



# Asbestos Safety Policy

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## 1. POLICY SUMMARY

- 1.1. This policy covers the Asbestos Safety management to all properties and communal areas owned and/or managed by EPIC Housing.
- 1.2. The policy sets out the obligations of EPIC Housing and of the rights and obligations of its customers.
- 1.3. Asbestos Containing Materials (ASMs) in buildings that are in good condition, sealed or otherwise protected and not in a position to be vulnerable to damage are unlikely to release fibres and as such are safe to leave in place; this and recognising that the unnecessary removal of asbestos that is in good condition is a misuse of financial resources and is a practice that could in fact lead to an increased risk of exposure in the short term is a major influence in the formulation of this policy.

## 2. APPLICABILITY

- 2.1. This policy applies to:
  - All employees of EPIC Housing, regardless of employment status, or contractual condition.
  - Board of Directors.
  - All tenants and occupants of property owned by EPIC Housing as detailed in the policy.

## 3. INTRODUCTION

- 3.1. This Policy sets out EPIC Housing's approach and responsibilities in insuring compliance with the relevant legislation and regulatory guidance on the inspection, removal, and monitoring of Asbestos in buildings that we own. This includes undertaking Asbestos Surveys and any associated works or removal.
- 3.2. This approach will ensure EPIC Housing provides the safety of any ACMs in our properties. EPIC Housing accepts its responsibilities as a landlord to promote the health and safety of its tenants, and to ensure that all ACMs are maintained or removed so that they remain safe, effective, and efficient.
- 3.3. This Policy sets out the provisions EPIC has in place to effectively manage the presence or suspected presence of ACMs to minimise risks to customers, staff, contractors, and other users of its buildings. This includes:
  - Identify and record all occurrences of asbestos (in all forms) within the fabric of buildings owned and / or controlled by EPIC.
  - Raise tenant, contractor, and other partner agencies' (e.g., fire and rescue services) awareness of the presence of asbestos and the necessary precautions to prevent risk to health and safety.
  - Safe removal and disposure or encapsulation of asbestos if necessitated by its poor condition or by alterations, refurbishment, or demolition of properties.

#### 4. CONTEXT

- 4.1. The principal legislation applicable to this policy is:
  - The Control of Asbestos Regulations 2012
- 4.2. The principle Approved Code of Practice (ACop) applicable to this policy is:
  - ACop L143 'Managing and working with Asbestos' (Second edition December 2013)
- 4.3. This policy also operates within the context of relevant legislation as below.
  - Health and Safety at Work Act, 1974
  - The Management of Health and Safety at Work Regulations 1999 (as amended)
  - The Building Regulations 2010 and 2022 amendments
  - Defective Premises Act 1972
  - The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
  - Construction Design Management Regulations 2015
  - HSG/264 and HSG/210
  - The Landlord and Tenant Act 1985
  - Housing Act 2004
- 4.4. This policy considers the regulatory expectations as outlined within the Regulatory Framework for Social Housing in England.

#### 5. STATEMENT OF INTENT

- 5.1. EPIC Housing is required to meet all regulatory landlord responsibilities. Under the Control of Asbestos Regulations 2012 (CAR 2012) EPIC have a legal obligation to manage asbestos in non-domestic properties and is the duty holder for the purpose of the legislation.
- 5.2. EPIC Housing will:
  - Find out if asbestos containing materials (ACMs) are present, where we have an obligation to do so, presuming that materials contain asbestos unless we have strong evidence that they do not.
  - Where asbestos is identified in communal areas, as defined in CAW 2012 Regulations, the location, type and condition will be recorded on the Asbestos Management Register. The ACM will be re-inspected and re-assessed annually as a minimum, or more frequently if recommended by the Surveyors. Management Plans and records will be updated accordingly.
  - Ensure that the Asbestos register for all communal space is up to date and made available to persons undertaking any works, prior to works being commenced.

