



ASBESTOS MANAGEMENT POLICY

FOR

Hutton CE Primary School

(Date Reviewed 6th December 2021)

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1.0 **ASBESTOS POLICY**

- 1.1** It is the policy of North Somerset Council to meet the obligations placed by the Health and Safety at Work Act 1974 and the Control of Asbestos Regulations 2012 (CAR).
- 1.2** This Policy has been approved by North Somerset Council (NSC) and forms part of the Corporate Health and Safety Policy and Asbestos Management Plan. It applies to all employees, whether on council or third party premises, contractors and others undertaking work for the Council.

This document must be read in conjunction with the North Somerset Council Asbestos Management Procedures;

- i. North Somerset Asbestos Management Procedures
 - ii. Risk Assessment for North Somerset Council staff visiting third party sites, as applicable
 - iii. Safe systems of work for NSC staff visiting third party sites, as applicable
 - iv. Contractor Checklist
 - v. Permit to Work Arrangements
- 1.3** The Control of Asbestos Regulations 2012 places statutory duties on employers to manage asbestos. Regulation 4 states that the Duty Holder is;
- a) every person who has, by virtue of a contract or tenancy, an obligation of any extent in relation to the maintenance or repair of non-domestic premises or any means of access or egress to or from those premises; or
 - b) in relation to any part of non-domestic premises where there is no such contract or tenancy, every person who has, to any extent, control of that part of those non-domestic premises or any means of access or egress to or from those premises,
 - c) and where there is more than one such duty holder, the relative contribution to be made by each such person in complying with the requirements of this regulation will be determined by the nature and extent of the maintenance and repair obligation owed by that person.
- 1.3.1 What this means in practice is that where North Somerset Council own buildings, structures and features and employ the staff in those buildings, North Somerset Council is the Duty Holder. Duty Holder tasks can be delegated in this instance but not Duty Holder responsibilities. In this case, Legal Duty Holder is North Somerset Council.

In premises such as VA schools and schools with Academy/Community Trust/Foundation Trust status, the Governing Body is the employer and the Duty holder.

- 1.4** To achieve compliance with the Duty to Manage Asbestos in non-domestic premises (Reg 4 CAR 2012), North Somerset Council will:
- a) take reasonable steps to find materials in premises likely to contain asbestos through a Management survey. Materials not sampled will be presumed to contain asbestos unless there is strong evidence to support they do not.
 - b) create and maintain a record of the location and condition of asbestos and presumed asbestos-containing materials (ACMs).
 - c) check their condition and ensure monitoring controls are in place by carrying out re-inspection surveys on an annual basis.
 - d) monitoring will assess the risk of the likelihood of anyone being exposed to these materials. If necessary action will then be taken to encapsulate, repair or remove to eliminate any danger.
 - e) ensure that adequate training and procedures are implemented for employees that as part of their regular duties are;
 - a) liable to disturb asbestos materials,
 - b) likely to become exposed to asbestos containing materials
 - c) influence how work is carried out

No new or replacement materials, plant or equipment which contain asbestos shall be purchased or used.

- 1.5** An accurate and current Electronic Asbestos Register is maintained identifying areas of the buildings or plant containing asbestos and updated following annual reinspections.
- 1.6** Where contracts are placed to do work with Asbestos, these shall only be conducted by the Council's nominated Asbestos Removal Contractor that holds a current asbestos licence issued by the Health and Safety Executive (HSE) Licensing Unit.
- 1.7** Access to North Somerset Council premises are controlled via Permits to Work for Contractors.
- 1.8** All ACMs are identified and managed until the building is refurbished/ demolished or ACM's removed following the requirements of Control of Asbestos Regulations 2012 and associated ACoP guidance documents.

- 1.9 Appropriate emergency procedures are in place in the event of any asbestos in buildings becoming damaged or causing contamination and/or an employee becoming accidentally exposed to asbestosfibres.

In the case of an emergency situation, asbestos incidents are reported to NSC Helpdesk on 01275 884411 during office hours and via CCTV on 01934 622669 out of hours.

2.0 RESPONSIBILITIES OF THE MAIN DUTY HOLDER, OTHER DUTY HOLDERS AND EMPLOYEES

- 2.1 Where North Somerset Council is the employer it has overall responsibility for Health and Safety for the sites and is the main Duty Holder under Regulation 4 CAR Duty to Manage Asbestos (with the exception of Trusts, Foundation, Community Trusts, VA's and Academies as these sites do not fall under their property portfolio).

- 2.2 Main Duty Holder Head of Property & Finance is responsible to;

- a) update and implement the Asbestos Management Policy.
- b) identify and manage asbestos materials in North Somerset properties in conjunction with the technical support of North Somerset Council's Compliance Officer, Karen Geddes to ensure all requirements of the Asbestos Management Policy are met.
- c) carry out all requirements as set out in the Control of Asbestos at Work Regulation 2012 (CAR) Regulation 4.

- 2.3 Deputy for Designated Duty Holder;

- a) Responsible for deputising for the designated Duty Holder as necessary and to accept delegation of responsibility

- 2.4 Duty Holders shall;

- a) liaise with NSC's Compliance Officer for corporate duty holder, as far as necessary, to ensure that requirement of Regulation 4 (2) CAR is complied with.
- b) Ensure that the measures specified for managing the risk of asbestos (presumed asbestos), as specified in the written plan, are implemented.
- c) Ensure any information which relates to asbestos is communicated to the designated Duty Holder to enable the central records to be updated.

2.5 Employees;

- a) Employees are responsible for working in a safe manner and to report any ACMs they suspect may be damaged or which have deteriorated since previous assessment to their Line Manager and in turn report this to the NSC's Compliance Officer, Karen Geddes / Compliance Team.

3.0 **REFERENCES**

- The Health and Safety at Work Act etc 1974.
- The Defective Premises Act 1972.
- The Management of Health and Safety at Work Regulations 1999.
- The Construction (Design and Management) Regulations 2015.
- The Control of Asbestos Regulations 2012.
- ACoP L127;
 - The management of asbestos in non-domestic premises-HSE.
- ACoP L143;
 - Work with materials containing asbestos.
- HSG 227 - A comprehensive guide to managing asbestos in premises.
- HSG 264 – Asbestos: The Survey Guide-HSE
- Managing asbestos in system built schools – HSE