



Asbestos Safety Policy

AST-POL-15-04

June 2023

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0.1	SUMMARY		
	Asbestos Safety Policy		
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1. Introduction

- 1.1 At the time of Policy approval Torus owns and manages in the region of 37,000 Properties. Torus accepts that asbestos is likely to be present in many of its properties built prior to the year 2000 and will therefore manage these properties accordingly.
- 1.2 Torus recognises that the main hazard in relation to asbestos is the non-identification of asbestos and the presence of ACMs (Asbestos Containing Materials) and as such will protect those potentially exposed to asbestos as far as is reasonably practical by minimising the exposure through the use of appropriate control measures and working methods.
- 1.3 The Asbestos Safety Policy details how Torus fully complies with the Control of Asbestos Regulations (CAR) 2012. In addition to the policy Torus has an Asbestos Management Plan that documents the controls in managing asbestos safely, and an Asbestos register which holds records of the assets with Asbestos Containing Material (ACMs).
- 1.4 Torus will follow a systematic approach to the management of asbestos to ensure it meets the requirements set out in the Control of Asbestos Regulations 2012 and other relevant legislation. This is to ensure the safety of employees, tenants, contractors and other persons and stakeholders.
- 1.5 This policy will be used to formulate the Torus Asbestos Management Plan.
- 1.6 Copious amounts of asbestos were used in new and refurbished buildings before Year 2000. Blue (crocidolite) and Brown (amosite) asbestos were banned by law in 1985. Manufacture and supply of all asbestos was banned by the end of 1999. Many premises and older plant and equipment still contain some asbestos. Workers most likely to come into contact with ACMs are those in the construction, maintenance, refurbishment, and related trades. Tenants may also come into contact, particularly when undertaking DIY work. When ACMs are damaged or disturbed, they may release dangerous fibres which, if breathed in, can cause serious diseases.
- 1.7 Torus has the “duty to manage asbestos” in:
 - All non-domestic buildings.
 - The communal areas of domestic buildings, e.g., halls, stairwells, lift shafts, service ducts, roof spaces etc.
 - Although the Duty to Manage does not currently affect all other domestic properties (such as houses and flats) Torus wishes to adopt best practice to safeguard tenants, visitors, operatives, and other occupiers within the housing stock, and will undertake surveys on such properties as work dictates.

2. Statement of Intent

2.1 The key objective of this Policy is to describe how Torus will meet the required statutory, legislative, and regulatory requirements in relation to Asbestos Safety management. It will also cover how Torus's Board, as Duty Holder, will receive assurance of statutory, legislative, and regulatory compliance.

In summary, Torus will:

- Take reasonable steps to assess if asbestos is present
- Record the Location, Type and Condition of any asbestos.
- Assess the Risk/s of anyone being exposed to the asbestos.
- Prepare a Plan on how to Manage the Risk/s.
- Put the Plan into Action, monitor it and keep it up to date.
- Provide information to anyone likely to work on, or disturb, ACMs.
- Set up a system for providing information on the location and condition of the material to anyone who is liable to work on or disturb it (Asbestos Register)
- Ensure Tenants have the facility to request and receive information as to known ACMs
- Ensure that any incident relating to asbestos is thoroughly investigated to establish root cause and embed lessons learnt

2.2 This Policy is applicable to all Properties built or refurbished before the Year 2000 and all Properties constructed before this date will be included within the Asbestos Surveying Programme and assumed to contain ACMs until a survey has been completed and the presence or absence of asbestos has been confirmed.

2.3 If the home or building was built prior to the year 2000 Torus will assume asbestos is present. If the home or building was built after the year 2000 asbestos is unlikely to be present and no further action will be required.

2.4 Torus will comply with all current and relevant legislation and specifically as detailed in the Control of Asbestos Regulations (CAR) (2012)

2.5 Torus 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 Act (HASAWA) 1974 and Landlord Tenant Act 1985, will also be met.

2.6 In addition, as a landlord and provider of Social Housing Torus must meet the requirements of the Regulator of Social Housing's (RSH) Home Standard.

2.7 It is essential to ensure that customers, contractors, staff, and visitors remain safe in our premises (both Domestic and Non-Domestic). Failure to properly discharge our statutory, legislative, and regulatory responsibilities may also result in:

- Prosecution by the Health and Safety Executive under HASAWA 1974.
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007.
- Regulatory intervention (via scrutiny and potential determination of a breach of the Home Standard and serious detriment having been caused/potentially caused) by the RSH.
- Reputational damage.
- Loss of confidence by stakeholders in the organisation.