- When domestic properties become empty or are part of a mutual exchange, to undertake an Asbestos Survey if one is not currently in place.
  - Only approved Licensed Asbestos Specialists will be used for any removal of asbestos containing materials and UKAS (United Kingdom Accreditation Service) Accredited personnel for survey and sampling work.
  - All employees who enter properties will be trained and have a basic awareness of asbestos and be informed of its location.
  - Ensure that there is a robust process in place to manage immediately dangerous situations identified during asbestos-related works.
  - Asbestos which is accidentally disturbed MUST be reported immediately through the individual's line manager and the Manager of Asset Management and Building Safety, and an investigation commenced to ascertain the circumstances, including sampling of fibres to determine the content.
  - If work within a property has started and asbestos, or suspected asbestos, has been discovered then all work must CEASE and reported as above.
  - Release of Asbestos fibres resulting in exposure of personnel may be reportable to the HSE under Reporting of Injuries, Diseases and Dangerous Occurrence Regulations, 2012 (RIDDOR).
  - Ensure that an Asbestos Management Plan, an Asbestos Register and required Asbestos Surveys and Reports are in place and kept up to date to ensure we meet all the requirements of HSG/264 and the Control of Asbestos at Work Regulations, 2012.
  - We will self-audit our systems regularly to ensure they are meeting the requirements of this policy and that our Asbestos Safety procedure is robust if a suspected asbestos containing material is disturbed.
  - Where tenants refuse access to undertake our legal obligations in conducting surveys, services, or tests or where ACMs are reported or suspected we will take appropriate action. This includes the utilisation of robust legal proceedings.
  - New tenants are provided with an Asbestos summary in relation to the most recent Asbestos survey where one is available.
  - All alterations or works to a property must ensure that they do not make existing ASMs more vulnerable to fibre release.
  - To keep the most recent Asbestos Survey.
- 5.3. To ensure we provide the above, EPIC Housing will follow their Asbestos Safety procedure and have measures in place to monitor and provide:
- Asbestos Surveys for all communal space and monitoring procedures of existing ACMs.
  - Ensure that all operatives undertaking Asbestos checks or works to the supply and installation owned by us are suitably qualified and experienced. We will check qualifications and registrations annually.

- Where tenants refuse us or our contractor access to undertake our legal obligations, we will utilise robust legal proceedings.
  - Review all Asbestos Surveys to ensure that they are completed correctly and that any follow-up work is completed withing target dates as set out in the Repairs policy.
  - Performance indicators in respect of the percentage of properties with a valid Asbestos Survey and the stage that properties without a valid certificate have reached.
- 5.4. In relation to our service offering, EPIC Housing will:
- Respond to emergencies within two hours, in accordance with our Repairs Policy.
  - Offer to provide both written and verbal instruction on Asbestos safety advice to all new tenants.
  - Audit the service on a cyclical basis in line with the internal audit program approved by the Board or a delegated Committee.
  - Arrange appointments with tenants, providing a minimum of 7 days' notice.
  - Offer appointments outside of office hours where required.
  - Leave calling cards in cases of missed appointments.

## 6. RESPONSIBILITIES

The roles and responsibilities for key stakeholders across EPIC are detailed below.

### 6.1. The Board

- Reviews reports and/or performance indicators to assure itself that the measures detailed in this policy are met.
- Monitors and reviews compliance.
- Ensures legal requirements are met.
- Approves changes to the Asbestos Safety Policy.

### 6.2. The Chief Executive (Duty Holder)

- Ensures that resources are made available to allow for the appropriate management of this policy.
- Is accountable for the proper implementation of this policy.
- Ensures that their responsibilities as the duty holder under the policy is managed to ensure full compliance.

### 6.3. Executive Team

- Ensures that operational activities are compliant.
- Ensures that statutory duties are discharged and meets monthly to review progress and review operational risk to the policy.

- Amends the Asbestos Safety Policy to Board for approval.
- Approves changes to the Asbestos Safety Procedure.
- Ensures landlord compliance and relevant monitoring within this policy.
- Sets out audit requirements to ensure this policy is compliant.

#### **6.4. Head of Asset Management and Building Safety**

- Will work closely with the operational Compliance team to implement this policy.
- Ensures that legal obligations and policy measures are being adhered to and in line with budget.
- Ensures that comprehensive Asbestos Safety Policy and Procedural documents are in place to ensure safe working practices across all sections of the company.
- Takes responsibility for compliance with this Policy.
- Implements a policy review.
- Ensures that financial accounting expenditure relating to Asbestos issues are monitored and included in future budget forecasts.
- Auditing the scheme as instructed by the executive team and/or board.
- Is responsible for the overall implementation and regular review of this policy, ensuring its objectives are achieved.
- Leads on the writing, implementation, monitoring and review of the Asbestos safety policy and associated procedures.
- Is responsible for the compliance and performance indicator reporting to the Executive Team, Board, and the Chief Executive.
- Ensures that any compliance and/or H&S related issues are brought to the attention of the Chief Executive and provides regular updates on service delivery against budget.
- Develops and implements operational procedures to deliver the policy objectives.
- Embeds the policy through staff training, learning and development.
- Monitors the overall effectiveness of the policy in terms of cost, quality and time.

