

## Asbestos Management Policy



<b>Policy Title:</b>	Asbestos Management Policy
<b>Policy Author:</b>	Joe Dewar Consultant for Asset Management
<b>Date of Approval:</b>	4 March 2025
<b>Date for Next Scheduled Review:</b>	March 2028
<b>Review Body:</b>	Policy Sub-Committee / Board of Management
<b>Equality Impact Assessment Complete:</b>	The Association is committed to promoting an environment of respect, understanding, encouraging diversity, and eliminating discrimination by providing equality of opportunity for all. Throughout this process the Association will have a consistent approach to promoting equality and diversity across all areas.
<b>Policy Published on Web:</b>	TBC
<b>Associated Policy/Documents:</b>	Repairs & Maintenance Policy, Tenants & Residents Health and Safety Compliance, Electrical Safety Policy, Gas Safety Policy, Lift Policy, H&S Control manual, Medical Adaptations Policy, Estate Management Policy.
<b>Scottish Social Housing Charter Standard</b>	See 9.3 within the policy
<b>Scottish Housing Regulator Standard:</b>	See 9.3 within the policy
<b>Scottish Housing Regulator Guidance:</b>	See 9.3 within the policy

*Ardenglen Housing Association can provide this policy on request, in larger print, in braille, in audio format or in other non-written format, and in a variety of languages, as appropriate*

## Vision

*By providing aspirational homes and high-quality services we will transform communities to enhance the quality of life of our customers.*

## Values

- *Customer and Community Focused*
- *Treating our customers with respect*
- *Accountable*
- *Making a difference*
- *Innovative*
- *Equal access to services and opportunities for all*

## Strategic Objectives

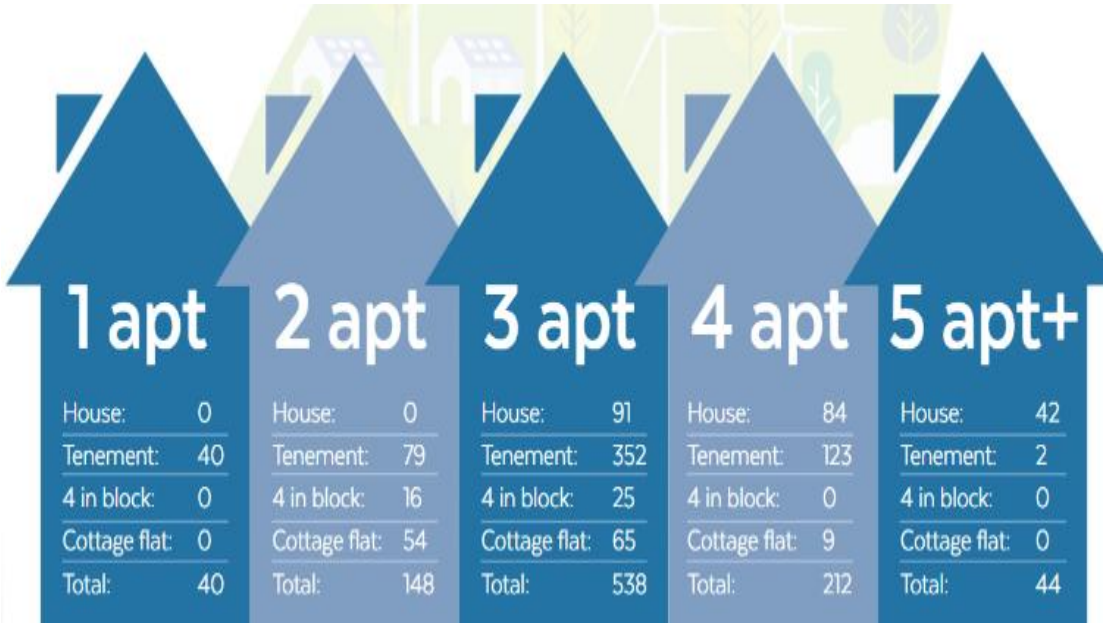

- *Deliver first class customer services*
- *Provide quality homes, communities and sustainable tenancies*
- *Achieve robust financial management and governance excellence*
- *Empower, develop, and engage our staff*
- *Build strong collaborative relationships locally and nationally*

