NORTH LANARKSHIRE COUNCIL
COMHAIRLE SIORRACHD LANNRAIG A TUATH

ABESTOS MANAGEMENT POLICY

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Strategic Alignment

The Plan for North Lanarkshire: Improve North Lanarkshire's Resource Base

Ambition Statement: Ensure we keep our environment clean, safe, and attractive

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Review Date	Annually or more frequently where there has been a change in legislation.

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1. Introduction

North Lanarkshire Council is the 4th largest local authority in Scotland and has a housing stock of approximately 37,000 homes. The council has a legal duty to maintain homes to an acceptable standard and to provide the platform for a quality standard of living for its residents. As such, the council is committed to ensuring asbestos risks are effectively managed across housing stock and non-domestic assets.

North Lanarkshire council recognises that some properties built, owned and managed by the council prior to the year 2000 (prior to this date it was widely used in a variety of building materials) have the potential to contain "Asbestos containing materials" (ACM). If these materials are disturbed, they could risk the health, safety, and wellbeing of tenants and the wider public, if not managed correctly.

If inhaled, ACM's can cause long term asbestos related diseases which can become fatal.

The council as a landlord, employer, and public body has a duty to ensure that any party who has access to council premises are not exposed to the harmful effects of asbestos.

North Lanarkshire council will therefore implement proportionate risk-based asbestos controls, will maintain accurate records, ensure competent and qualified persons are appointed to monitor compliance through inspection, audit, and through performance reporting.

Purpose

The purpose of this policy is to;

- Protect tenants, employees, visitors, contractors and the wider public. This policy is designed to maintain robust governance arrangements.
- Recognise and outline the risks to public health associated with the management of ACMs in North Lanarkshire council owned properties.
- Ensure compliance with the duty to manage asbestos under Regulation 4 of the Control of Asbestos Regulations and to minimise the risk of asbestos exposure arising from Council activities and properties. The Council is committed to protecting the health, safety and welfare of employees, tenants, contractors and members of the public by effectively managing asbestos risks and preventing incidents that could result in serious illness, injury or loss of life, in accordance with applicable health and safety legislation.
- Set clear objectives for ensuring tenants, employees and others who have access to council owned properties are not exposed to the harmful effects of ACMs
- Clearly define responsibilities for communicating and promoting the council's commitment to preventing exposure to asbestos fibres through the provision of appropriate information, instruction and training
- Maintain clear and effective asbestos management arrangements that are communicated and understood by all employees
- Ensure total compliance with the council's Asbestos Management Plan

Scope

This policy applies to:

- All properties owned and managed by North Lanarkshire Council built before the year 2000. This includes our offices and places of work.
- All work-related activities of staff and contractors and ensuring there is an awareness for tenants, staff and contractors where asbestos can be disturbed. This also includes

asbestos management related work streams e.g. management surveys, refurbishment and demolition (R&D) surveys, licensed work, non-licensed work, notifiable non-licensed work, air testing and monitoring
- All staff, tenants, employees, visitors and contractors and any visitors to our buildings including members of the public.

2. Policy Statement

The Council has a duty of care to ensure that employees, contractors, tenants, and all other individuals who use or access its premises and properties are protected from exposure to asbestos-related risks. The Council will take all reasonable and necessary measures to meet its obligations under the Control of Asbestos Regulations 2012, and any subsequent amendments or replacement legislation.

North Lanarkshire Council is committed to complying with all legislation and statutory requirements relating to the management of asbestos. The Council recognises its legal responsibilities and is dedicated to protecting the health, safety and wellbeing of employees, tenants, contractors, visitors, and any other individuals who may be affected by its activities where there is a potential risk of asbestos exposure. To fulfil these responsibilities, the Council will implement and maintain a programme of asbestos surveys across its premises to identify the presence of asbestos-containing materials (ACMs).

Where ACMs are identified, appropriate condition and risk assessments will be undertaken to determine the most suitable course of action. This may include the safe removal of the material or, where appropriate, its continued management in situ through regular monitoring, maintenance, and control measures. An Asbestos Management Plan will be developed and maintained for all North Lanarkshire Council premises where ACMs are known or suspected to be present.

The Council will ensure that no asbestos-containing materials are used or reused during the construction, refurbishment, maintenance, or alteration of buildings, structures, or services. The Council will also provide appropriate asbestos awareness and Duty to Manage training to employees and others who are responsible for managing premises containing ACMs, or who have responsibility for planning, supervising, commissioning, or influencing work that may impact upon asbestos-containing materials.

