



Asbestos Services, Resident Safety Report

- **Living in Hackney Scrutiny Committee**

KEY DECISION

NO

REASON

To provide an overview of the process for Asbestos management within Housing Services.

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1 INTRODUCTION

1.1 This report sets out the current processes and procedures for managing asbestos within Housing Services. The report outlines the background to how asbestos has been historically managed in Housing Services along with the current position and proposed actions to further improve the service.

1.2 The report is issued for information and comments.

2. LEGISLATION

- **CAWR2002** - Control Of Asbestos At Work Regulations 2002
- **CAR2012** - Control Of Asbestos Regulations 2012, ACOP L143
- **HSG227** – Managing Asbestos In Premises
- **HSG247** – Licensed Contractors Guide
- **HSG248** – The Analysts Guide For Sampling, Analysis and Clearance Procedures

- **HSG264 – The Survey Guide**

3. BACKGROUND

- 3.1 The Asbestos team transferred to Resident Safety in October 2018 as part of the review of Housing Services and the introduction of the Resident Safety Service. The team consisted of one full time agency officer who had managed the asbestos surveying and removal contracts within Housing Services. The service relied on contractors from the council's main "Contract One" providers to carry out all surveying and removal works.
- 3.2 A review of the service was carried out in March 2019 and signed off by the Housing Services Management team. The recommendations set out changes required to the service so that we could make improvements whilst also being able to offer a reduction in costs to the Council. The aim of the review was also to further reduce the number of asbestos reported incidents involving residents and operatives.
- 3.3 The agreed changes were implemented to protect employees and residents from exposure to asbestos and also protect the Council's reputation and the risk of prosecution for failing to comply fully with the Control of Asbestos Regulations.
- 3.4 The changes implemented following the review included:
- a) The recruitment of two in house surveyors who carry out all surveys in void properties and all re-inspections of asbestos managed in situ.
 - b) The procurement of an asbestos surveying company who will carry out any out of hours work or emergency work which our in house surveyors are unable to facilitate. This will ensure that there is a robust service available to deal with pre-planned asbestos works and emergency works.
 - c) Started the procurement process for an asbestos removal contractor which again will allow us to respond quickly and efficiently to any pre-planned asbestos removal works and any emergency works required.
 - d) The recruitment of a qualified Asbestos Manager to lead the team and to ensure continual improvements to the service and to maintain the Council's compliance to asbestos legislation.
 - e) Implementation of a new asbestos policy which sets out Housing Services asbestos management system. This was consulted on by all of Housing Services, Corporate health and safety, Legal department and a number of other London Boroughs who were considered critical friends.
 - f) Implementation of a dedicated phone line and email address for residents and employees to report asbestos related issues.
 - g) Implemented annual asbestos awareness training to all Building Maintenance Operatives.

- h) Further development of our Asbestos Register which is now electronic, and we are currently working with ICT to implement a solution to be able to provide all operatives with relevant asbestos information directly to their hand held devices via one touch. However, as an interim solution all operatives are able access all relevant asbestos information via our SAFe database.
- j) Trained all our officers in the Housing Services Asbestos team to P405 standard or above so that everyone in the team can provide comprehensive support to residents when they have contacted us for information.
- k) Introduced a health and safety leaflet which is issued to all new residents providing advice on a number of health and safety issues they need to consider when moving into their new home. This provides specific advice on asbestos and what residents should consider before doing any DIY works on their homes.
- l) Implementation of a more risk based approach to the removal of asbestos rather than a blanket approach of removal which is fully in line with the asbestos regulations.

4. THE GENERAL MANAGEMENT OF ASBESTOS WITHIN HOUSING SERVICES

- 4.1 The way in which we manage asbestos within Housing Services Asbestos is dependent on the type of work that is being carried out, the general management of asbestos within domestic dwellings is managed via the Asbestos Team, Resident Safety. Any planned asbestos surveys are either carried out by the two in house surveyors or where they do not have the capacity or it is out of hours then our appointed contractor carries out the surveys on behalf of the council. We have a close working relationship with the contractor and they are regularly audited by the Asbestos team to ensure they are providing the required level of service and we have a consistent approach (appendix one).
- 4.2 All communal areas within our housing stock that were constructed before 2,000, are subject to an asbestos survey which is recorded on the asbestos register and any identified asbestos highlighted for future reference. Where asbestos is identified and is in poor condition the team will arrange for the specialist contractor to either remove or manage the asbestos in situ.
- 4.3 Management of asbestos can be achieved through the following:
 - a) If the asbestos is in good condition and out of sight and unlikely to be disturbed, then it can be labelled so that any future maintenance work can be assessed in light of known asbestos.
 - b) If the asbestos is in good condition, but likely to be disturbed then it can be protected by an enclosure around the asbestos e.g. lagged pipework running along the bottom of a wall that could be scuffed.
 - c) If the asbestos is in poor or good condition and likely to be disturbed, then it can be sealed or encapsulated e.g. insulating boards or a large pipe that would be difficult to remove or enclose.

d) It can be removed by a licensed removal contractor (appendix two).

