cladding, or in preformed mouldings as gutters, rainwater pipes and water cisterns and tanks
* Some decorative plaster and textured coatings such as Artex™ manufactured before 1985 (since this date, it was not legally permitted to add asbestos to this product, although there is some evidence that old stocks and illegal imports were still used for a while after 1985)
* Bitumen based roofing materials including many roofing felts
* Many vinyl and thermoplastic floor tiles containing white asbestos as a binder

# Developing an Asbestos Management Plan

A management plan must be produced for each site of Holbeach & East Elloe Hospital Trust to set out the way in which the asbestos (or presumed asbestos) materials will be managed. There are several elements to the plan:

* + - Use suitably trained and competent persons to carry out an initial building fabric condition survey as a presumptive assessment
		- Use external specialist asbestos surveyors or consultants where necessary
		- Make and keep records of the location of any known or presumed asbestos
		- Produce drawings and/or registers either for individual buildings or sites, identifying areas known to contain Asbestos Containing Materials (ACMs)
		- Include in the plan the name(s) of those responsible for its implementation
		- Place the sites and the planned control measures in priority order, taking into account such factors as:
			* The number of occupants and the time spent in the building
			* The age of the building - buildings constructed in the 1970s or before are likely to contain asbestos, while those constructed during the 1990s are unlikely to have any asbestos other than perhaps in externally used asbestos cement products
			* Available information from building drawings or records and from employees
			* The general condition of the building and the extent of any damage to its fabric
			* The need for maintenance - high maintenance levels may mean high-risk factors
			* Any plans for future refurbishment
		- It is unlikely that buildings after 2000 will contain ACMs

# Managing the Risks from Asbestos

Where no immediate maintenance or refurbishment work is planned, it may, in most cases, be sufficient to use in-house expertise to carry out the initial survey. In larger or older premises, especially where

significant building maintenance or refurbishment is planned, it is more appropriate to use a suitably trained person to carry out a full survey of the premises to identify any asbestos materials.

Professional surveys should be carried out in accordance with Health and Safety Executive (HSE) publication HSG264 Asbestos: The survey guide. Surveyors should have access to UKAS accredited laboratory facilities to carry out the analysis and have adequate liability insurance cover.

A drawing or some other record should be made to show where the asbestos or presumed asbestos is, the type, if known, its form, its amount and its condition. The drawing must be simple, clear and always available at the premises so that anyone who needs to know where the asbestos materials are, can easily find them. The record may be stored electronically for easier updating, provided that all those who need to know can access the information at any time.

There may be some areas of the premises which are not easily accessible, such as in roofs and heating ducts and behind ceiling tiles and wall partitions. These must be noted on drawings and the presence of asbestos will be presumed, unless there is strong evidence for thinking that this is highly unlikely.

# Assess the Condition of any Asbestos Materials

The type of asbestos material, the quantity involved and, in particular, its condition, will determine its potential to release asbestos fibres into the air:

* Is the surface of the material damaged, frayed or scratched?
* Are the surface sealants peeling or breaking off?
* Is the material becoming detached from its base (this is a particular problem with pipe and boiler lagging and sprayed coatings)?
* Are coverings or coatings designed to protect the material missing or damaged?
* Are there deposits of dust or debris from damage near the material?

A crucial consideration is whether the asbestos material is likely to become damaged. If the asbestos material is in good condition and is not likely to be damaged accidentally or disturbed, it is usually safer to leave it in place and manage it.

If the asbestos is in poor condition and likely to be damaged, a decision is needed as to whether it should be repaired, sealed, enclosed or removed. If the condition is particularly bad or if there is likely to be frequent disturbance for access or maintenance, it may be more cost-effective in the longer term to have the asbestos removed. Specialist advice may be sought from an asbestos surveyor or a licensed contractor.

# Managing Asbestos Left in Place

Asbestos materials in good condition may be left in place, with a clear note to that effect on drawings or other records. A register of the location and condition of asbestos materials (and those presumed to contain asbestos) in each building of Holbeach & East Elloe Hospital Trust is recommended as part of the management plan, which must be kept up to date. Everyone who needs to know about the asbestos must be alerted to its presence, either by distinctive labelling or by the use of a well understood colour coding system. It may save time and prevent confusion in future if any confirmed non-asbestos materials, which might be mistaken for asbestos, are clearly identified and marked.