Any council building constructed before the year 2000 will be presumed to contain ACMs and will have an asbestos management survey completed.

3. Legal Framework

The Council will comply with all relevant legislation and regulatory requirements for managing Asbestos. Set out below is the principal legislation which applies to Asbestos management for the Council.

The Health and Safety at Work Act 1974 (HASAWA); General Duty on Employers. This primary Health and Safety legislation imposes a general duty on employers to ensure the health, safety, and welfare of their employees at work, so far as reasonably practical. This statutory duty is also applicable to “others” who may be affected by the employer’s undertakings (i.e., work activity), such as contractors, tenants, neighbours, owners, visitors, and members of the wider general public.

Workplace (Health, Safety and Welfare) Regulations 1992: These regulations require employers to maintain workplace buildings to protect occupants and workers.

The Management of Health and Safety at Work Regulations 1999 section 3, sets out the duty for every employer to make a suitable and sufficient risk assessment of the risks to health and safety of all of their employees whilst at work and other people not in their employment.

The **Control of Asbestos Regulations 2012** was made under HASAWA and strengthens the protection given to those who might be exposed to asbestos fibres by setting clear health and safety requirements to ensure appropriate control measures are in place to prevent exposure to asbestos from work activities which could disturb asbestos containing materials. In particular, Regulation 4 *'The duty to assess and manage asbestos in non-domestic premises'* places a duty on the Council to manage asbestos in:

- all non-domestic buildings e.g. garage sites and commercial buildings
- the common areas of domestic buildings including hallways, lift shafts, service ducts and roof spaces (this list in not exhaustive)

In addition, work activities with the potential to disturb the fabric of any building must have a suitable and sufficient asbestos assessment as required, to comply with The Control of Asbestos Regulations 2012; 'Regulation 5 Identification of the presence of asbestoses.

L143 Approved Code of Practice (ACOP) Managing and working with Asbestos, further supports the control of asbestos regulations and is published by the Health and Safety Executive which sets out in more detail what duty holders are expected to do in order to comply with the legal requirements. Elderpark is a duty holder in relation to the Control of Asbestos Regulations 2012.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). Exposure to asbestos is reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) when a work activity causes the accidental release or escape of asbestos fibres into the air in sufficient quantity to cause damage to health. If work on asbestos is done without suitable controls, or precautions 10 fail to control exposure, these are 'dangerous occurrences' under RIDDOR and should be reported.

The Construction (Design and Management) Regulations 2015 (CDM). These regulations include requirements for clients and principal designers to work together in assessing the adequacy of existing information, including an asbestos survey, before starting any construction project that could disturb asbestos. The regulations also require information on asbestos-containing materials to be provided at an early stage as part of a package of information to mitigate and manage health and safety risks.

4. Roles & Responsibilities

Delegated Duty Holder and Responsibilities

North Lanarkshire Council has delegated responsibility for the day-to-day management of asbestos within housing properties to the Services and Legislative Team, who fulfil the role of "Asbestos Duty Holder".

The Asbestos Duty Holder is responsible for:

- Establishing, maintaining and reviewing the asbestos register.
- Commissioning asbestos surveys, sampling programmes, monitoring and removal works.
- Maintaining accurate records relating to the location, condition and management of asbestos-containing materials (ACMs).

- Reviewing survey findings, risk assessments and recommendations provided by competent asbestos consultants.
- Ensuring ACMs are inspected and re-assessed as required.
- Making asbestos information available to employees, contractors, tenants and other relevant stakeholders.
- Monitoring implementation of asbestos management arrangements and ensuring resources are sufficient to achieve compliance.
- Identifying training requirements and ensuring relevant staff receive appropriate instruction and guidance.
- Verifying the competence, qualifications and accreditation of asbestos contractors, consultants and analysts.
- Monitoring contractor compliance with asbestos legislation, approved codes of practice and council procedures.
- Providing advice and support on asbestos management matters across housing services
- Ensuring the asbestos removal contractor is complying with all legislation and health and safety advice regarding all aspects of asbestos work.