- 4.4 The decision on whether to remove the asbestos or to manage in situ is based on a risk assessment which takes into consideration the location, the likelihood of it being damaged and the condition of the asbestos. Any asbestos which is left in situ is subject to a regular inspection to ensure it has not degraded or become damaged and the assessment updated accordingly. Where asbestos which has been inspected and has deteriorated or damaged since the last inspection then arrangements will be made to remove or encapsulate to make it safe.
- 4.5 The Asbestos team also provide advice, support and surveying services to residents who report suspected asbestos within their homes and also to the Building Maintenance Service and Planned Asset Management operatives if they report suspected asbestos. Where asbestos is reported then a survey is carried out and as with the communal areas, the asbestos is subject to a risk assessment to determine whether it needs to be removed or managed in situ. The removal of the asbestos is the most usual approach as it is difficult to control access within someone's home and it may be impractical to carry out a re-inspection annually due to access issues.
- 4.6 As Hackney Council has a large number of properties to manage in regard to asbestos in tower blocks, only a sample of residents' properties will be surveyed and from the results the team will be able to make a presumption of where asbestos is located. For example, if the surveyor carried out a 10% sample of a tower block and found an asbestos panel behind the toilet in the majority of properties then it will be presumed that every property in that block will have the same panel. Therefore the asbestos survey report will state presumed asbestos and the area will be treated as asbestos unless a full survey is carried out to confirm asbestos or not. This is consistent with the recommendations within the Asbestos legislation.

5. MANAGEMENT OF ASBESTOS WITHIN VOID PROPERTIES

- 5.1 As part of our management of asbestos within housing stock the asbestos team take the opportunity to survey all void properties constructed before 2,000, unless there is an up to date report which states there is no asbestos in the property or if there was asbestos it has been removed. Surveying our void properties allows us to identify asbestos, and to make presumptions about other similar properties. It also gives the opportunity to safely remove any asbestos that is likely to be disturbed or damaged. As per the Asbestos regulations where asbestos is found and is in good condition, deemed a low risk and is unlikely to be damaged then it is safer to leave the asbestos in situ and carry out regular inspections. At present the void team use a contractor to carry out the surveying and removal of asbestos and the in house team audit the works carried out, however, with the recruitment of the two in house surveyors we anticipate all asbestos surveys within our void properties will be carried out by the Resident Safety team in future and we expect this to be in place from October onwards. This will enable us to have a consistent approach to the management of asbestos, have more control over the quality of surveys and also be able to make our void properties our priority so that they can be made available to residents as quickly as possible.

6. MANAGEMENT OF ASBESTOS AS PART OF MAJOR WORK OR CAPITAL PROJECTS

- 6.1 Currently where there is any major works or capital projects ongoing such as the replacement of kitchen and bathrooms then the main contractor will take the lead on asbestos. The current practice is that the main contractor will contact the Asbestos team within Housing Services to obtain the most recent asbestos survey and then in consultation with the Asbestos team, as part of the scope of works, will assess whether the works to be undertaken require any known asbestos to be removed. At present the main contractor will arrange for an asbestos licensed removal contractor to carry out this work, who will also carry out an air test on completion and then provide the necessary documentation to the Council. The Asbestos team would then carry out a post inspection and desktop audit of the paperwork to ensure that the contractor has carried out the removal in line with legislation and to a high standard. However going forward we are currently developing a process with our main contractors to ensure that once the removal has been completed then the air testing is carried out by the contractor appointed by the Council to ensure there is no conflict of interest and also to ensure best practice is applied.