#### **6.5. All employees and External Stakeholders**

- Are responsible for ensuring an understanding and adherence to this policy.
- Report any suspected ACMs whilst visiting any EPIC Housing property.

#### **6.6. Tenants**

- The tenancy agreements of all tenants of EPIC Housing allow access to all properties for the purpose of carrying out Asbestos safety checks, works or removal.
- The tenant is responsible for immediately reporting any concerns with Asbestos.

## 7. MANAGING ASBESTOS SAFETY

- 7.1. EPIC Housing does not employ direct labour to survey, maintain, monitor or remove Asbestos in house, we rely on a network of contractors to deliver our service.
- 7.2. EPIC Housing will take reasonable steps to ensure that all operatives undertaking Asbestos-related works on properties owned by us are suitably qualified and experienced.
- 7.3. Contractors will be given information about asbestos containing materials and the asbestos management plan during the tender phase or before works commence of any refurbishment, decoration, or demolition work.
- 7.4. There is a good line of communication between us, the contractor, and our tenants regarding Asbestos safety in our homes. We will effectively manage expectations for the completion of an asbestos-related service to meet regulations and standards.
- 7.5. EPIC Housing will comply directly and engage with contractors to ensure they comply with all relevant legislation in the delivery of our Asbestos safety service.
- 7.6. An Asbestos Management plan is in place for all domestic properties. The plan will determine the process for obtaining a full asbestos register for all domestic properties and the re-inspection protocol.
- 7.7. During the Asbestos Survey, account will be taken of the available building plans or other relevant information and of the age of the building.
- 7.8. An inspection has been undertaken for a reasonable cross section of properties owned by EPIC Housing so that the information may be utilised to define with a high degree of confidence, the presence of ACMs across the whole property portfolio.
- 7.9. If the Asbestos safety check reveals an unsafe situation, the contractor will apply the appropriate controls and inform EPIC Housing immediately.
- 7.10. All works, repairs, removals, or replacements to our properties will take into consideration the potential for ACMs in the property as below.
  - Obtain all available information in relation to the occurrence, location, extent and condition of any ACMs or suspected ACMs in the building in question.
  - Where there are no records for the property ACMs are to be assumed and works completed accordingly.
  - Risk assessments and method statements have been prepared by a competent person and have considered the potential for ACMs being present.
  - Have in place detailed method statements that fully address all requirements for the safe conduct of the work.
  - Have in place all measures necessary to protect the Health, Safety and Welfare of all persons who may be affected by said works.
  - Have all necessary equipment to undertake the works in a safe manner.

- Where necessary, hold the appropriate licence for conducting works with ACMs and provide necessary notification for the works to the Health and Safety Executive.
- Undertake all works in accordance with all legislative requirements and specific guidance issued by the Health and Safety Executive by virtue of Approved Codes of Practice and Guidance Notes.
- Ensures that all Operatives, Supervisors and Managers involved in the conduct of the works have received appropriate training necessary to ensure the safe conduct of the works.
- Ensures that all asbestos waste generated during the works is disposed of in accordance with the Hazardous Waste Regulations 2005 and that copies of the Consignment notes are provided to EPIC to ensure that Duty of Care responsibilities are fulfilled.
- That information relating to any removal, alteration, repair or change in condition of any ACMs or suspected ACMs occurring because of works is passed to EPIC Housing and is entered onto the appropriate maintenance records.

## **8. SUPPORTING OUR TENANTS**

- 8.1. EPIC Housing will provide customers with advice and assistance. We recognise that some of our customers may need help when it comes to the management of Asbestos in their home. We may, entirely at our discretion, provide a service in addition to the statutory and contractual responsibilities; to assist our customers who may need support to meet the conditions of their tenancy for Asbestos Safety. Each request will be considered on a case-by-case basis.
- 8.2. EPIC Housing will ensure that tenants are aware of our key standards and approach to Asbestos Management and the legal responsibilities applicable.
- 8.3. Tenants will be given suitable information about asbestos hazards in general, and where relevant, locations in their property where asbestos may exist. Tenants will be given access to the property asbestos survey upon request and where available.
- 8.4. EPIC Housing will provide general information for tenants, where necessary, regarding asbestos and the precautions which should be taken, at tenancy sign-up.
- 8.5. Ensure tenants understand the need to seek permission prior to carrying out any decoration in their property where they have been informed of the possibility of ACMs being present in their home. Tenants will be advised to contact EPIC Housing to obtain guidance on any asbestos-related issues.
- 8.6. EPIC Housing will provide appointments where possible to meet the tenant's need. Engaging and encouraging vulnerable tenants to maximise access, utilising out-of-hours appointments, and considering any other request on a case-by-case basis.