Asbestos Removal Contractors

Approved asbestos removal contractors employed by NLC's Enterprise and Housing Resources shall:

- Comply with all relevant asbestos legislation, approved codes of practice and guidance.
- Undertake asbestos removal and remedial works using safe systems of work.
- Provide appropriate plans of work, risk assessments and emergency procedures before commencing work.
- Raising any issues relating to the health and safety aspects or additional costs of the project.
- Submit statutory notifications where required.
- Ensuring that all asbestos removal works are carried out in strict accordance with the CAR 2012 and its supporting ACoP L143 Work with Asbestos Materials, and including any subsequent revisions to these documents
- Provide all certification, clearance documentation and completion records following asbestos works.
- Notify the Council immediately of any safety concerns, defects or unforeseen asbestos-related risks encountered during works.
- In addition, all contractors are responsible to comply with terms and conditions set out in the contract.

Contract Administrators

Architects, Quantity Surveyors Engineers and any officers undertaking capital works on behalf of Housing Property & Projects shall:

- Manage contractual arrangements relating to asbestos surveys, analytical services and asbestos removal works.
- Ensure contracts are delivered in accordance with agreed specification, performance standards and legislative requirements.
- Monitor contractor performance and address any contractual issues arising throughout delivery.
- Ensure appropriate asbestos management procedures are followed when commissioning works.
- Resolve any contractual/performance issues in respect of the asbestos measured term contracts.

Technical Officers, Technicians and Clerks of Works

Technical Officers, Technicians and Clerks of Works shall:

- Ensure asbestos information arising from inspections, surveys and works programmes is communicated to the Asbestos Duty Holder.
- Verify relevant asbestos information is available prior to works commencing.
- Support the effective management and updating of asbestos records.
- Monitor works and ensure asbestos management arrangements are adhered to during project delivery.

Occupational Safety and Wellbeing Team

The Occupational Safety and Wellbeing Team supports the Head of Business, Operational and People Solutions in implementing and maintaining the Council's Health and Safety Policy. The team is responsible for promoting effective health and safety management arrangements across services, ensuring that risks are assessed and that appropriate preventative and protective measures are planned, implemented, monitored, reviewed, and continually improved to manage identified risks effectively.

The Occupational Safety and Wellbeing Team shall:

- Provide professional health and safety advice relating to asbestos management.
- Promote compliance with asbestos legislation and recognised industry best practice.
- Support the development, implementation and monitoring of asbestos management arrangements.
- Monitor and report on asbestos-related health and safety performance.
- Ensure asbestos incidents are appropriately reported, investigated and recorded.
- Advise on training needs and emerging legal or regulatory requirements

Council Contractors

All contractors undertaking work on behalf of the Council shall:

- Co-operate with the Council's asbestos management arrangements.
- Attend asbestos awareness training where required.
- Risk assessment and for positively seeking information regarding possible ACMs
- Familiarise themselves with asbestos information relevant to their work activities.
- Avoid damaging, disturbing or interfering with ACMs.
- Immediately stop work and report any suspected or damaged ACMs to their manager.
- Follow all asbestos management procedures and emergency arrangements

Employee's

Employees are responsible not only for their own health and safety but also for supporting the Council in implementing and maintaining arrangements that ensure compliance with statutory health and safety requirements. Employees are therefore expected to:

- Understand the health risks associated with exposure to asbestos fibres.
- Attend asbestos awareness training and other relevant training as required.
- Familiarise themselves with the location of any asbestos-containing materials within their work area by consulting their manager.
- Take care not to damage or disturb asbestos-containing materials.
- Immediately stop work if any known or suspected asbestos-containing material is damaged or disturbed and report the incident to their manager without delay.

5. Asbestos Awareness, Risks and Information Management

What is asbestos?

Asbestos is the collective name for a group of naturally occurring minerals that form long, thin fibres. These fibres are strong, durable, and resistant to heat, electricity, and chemicals. Due to these properties, asbestos was extensively used in construction and manufacturing, both in its raw form, such as insulation and textiles, and combined with other materials, including asbestos cement and insulation boards.

Why is asbestos dangerous?

Exposure to airborne asbestos fibres can cause serious and potentially fatal diseases, including lung cancer, mesothelioma, and other respiratory illnesses. The health risk arises when ACMs are damaged or disturbed, allowing microscopic fibres to be released into the air and inhaled.

Asbestos-related diseases often develop many years after exposure, with latency periods typically ranging from 15 to 60 years. There is currently no cure for many asbestos-related illnesses. The most effective means of preventing disease is to avoid or minimise exposure to asbestos fibres.