7. IMPACT OF CHANGES TO DATE

- 7.1 The changes implemented to date have resulted in a reduction to the cost of the surveying service due to a more risk based approach whilst having a positive impact on the turnover of our voids properties, allowing homes to be allocated much quicker to residents on the waiting lists. We anticipate a further reduction in turnover of voids post October when the asbestos in-house surveyors start carrying out all surveys within voids.
- 7.2 We have been able to make good progress on the asbestos annual inspections where asbestos is known to be present to ensure it is still in good condition and not a risk to residents, employees or contractors.
- 7.3 Early indications are that the impact of the new team, training, advice to residents and information being issued to operatives has had a positive impact on the number of asbestos related issues. There has been a reduction in the number of reports in relation to asbestos being disturbed or damaged. However we have seen a large increase in the number of enquiries from both residents and operatives reporting suspected asbestos so we can take the necessary action and prevent future exposure. Whilst this is a reduction in incidents we must continue to strive for a zero incident ratio.

8.0 THE FUTURE

- 8.1 Whilst we have made good progress in the last 7 months to improve the Council's management of asbestos and hopefully residents understanding of asbestos, we are not complacent, and we continue to make changes to further improve the process. The aim is to review the changes made and assess their success and implement any

further changes that are needed in order to continually improve our management of asbestos. We are also embarking on some collaborative working with neighbouring boroughs to share good practice so that we can all benefit from an improved asbestos service.

8.2 The following changes will be implemented over the next 6 to 12 months:

- a) We have implemented a robust policy, but we are now working with other departments in Housing Services to implement some simple procedures to support the policy and to ensure the policy is consistently implemented across the whole of Housing services.
- b) We are arranging some outreach projects to visit residents where we know that asbestos is present, this will be carried out jointly with our Health and Safety team and Fire Safety team.
- c) We are planning some refresher training for operatives and some management training for managers.
- d) We are looking at the options to implement an online training module which will not replace the classroom course but supplement it, especially for new starters whilst they wait for the annual training to be completed.
- e) We are in the process of developing a resident's portal where residents will be able to access asbestos surveys and management plans on-line.
- f) We are starting to work with Leasehold services to ensure that we support our leaseholders by providing information on asbestos within their properties.
- g) We are working with the Fire Safety team to carry out surveys in the communal areas of our street properties as there has been a history of no access which has now been addressed by a joint arrangements involving Resident Safety, Building Maintenance and Housing Management.
- h) We are also in the early stages of the implementation of a schedule of audits of surveying and removal works carried out by contractors to ensure that works are being carried out to a high standard and are in line with the current asbestos legislation. Where any audits highlight breaches in legislation then these will be dealt with in a robust manner either via the contractor management meetings or by reporting to the Health and Safety Executive.
- i) We will also be implementing contingency plans for emergency response to related asbestos incidents to ensure we incorporate lessons learnt in future processes and again have a consistent approach to incident reporting.
- j) To ensure that the management of asbestos remains at a high standard we will be working closely with Property and Asset Management to support the procurement process of the new main contractors. This will enable us to ensure that any future contractors are aware of our process and procedures and also ensure that all asbestos related works within Housing Services is co-ordinated via

the Asbestos Team, Resident Safety. This in turn will ensure that we are able to continue to keep an accurate and up to date register on all asbestos within our housing stock.

- k) We currently have an electronic asbestos register and management system in place however this system has been in place for many years and early indications are that it is not going to be fit for purpose in the future with the many proposed changes in IT within Housing Services. Therefore, we will be carrying out a review of the current system to see what changes can be implemented and where the necessary changes can not be incorporated then we will consider an alternative option for the future. Any system must be available to both residents and operatives and should interact with current systems we have in place. We will also speak to industry leading management software providers and other Boroughs to see what options are available for us to use going forwards. This work will be progressed in consultation with ICT and the Housing Services ICT Steering Board.
- l) We are also in the process of developing a schedule of works in consultation with our contractor and in house surveyors to carry out new asbestos surveys and management plans in all our communal areas. This will enable us to ensure that all surveys are consistent in appearance, are presented in such a way as to ensure the information is easily understood by anyone without technical knowledge and accurately record known asbestos.

9.0 CONCLUSION

- 9.1 We recognise within this report that since taking over the asbestos service in October 2018 we have made significant progress in raising the profile of asbestos and the importance of effective management of asbestos in our housing stock. However, we also recognise that we still have a number of changes to implement to ensure the service is able to respond to any changes in regulations.
- 9.2 Whilst we recognised meeting the minimum standards is essential, the ambition of the service is to go above and beyond the minimum standards and ultimately ensure that we are implementing wherever possible best practice. This, in turn will ensure residents and employees are not exposed to any asbestos and our residents are not only safe within their homes but also feel safe.
- 9.3 With the ongoing changes to the service, greater collaboration between departments and further education for employees and residents, there will continue to be improvements and development of best practice in all areas of asbestos management.