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<b>1.0</b>	<b>Background</b>
1.1	The Policy Sub-Committee are aware that, Scottish Government legislation and regulation compliance is required to ensure buildings are safe, efficient, and sustainable for people in and around them. All compliance elements should be, evaluated in accordance with their individual legislation and regulation requirements, also areas of good practice.
1.2	Scottish Housing Regulator (SHR) commissioned a tenant's health and safety survey November 2021, with the purpose that it would provide SHR, with more information on how landlords (RSL's) gain assurance. Also, that they comply with all their legal duties and responsibilities, in relation to tenants' health and safety.
1.3	This Tenants and Residents Health and Safety Compliance review, within Regulatory Asbestos Management has concluded that the association are compliant to requirements within the Scottish Housing Regulator, social housing compliance within Asbestos Management.
1.4	Ensuring that there is senior-level focus on managing any possible risk, and devoting appropriate time and resource to doing so will help to safeguard the interests of tenants and service users and maintain effective internal controls within this area of Asbestos Management.
<b>2.0</b>	<b>Purpose</b>
2.1	To achieve compliance with the Scottish Housing Regulators Statutory Regulation Standards and to ensure that Ardenglen Housing Association meet all duties on Tenant and Resident Health and Safety Compliance.
2.2	The Association submit an Annual Assurance Statement to the Regulator by confirming whether they meet all relevant legal duties and responsibilities, including Tenants Health and Safety Compliance. This Asbestos Policy meets those standards.
<b>3.0</b>	<b>Introduction</b>
3.1	<p>This Asbestos Management Policy document represents <b>the Association's</b> (AHA) commitment to Tenants and Residents Health and Safety Compliance, in line with the Control of Asbestos Regulations 2012 (CAR12), and to ensure that the association effectively comply with its landlord obligations whenever Asbestos Containing Materials (ACMs) are found in premises owned or occupied by the association.</p> <p>It also has a duty of care to ensure, so far as reasonably practicable, the Health, Safety and welfare of its tenants, residents, employees, service users, contractors, and the general public and others who maybe, affected by its undertakings, where asbestos may be present in our properties.</p>
3.2	The presence of an Asbestos Containing Material (ACM) does not in itself

	<p>constitute a danger. However, the ACM may pose a hazard if disturbed or damaged and must be treated accordingly.</p> <p>The primary purpose of this plan therefore is to ensure that ACMs are not disturbed, except in a controlled environment during the removal process.</p>
3.3	<p>It is also essential that all available information, records (including training) and asbestos register in relation to asbestos management within the association's property portfolios are maintained, updated and distributed to maximum effect, to ensure that all relevant personnel, at every level, are equipped with the most accurate information possible so that they are able to identify and manage asbestos hazards during their day-to-day activities.</p>
<b>4.0</b>	<p><b>The Asbestos Management Policy</b></p>
4.1	<p>Ardenglen Housing Association, Asbestos Management Policy and any proposed Asbestos Management Plan that is being produced will ensure that, as far as reasonably practicable, no persons will be exposed to risks to their health due to exposure to any asbestos containing materials that maybe present in any of the properties it owns, manages, or occupies.</p>
4.2	<p>This Asbestos Management Policy will apply to all properties owned or managed by the association and all individuals employed by the Ardenglen Housing Association residents, contractors/subcontractors, consultants engaged by the association or any current or planned subsidiary companies.</p>
4.3	<p>The Association's aims in relation to the management of asbestos is to;</p> <ul style="list-style-type: none"> <li>➤ Provide an up-to-date Stock Condition Survey and or Asbestos Survey Report for assessment of any asbestos risk, this includes communal areas and roof spaces.</li> <li>➤ Ensure the prevention of exposure to risks associated with asbestos containing materials (ACM's).</li> <li>➤ Promote awareness of any identified risks from ACM's, logged within the Association's Asbestos Register and policy and procedures through training and induction of required association staff and as part of their training and development plan.</li> <li>➤ <b>The Association's Asbestos Register can be viewed by the whole staff and Contractors, upon request or provided to contractors at pre-contract stages of capital work programmes.</b></li> <li>➤ The association will ensure compliance with all relevant asbestos legislation, approved Codes of Practice (COP), Health and Safety Executive (HSE) guidance notes and to commit to the safe disposal of any asbestos waste with appropriate certification, all in accordance with the appropriate asbestos legislation.</li> <li>➤ Maintain an Asbestos Register which will undergo regular reviews and will be updated after any treatment and/or approved removal works have been undertaken. It is envisaged that the Asset/Compliance Assistant will be the gatekeeper and responsible for maintaining and updating the asbestos register.</li> <li>➤ Ensure that an appropriate Asbestos Refurbishment or site clearance certification and strategy are in place in accordance with current legislation.</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Ensure that only the National Accreditation Body (UKAS) asbestos surveyors/consultants are appointed for asbestos surveys or asbestos testing.</li> <li>➤ Ensure that all contractors, sub-contractors, surveyors, and the like engaged to carry out work on any of the association's properties are provided with adequate information on asbestos including access to the association's Asbestos Register and survey reports. Also, during any survey works or works which are being officially carried out.</li> <li>➤ Ensure that all staff of the association and approved contractors are aware of the Asbestos Policy, asbestos survey reports and Asbestos Register &amp; aware of any Asbestos Management Plan.</li> </ul>
<b>5.0</b>	<b>Legislative Regulations and Statutory Guidance</b>
5.1	<p>In developing this policy, recognition was taken of the legislative requirements and practice contained within Appendix 1 and the following documents as reference:</p> <ul style="list-style-type: none"> <li>✓ Health and Safety at Work Act etc 1974</li> <li>✓ Regulation 10 of the Control of Asbestos Regulations 2012 (Requires employers to provide any employees at risk of exposure to asbestos with adequate information and training).</li> <li>✓ Control of Asbestos Regulations 2012 - HSE Document L143 Regulations, Approved Code of Practice and Guidance</li> <li>✓ HSE Guidance HSG248 Asbestos - The Analysis Guide</li> <li>✓ HSE Guidance HSG264 Asbestos: A survey Guide</li> <li>✓ HSE Guidance HSG227 Managing Asbestos in Buildings</li> <li>✓ HSE Guidance HSG210 Asbestos Essentials</li> <li>✓ HSE Guidance HSG247 The Licensed Contractors Guide</li> <li>✓ Approved Codes of Practice ACOP L143 Managing and Working with Asbestos</li> </ul>
<b>6.0</b>	<b>Stock Profile</b>