There are three main types of asbestos commonly found in buildings:

- **Crocidolite (Blue Asbestos)**
- **Amosite (Brown Asbestos)**

- **Chrysotile (White Asbestos)**

All forms of asbestos present a health risk. Crocidolite and amosite are generally considered more hazardous than chrysotile. The type of asbestos present cannot be reliably identified by colour alone and must be confirmed through laboratory analysis by a suitably accredited organisation.

Although the use of asbestos in new construction and refurbishment has been prohibited for many years, asbestos-containing materials remain present in many older buildings. Where ACMs are in good condition and remain undisturbed, they generally do not present a risk. However, if damaged or disturbed, asbestos fibres may become airborne and create a significant health hazard.

Where there is any uncertainty regarding the composition of a material that may contain asbestos, work must not commence until the material has been sampled and analysed by a United Kingdom Accreditation Service (UKAS) accredited laboratory or contractor.

Who is at risk?

Anyone who damages or disturbs asbestos-containing materials may be exposed to asbestos fibres and associated health risks. Activities most likely to disturb asbestos include construction, refurbishment, repair, maintenance, installation, and alteration works.

Examples of higher-risk activities include:

- Kitchen and bathroom refurbishments.
- Electrical rewiring works.
- Drilling, cutting, sawing, or fixing into walls, ceilings, floors, or other building structures.
- Installation of telecommunications equipment, shelving, CCTV, electrical equipment, or computer systems.

Tradespersons such as joiners, plumbers, electricians, maintenance operatives, and contractors may be particularly at risk where their work involves disturbance of building fabric.

Before undertaking any work that may affect the structure of a building, employees and contractors must consult the relevant asbestos information, risk assessments, method statements, and asbestos surveys to determine whether ACMs are present. Where uncertainty exists, advice must be sought from a supervisor, manager, or the relevant asbestos management team before work proceeds.

Asbestos information and management

Unless reliable evidence confirms otherwise, materials located within properties under the Council's control should be presumed to contain asbestos and managed accordingly. Properties constructed from the year 2000 onwards would not normally be expected to contain asbestos-containing materials.

The Council is committed to maintaining accurate and up-to-date records relating to asbestos within its property portfolio to ensure that employees, contractors, and other relevant persons have access to the information necessary to manage asbestos risks safely and effectively.

The asbestos management system will include information relating to:

- The location of asbestos-containing materials.
- The type and quantity of asbestos present.
- Material condition assessments.

- Recommendations for monitoring, management, repair, encapsulation, or removal.
- Dates and outcomes of inspections and re-inspections.
- Survey and analytical reports.

All asbestos-related records must be maintained, reviewed, and updated as new information becomes available. Any survey findings, sample results, refurbishment surveys, or asbestos management activities must be incorporated into the Council's asbestos records to ensure information remains accurate and current.

Employees and contractors involved in maintenance, refurbishment, repair, or development works must ensure that relevant asbestos information has been obtained and reviewed before work commences. Any concerns regarding suspected asbestos-containing materials must be raised with the appropriate manager or designated asbestos management contact.

Provision and distribution of Asbestos information

The Council maintains an electronic asbestos management system for recording and managing information obtained through asbestos surveys, inspections, sampling programmes, maintenance activities, and remediation works.

Information generated through asbestos surveys or sampling exercises undertaken across the Council's property portfolio must be submitted to the appropriate asbestos management function to ensure central records are updated.

Relevant asbestos information, including survey reports and records relating to common areas, plant rooms, service ducts, communal facilities, and other shared spaces, must be made available to authorised employees and contractors who require access to such information to undertake their work safely.

Where asbestos information is not immediately available through existing records systems, requests should be directed to the designated asbestos management team for advice and assistance.

Where existing records confirm the composition of a material, copies of relevant certification or survey documentation should be provided where appropriate. If no previous records exist, the material should be treated as presumed asbestos-containing until a representative sample has been taken and analysed by a UKAS-accredited laboratory. Following analysis, the asbestos management records must be updated and the results communicated to relevant parties.

Maintaining accurate asbestos information and ensuring its timely distribution is essential to protecting employees, contractors, service users, and members of the public from the risks associated with asbestos exposure.

6. Training and Awareness

All staff likely to encounter or instruct others who come in contact with asbestos will be provided with job specific asbestos awareness training. Update training will be provided on a yearly basis. Employee training requirements are met via the Personal Review and Development (PRD) process where training can be requested by either employee or line manager. All council partners and contractors are required to provide training for their own maintenance / work teams, although assistance will be provided by the Services and Legislative team where required.