## 9. TRAINING

- 9.1. EPIC Housing will ensure that staff who are accountable for the management of Asbestos Safety receive the relevant information, instruction, and training to become competent in the positions they hold.
- 9.2. EPIC Housing will provide the necessary equipment to carry out their duties safely.
- 9.3. EPIC Housing will carry out its duties to our employees in the following way:
  - At induction stage for new employees.
  - For all employees being exposed to new or increased risks because of being transferred or given a change of responsibilities.
  - Introduction of new work equipment or a change to equipment already in use.
  - The introduction of new technology.
  - The introduction of a new or revised system of work.
  - Refresher training.
- 9.4. As a minimum all relevant staff will undertake Asbestos Awareness training and yearly refresher courses thereafter.
- 9.5. All training needs will be structured in such a way as to assess the resulting levels of competency at the point of delivery.
- 9.6. EPIC Housing will have in place an ongoing training programme for all employees in asbestos awareness and safety at a level which is appropriate to meet the requirements of CAW 2012 Regulations and to ensure that potential risks are identified within the business.
- 9.7. The Head of Asset Management and Building Compliance is responsible for the day-to-day operational delivery of Asbestos safety and will be required to have a good working knowledge on the management of Asbestos safety in occupied buildings. They will also be expected to proactively maintain their Continued Professional Development to keep up to date and abreast of relevant industry and legislative changes and that of relevant team members who have day-to-day involvement in this area.

## 10. DATA VALIDATION

EPIC Housing will:

- 10.1. Ensure we have accurate and up-to-date records of all servicing and safety checks carried out to properties, including remedial actions and that copies of relevant certificates / reports are held electronically.
- 10.2. Ensure that on completion of all removals or works, we receive updates and properties are included in ongoing monitoring where asbestos is still present.
- 10.3. Review all Asbestos reports received to ensure that they are completed correctly and that any follow up work is completed, and records updated.
- 10.4. Monitor performance monthly in relation to the percentage of properties with valid Asbestos Surveys.

## **11. EQUALITY AND DIVERSITY IMPLICATIONS**

- 11.1. We are committed to ensuring and promoting equality of opportunity for all. We are opposed to discrimination on any grounds, including race, religion, gender, marital status, sexual orientation, disability, age, or any unjustifiable criteria. We are committed to developing a culture that values people from all sections of society and the contribution which each individual can make. We will ensure our approach to accessing properties is considerate to people's individual needs. We also adhere to the Equality Act 2010.
- 11.2. EPIC Housing recognises that some people experience disadvantage due to their socio-economic circumstances and will strive to ensure no person or groups of persons is treated with injustice due to their personal circumstances.
- 11.3. EPIC Housing will also ensure that all services and actions are delivered within the context of current Human Rights legislation and will make sure the central principles of the Human Rights Act (1998) will be adhered to.
- 11.4. An Equality Impact Assessment (EIA) has been carried out on this policy.

## **12. MONITORING / REVIEW**

- 12.1. EPIC Housing will record and monitor a range of financial and performance indicators to assess and improve the performance of managing Asbestos Safety in our homes. These will include:
  - Government return performance indicators as defined in TSM.
  - EPIC Housing corporate performance indicators for Board and ET.
  - Contractual performance indicators.
- 12.2. EPIC Housing will use a variety of methods to engage with our customers regarding the quality of managing Asbestos Safety and commit to using a listening and learning approach to continually improve the service we offer.
- 12.3. This policy will be reviewed annually. A review may be conducted earlier if there are significant changes to either legislation or EPIC's operating practices.

### **13. ASSOCIATED DOCUMENTS**

- Corporate Plan
- Asset Management strategy
- Repairs policy and procedure
- Damp and Mould policy & Procedure
- Disrepair procedure
- Customer Home Alterations policy
- Compensation policy
- Equality, Diversity, and Inclusion policy
- Violence and Aggression policy
- Safeguarding policy
- Data protection policy
- Health, Safety and Wellbeing Policy
- Tenancy Agreements
- Asbestos Safety Procedure

### Version Control

Date of Review	Reviewer	Version Number	Changes	Date of Next Review	Approved By
Sep 2022	J Mitchell	1.0	New Policy	Sep 2023	Board
Dec 2023	J Mitchell	2.0	Format, reworded sections and Minor changes	Dec 2026	Board