3. Policy

3.1 In order to comply with statutory, legislative, and regulatory standards, and to ensure the safety of our customers, staff, contractors and visitors to our Properties, Torus will:

3.2 Process

- Provide clear lines of responsibilities for the management of Asbestos Safety, supported by written Guidance in the Asbestos Safety Management Plan.
- Ensure that a clear and consistent process including front-line engagement and enforcement is in place to obtain access to Properties to conduct the Asbestos Survey and any subsequent Remedial Works, which shall include legal action when required.
- Develop a framework to prevent or minimise the exposure to asbestos fibres to the lowest level reasonably practicable to protect customers, colleagues, contractors, and visitors on Torus property.
- Prepare an Asbestos Safety Management Plan to Manage the Risk and Implement the Plan.
- Set out its emergency approach in the case of an unplanned incident, such as accidental damage to ACMs and/or uncontrolled release of fibres. This will be detailed in the Asbestos Safety Management Plan.

3.3 Delivery

- Take reasonable steps to assess if there are ACMs in the premises and, if so, determine the Type/Amount, location, and condition of the asbestos through the following activities:
- Hold up to date Management Surveys of all Non-Domestic Properties constructed prior to 2000 in accordance with recommended Health and Safety Executive (HSE) Guidance (HSG264 and HSG227.)

- Aim to survey 100% of its Domestic Stock (constructed prior to 2000) by delivering a Programme to undertake Management Surveys of the Domestic Stock, that Torus does not currently have surveys for, by 30 December 2025.
- Undertake Asbestos Surveys prior to any Planned Maintenance activity where there is the potential to disturb asbestos or where work is planned for 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 recommended Health and Safety Executive (HSE) Guidance (HSG264 and HSG227.)
- Re-inspection of ACMs within the non-domestic stock annually or sooner at a frequency recommended by the Competent Person.
- Re-inspection of ACMs in domestic properties at void stage as required, depending on the void works to be carried out
- Torus will assess and manage the risk posed by ACMs by doing the following:
 - Presume materials contain asbestos unless it is confirmed that they do not.
 - Ensure appropriate training is available those liable to disturb ACMs in accordance with this Policy and the Asbestos Safety Management Plan
 - Ensuring that those liable to work on ACMs are competent in accordance with this Policy and the Asbestos Safety Management Plan and that work is notified where required
 - Providing Asbestos Safety information to customers in accordance with the Policy
 - Carrying out a Material Risk Assessment (MRA) considering the (i) Material, (ii) Product Type, (iii) Asbestos Type and (iv) Asbestos Fibre Content, (v) Location, and (vi) Condition together with an assessment of the likelihood of disturbance based on accessibility and the activities carried out in the area around the ACM (Asbestos Containing Materials). Based on this assessment a Risk Score will be calculated.
 - Re-inspection Surveys will be undertaken to all ACMs within Communal (Non-Domestic) areas annually, or on such an earlier date which will be determined by the Location, Condition and Risk of Disturbance.
 - Undertaking Remedial Action, in accordance with the Asbestos Safety Management Plan and recommendation of the Competent Person, where the risk identified by the MRA requires it.

3.4 Additional Safety Measures

- Require that tenant alterations that may have an implication regarding Asbestos Safety should be subject to prior notification, agreement, and appropriate landlord's permission from Torus to proceed before they are undertaken as is required by the Tenancy Agreement. Permission will not be unreasonably withheld and when given will be on the provision that certain requirements are met.

- Any work carried out by tenants that is deemed unsafe will be rectified at the tenant's own cost and by Torus's appointed contractor.

3.5 Contractors Competency

- Ensure that contractors are competent, with the following controls operated to ensure competence can be demonstrated:
- Asbestos Management Surveys required under CAR and pre-works Refurbishment and Demolition Surveys will either be undertaken by UKAS (UK Accreditation Service) accredited Consultants to ISO/IEC 17020 Standard or by a directly employed internal surveyor who will be suitably qualified and competent.
- Persons appointed to measure the concentration of asbestos fibres will be ISO:17025 accredited.
- All ACM samples will be tested by an UKAS accredited laboratory.
- All non-licensed work involving ACMs will be carried out with the appropriate Method Statements and Controls in place.
- Maintenance work will only be awarded to/conducted by those contractors held on Torus's list of Approved Contractors for Asbestos Related Works.
- Contractors appointed to undertake Remedial Work or removal of ACMs shall be competent and listed on Torus's list of Approved Contractors. They shall hold a Licence issued by the Health and Safety Executive (HSE) and be members of an appropriate trade association
- All contractor competencies will be subject to annual assessment or at change of contract/contractor, as detailed within the Asbestos Safety Management Plan.