Those who carry out work on the premises of Holbeach & East Elloe Hospital Trust (including any contractors) must not start work before they are given the relevant information on any asbestos present. Evidence of competency, experience and appropriate training should be sought from any contractor undertaking work on ACMs. Risk and/or Method Statements (RAMS) should also be provided prior to the commencement of any work. There should be arrangements to monitor and review the effectiveness of the plan for managing the asbestos materials known or suspected to exist within the building.

# Repair and Removal

Some damaged asbestos materials can be made safe by repair, sealing or enclosure to prevent further damage. If this can be done safely, the area should then be marked as containing asbestos. If asbestos materials are disturbed during maintenance or refurbishment work or during the normal daily use of the building, they will release fibres. Any exposed asbestos materials that cannot easily be repaired or otherwise protected from damage or disturbance should be removed.

# Most work on asbestos insulation, asbestos insulating board and lagging, including sealing and removal, has to be carried out by a specialist contractor licensed by the HSE. It is a serious offence for anyone not specially trained, equipped and licensed to attempt work with asbestos materials.

At the heart of any works on asbestos, the employees of Holbeach & East Elloe Hospital Trust, Service Users and any other persons in the building must be protected and plans will include some areas being

designated as "No unauthorised access" and locked off whilst works are undertaken.

# Disposal of Waste

Asbestos waste, whether in small amounts or on a large scale, is subject to waste management controls set out in the Hazardous Waste Regulations 2005. Asbestos waste should be double-bagged in heavy duty polythene bags and clearly labelled with the label prescribed for asbestos before it is transported to a disposal site. Asbestos must be transported by a licensed asbestos carrier. The waste can only be disposed of at a site licensed to receive it. Local authorities have information on licensed sites in each area

# Action Under the Management Plan

Information on the location and condition of any asbestos materials in the premises must be made available to anyone likely to work on it or otherwise disturb it. Employees involved in building maintenance work and any contractors working on the premises of Holbeach & East Elloe Hospital Trust should know that the building contains or may contain asbestos.

In particular, those installing telephone and computer cables, electrical equipment or other building services such as plumbing may disturb asbestos by drilling walls or feeding cables and pipes through walls, ceiling voids and partitions. Employees and contractors involved in such work must be made aware of drawings and other records showing where the asbestos materials are, and reminded of the possibility of coming across hidden asbestos materials which might not be recorded.

Where any minor work might involve some contact with asbestos materials, some basic precautions should be taken:

* Keep everyone out of the work area who does not need to be there
* Take care not to create dust
* Keep the material wet, whenever possible
* Wear a suitable respirator and protective clothing
* Clean up with a vacuum cleaner which complies with BS 5415 (incorporating high efficiency Type 'H' dust filtration - standard domestic type vacuum cleaners must NOT be used as they will simply recirculate asbestos fibres in the air)

and NEVER:

* Break up large pieces of asbestos materials
* Use high-speed power tools - they create high levels of dust
* Expose other workers who are not protected
* Take protective clothing home to wash

Work on asbestos cement materials and some types of minor work on asbestos insulating board of less than one hour's duration per week may be carried out without an asbestos licence, provided that specific precautions are taken in accordance with current HSE guidance. As a general rule, any work on asbestos insulation or asbestos coating, any significant work with asbestos insulating board and any removal of asbestos material may only be carried out by a specialist contractor who holds a current HSE licence.

# Action Summary

* + - Carry out an initial (presumptive) survey of each building of Holbeach & East Elloe Hospital Trust to check if any materials containing asbestos are present
		- Assess the condition of any known or suspected asbestos-containing materials
		- Presume any unknown material contains asbestos unless there is strong evidence that it does not
		- If extensive maintenance or refurbishment of the building is planned, or if the known or suspected asbestos material is in poor condition, arrange for it to be sampled and identified by a specialist
		- Record the location and condition of the material on a plan or drawing
		- Decide if the condition and/or location means that the material is likely to be damaged or disturbed
		- Prepare and implement a plan to manage the risks

# For Asbestos in Good Condition:

* + - Wherever practicable, the material must be labelled as containing asbestos
		- The condition of the material should be monitored at regular intervals
		- Any employees, contractors or other workers likely to work on or disturb the material should be informed that it contains asbestos