The Services and Legislative team provide in-house guidance on asbestos issues / legislation and will provide assistance / guidance to staff, tenants and contractors as required.

7. Monitoring and Review

Monitoring

The Council will monitor the implementation and effectiveness of this policy to ensure that Asbestos being managed appropriately across its housing stock. Monitoring will include compliance with this policy and relevant legal and regulatory requirements, the effectiveness of Asbestos arrangements, and learning from outcomes, trends, complaints, or recurring issues.

Monitoring will be undertaken through appropriate management and governance arrangements.

Reporting and assurance

Monitoring information will be reported through established management and governance arrangements to provide assurance that the policy is being implemented effectively, and that statutory and regulatory obligations are being met. Senior officers are responsible for ensuring appropriate oversight and for using monitoring information to support accountability and service improvement.

Review

This policy will be reviewed once a year to ensure it remains up to date and effective. An earlier review may be undertaken in response to legislative or regulatory change, learning from significant cases or service reviews, or material organisational change. Any revisions will be approved in accordance with the Council's governance arrangements.

8. Equalities, Human Rights and Impact

This policy is consistent with the council's Equal Opportunities Policy and aims to ensure that we act fairly and lawfully on all occasions. We will not discriminate against anyone on the grounds of race, colour, ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief.

An Equalities Impact Assessment (EqIA) has been carried out whilst this policy was being developed to identify any potential adverse impacts on people or groups who share protected characteristic and any opportunities in which to strengthen and promote equalities. This assessment included an assessment of the Fairer Scotland Duty and Human Rights.

Two further impact assessments have been carried out for this policy given the scope and impact of this policy on women, children and health. This included a Children's Rights and Wellbeing Assessment (HIA). A summary of this EqIA can be found on the council's website and the full impact assessments are all available on request.

9. Glossary

Asbestos
Asbestos is a naturally occurring fibrous silicate mineral. All types of asbestos are composed of long and thin fibrous crystals; each fibre being composed of many microscopic "fibrils" that are hazardous if released into the air.

Asbestos Containing Material (ACM)
Is any fabric or structure which has asbestos within its composition.

Asbestos Register
Is a live document which must always contain current information on the presence and condition of asbestos-containing materials (ACMs). It helps actively manage any asbestos, or presumed

asbestos, in buildings. The register is a record of known and presumed ACMs. It will need regular updating in line with any changes to risk, for example deterioration in condition.

Asbestos Refurbishment or Demolition Survey
Must locate and identify ACMs, including those hidden within the building fabric, before any structural work begins at the premises or on equipment. A refurbishment or demolition survey must be carried out by a competent surveyor. It involves destructive inspection and potential asbestos disturbance so the area must be vacated during the survey. The surveyor must confirm it as 'fit for reoccupation' after the survey. A refurbishment or demolition survey aims to ensure ACMs are removed, where required, before the work starts nobody will be harmed by work on ACMs in the premises or equipment such work will be done safely by an appropriate contractor

Asbestos Management Plan
Details who is responsible for the management of asbestos within the premises - the asbestos register: plans for work on asbestos materials; the schedule for monitoring the materials' condition and how the information will be communicated to all employees / contractors.

Asbestos Survey
Provides accurate information on the location, amount and condition of asbestos-containing materials (ACMs). It assesses the level of any damage or deterioration of the ACMs and whether remedial action is required. It provides information to produce an asbestos register and an asbestos management plan for the premises. This would identify hidden ACMs to be removed before refurbishment work or demolition. There are 2 types of survey – a management survey and a refurbishment or demolition survey. Both these survey types are likely to require sampling

Asbestos Management Survey
Allows the duty holder, to produce an asbestos register and an asbestos management plan. It will help manage ACMs during normal occupation and use of the premises. A management survey should include an inspection of the following areas: all rooms, corridors, stairs, basements, cellars, underground rooms and under crofts underfloor coverings, above false ceilings (ceiling voids), lofts, inside risers, service ducts and lift shafts external areas including roofs, soffits, gutters and windows as well as other areas liable to be disturbed by maintenance activities, for example behind access hatches. The value and usefulness of the survey can be undermined if restrictions are based on the survey scope. It can mean areas are not inspected for asbestos, for example due to there being no access at the time of the survey. These areas will need to be presumed to contain asbestos and managed accordingly until they can be inspected.