3.6 Internal Competency

- Torus will maintain a Skills/Training Matrix to ensure that all staff undertaking key roles within the scope of this Policy have appropriate training.
- The Responsible Person(s) for asbestos management is trained to a minimum standard of BOHS P405 'The Management of Asbestos in Buildings'
- Operational Managers, Team Leaders, and Supervisors whose services area has direct contact with asbestos materials will undertake Duty to Manage Asbestos Training.
- Employees who have direct, or potentially indirect, contact with asbestos materials will complete Asbestos Awareness Training.
- Torus will ensure that only competent (UKAS accredited) contractors and surveyors are procured and appointed to undertake asbestos management surveys.
- Torus will ensure that competent licensed asbestos removal contractors (LARC) are procured and appointed for all notifiable non-licensed work or licensed works.

- A Quality Assurance process will be adopted via an independent provider to provide a percentage check of survey works completed where internal surveyor resource is utilised

3.7 Data and record keeping

- Torus will maintain a Master Database of all Properties indicating if they do and do not have a requirement for an Asbestos Survey and the associated responsibility.
- Torus will maintain up-to-date electronic records of the Type, Location and Condition of the ACMs (or presumed ACMs) within the Asbestos Register.
- Torus will maintain detailed information on Re-inspection frequencies and of any Remedial Works required. These will be prioritised according to Risk in the view of a Competent Person and include Due Dates and most recent Status Date in the Master Database
- Torus will provide information on the type, location, and condition of ACMs to anyone who is liable to work on or disturb these materials.

3.8 Assurance

- Torus Group will ensure that all persons involved with Asbestos Safety are professionally trained and accredited in accordance with this Policy, including contractors or any persons working on assets which contain ACMs.
- Carry out Works-based Quality Assurance/Quality Control (QA/QC) activity including checks on Asbestos Surveys, Post-Inspection of on-site Works, and Certification Checks to the level stated within the Asbestos Safety Management Plan.
- Set a timetable for the review of the Asbestos Safety Policy and the associated Asbestos Safety Management Plan.

3.9 Communication

- Torus will provide advice to customers regarding asbestos containing materials through leaflets and information on our website.
- Torus will encourage customers, through the provision of publicity information on the importance of Asbestos Safety and of allowing access to carry out Surveys and undertake Works.

4. Implementation

- 4.1 This Policy will be effective from June 2023 following Board/Council/Cabinet approval.
- 4.2 Staff will be made aware of the Policy at priority training and a copy will be available on the Intranet. The Policy will also be uploaded to the Torus website.

- 4.3 This Policy should also be read in conjunction with the Torus Compliance Over-arching Strategy and Asbestos Safety Management Plan.
- 4.4 Appropriate training will be provided for all those staff involved with the operational delivery and implementation of the Landlord Compliance requirements and obligations in respect to Asbestos Safety detailed within this Policy.

5. Consultation

- 5.1 This Policy is based on statutory, legislative, and regulatory requirements and, as such, consultation with customers has not taken place. There has been consultation with Internal Teams within Torus.

6. Equality Impact Analysis (EIA)

- 6.1 We believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including, nationality, ethnic or national origins), religion, belief or non-belief, sex, or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.
- 6.2 Due to the nature of the policy, what it is aiming to achieve and no impact the implementation of the policy will have on employees/customers. An equality analysis is not required to be completed.

7. Monitoring Performance

- 7.1 Performance Indicators (PIs) and Key Performance Indicators (KPIs) will be reported to the Asset Compliance Group, Executive Team or Board at the frequencies outlined within the Asbestos Safety Management Plan.
- 7.2 A detailed PI (Performance Indicators) suite will be defined within the Asbestos Safety Management Plan.
- 7.3 The following Quality Assurance (QA) activity will be undertaken and reported in line with the Asbestos Safety Management Plan:
- Internal Audit.
 - Strategic Review.
 - 3rd Party Assurance.

8. Policy Review

8.1 The Policy will be reviewed every 24 months or earlier if deemed necessary through the Performance Monitoring process.

9. Amendment Log/Version Control

9.1 Revision Detail/Record:

Date of Revision:	Record of Amendments:	Reason for Revision:	By Whom: Name and Title
14/05/2024	Review period revised to 2 yearly or following any significant change	Review	Vicky Houghton, Head of Asset Compliance