# For Asbestos Subject to Minor Damage:

* + - The material should be repaired and/or encapsulated
		- Wherever practicable the material must be labelled as containing asbestos
		- The condition of the material must be monitored at regular intervals
		- Any employees, contractors or other workers likely to work on or disturb the material must be informed that it contains asbestos

# For Asbestos in Poor Condition:

* + - Asbestos in poor condition should be removed by a specialist contractor

**6. Definitions**

# Asbestos

* + - Asbestos is a naturally occurring mineral formed from silicates of various metals, with a tendency to break into long crystalline fibres. It is not toxic, but the sharp, brittle, fibrous nature of the dry inhaled dust presents a serious hazard to health. Chemically, asbestos materials are very stable and relatively inert, and therefore have unrivalled properties of fire and chemical resistance. The fibrous nature of asbestos contributes significant strength when used as an admixture to cementitious or bituminous building materials. It has been widely used for centuries, and exists mainly in three common forms:
			* 'Blue' asbestos (crocidolite)
			* 'Brown' asbestos (amosite), and
			* 'White' asbestos (chrysotile)
		- The finer structure and more brittle forms of blue and brown asbestos make them significantly more hazardous to health than white asbestos, which tends to form longer and more flexible fibres. The types cannot be distinguished by visual observation of colour, and positive identification requires microscopic examination under polarised light

# Duty Holder

* + - The requirements for an asbestos management system are set out in [Regulation 4 of the Control of Asbestos Regulations 2012](https://www.legislation.gov.uk/uksi/2012/632/regulation/4/made). Regulation 4 requires Duty Holders to assess and manage the risks from asbestos in non-domestic premises. The Duty Holder is defined in the Regulation as being those that have contractual maintenance or repair responsibilities, or in the absence of a contract or tenancy, those that are in control of the premises

# ACM

* + - Asbestos Containing Material

**Key Facts - Professionals**

Professionals providing this service should be aware of the following:

* + - All employees at Holbeach & East Elloe Hospital Trust who are required to monitor ACMs must, as a minimum, receive asbestos awareness training appropriate to their role and responsibilities. This training will be periodically refreshed so it remains valid, in most cases training should be updated annually
		- All contractors working on the buildings of Holbeach & East Elloe Hospital Trust need to be made aware of any areas within the building which may contain ACMs and have access to the last asbestos survey report
		- Where ACMs are confirmed within the buildings of Holbeach & East Elloe Hospital Trust, regular inspections (visual) must be completed to determine if any change has occurred to the condition of the ACMs. Photographs should be taken and observations fully documented in the asbestos management notes
		- Any contractor undertaking work on ACMs must only carry out work for which they are appropriately qualified, trained and where required licensed
		- Should a contractor find what they believe to be ACMs (or accidentally disturb ACMs during the course of their work), work must stop IMMEDIATELY and the area be sealed off until inspected by a competent person
		- Any person who has any concerns regarding possible ACMs must report to their line manager
		- All buildings of Holbeach & East Elloe Hospital Trust must have an asbestos survey completed. Buildings post 2000 or which do not have ACMs (i.e. due to renovation works) must have a survey to state that there are no ACMs contained within the building(s)

**Key Facts - People affected by the service**

People affected by this service should be aware of the following:

* + - An asbestos plan will be in place to protect everyone within the buildings of Holbeach & East Elloe Hospital Trust
		- You can raise any concerns regarding ACMs with your Care Worker and you have a right to know the outcome of your request from The Registered Manager
		- Visitors must also raise any concerns regarding ACMs with The Registered Manager or Holbeach & East Elloe Hospital Trust, who must provide, within a reasonable time frame, a suitable answer to their request

**Further Reading**

There is no further reading for this policy, but we recommend the 'underpinning knowledge' section of the review sheet to increase your knowledge and understanding.

**Outstanding Practice**

To be ‘ outstanding ’ in this policy area you could provide evidence that:

* + - The wide understanding of the policy is enabled by proactive use of the QCS App
		- All staff involved in the management of ACMs are trained to a level commensurable with their role and responsibility within the asbestos management plan at Holbeach & East Elloe Hospital Trust
		- An open line of communication between staff and management is maintained at all times with regards to the asbestos management plan at Holbeach & East Elloe Hospital Trust

**Forms**

Currently there is no form attached to this policy.