6.1	<p>When to consider whether asbestos is present within a building the following should be considered:</p> <ul style="list-style-type: none"><li>✓ Do you know for sure that the building was constructed on or after 2000 as it is unlikely that it will contain asbestos.</li><li>✓ Do you know for sure that the building was constructed before 2000, it is presumed that the building will contain asbestos (ACM's), unless you have carried out a full and comprehensive specialist asbestos survey and samples.</li></ul>																																				
6.2	<p><b>Association Stock by Property Type and Apt Size</b></p> <div><table><tr><th></th><th>1 apt</th><th>2 apt</th><th>3 apt</th><th>4 apt</th><th>5 apt+</th></tr><tr><td>House:</td><td>0</td><td>0</td><td>91</td><td>84</td><td>42</td></tr><tr><td>Tenement:</td><td>40</td><td>79</td><td>352</td><td>123</td><td>2</td></tr><tr><td>4 in block:</td><td>0</td><td>16</td><td>25</td><td>0</td><td>0</td></tr><tr><td>Cottage flat:</td><td>0</td><td>54</td><td>65</td><td>9</td><td>0</td></tr><tr><td>Total:</td><td>40</td><td>148</td><td>538</td><td>212</td><td>44</td></tr></table></div>		1 apt	2 apt	3 apt	4 apt	5 apt+	House:	0	0	91	84	42	Tenement:	40	79	352	123	2	4 in block:	0	16	25	0	0	Cottage flat:	0	54	65	9	0	Total:	40	148	538	212	44
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	<p><b>Aerial Photograph of Ardenglen HA Stock</b></p> 																																				
7.0	<p><b>Management of Asbestos</b></p>																																				

7.1	<p>Ardenglen Housing Association recognises the duty imposed by Regulation 4 of Control of Asbestos12 (CAR) to manage asbestos risks associated with occupancy in non-domestic premises and in, particular, the following duties as set out in HSG264 (Item 5.1):</p> <ul style="list-style-type: none"> <li>➤ To take reasonable steps to determine the location of materials likely to contain asbestos.</li> <li>➤ To presume materials to contain asbestos, unless there are good reasons not to do so.</li> <li>➤ To make and maintain a written record of the location of the Asbestos Containing Material (ACM) or presumed ACM within the Asbestos Register.</li> <li>➤ To assess and monitor the condition of ACM and presumed ACM.</li> <li>➤ To assess the risk of exposure from ACM and presumed ACM and prepare a written plan of remediation actions and measures where necessary.</li> <li>➤ To take steps to see that these actions are carried out and maintain a system driven recording within the SDM Housing Management system and Asbestos Register of all actions carried out and risk prevention methods from the Asbestos Survey reports.</li> </ul>
7.2	<p>The association recognises the wider duties set out within CAR12, particularly within Regulations 5 and 6, in respect to maintenance, refurbishment, repair and any demolition works in premises and the need to carry out appropriate, inspection/ surveying risk assessments also planning prior to any proposed works to the fabric of the property.</p>
7.3	<p>To ensure compliance with these broad duties, specific roles, and responsibilities have been defined, including procedures for addressing joint duties with third parties (e.g., mixed tenure properties/Blocks) and all staff will hold the requisite levels of competence to properly discharge their responsibilities.</p>
8.0	<p><b>Roles and Responsibilities</b></p> <p>Ardenglen Housing Association structure and Board/Committee structures are set out below Items 8.1 and 8.2 . The association is led by the Chief Executive Officer and Three Directorates as indicated within the structure see Appendix 1.</p>
8.1	<p>Ardenglen Housing Association staff structure</p> <p><b>Please refer to Appendix 1</b></p>
8.2	<p>Ardenglen Housing Association Board/Committee structure</p> <p><b>Please refer to Appendix 2</b></p>
8.3	<p>Table 1 below summarises the association’s structure of responsibilities to ensure, that those with the most appropriate daily operational functions can manage, supervise, and carry out asbestos related control measures as appropriate.</p>

Designation	Role Responsibility
<b>Board of Management/Committees</b>	<p>The Board of Management and it's Committee are collectively responsible for providing leadership and direction on Health and Safety matters. The Asbestos Management Policy are approved by the Policy Sub-Committee and Board of Management.</p> <p>Board of Management will be responsible for periodically reviewing the effectiveness of the Asbestos Management Policy and any Asbestos Management Plan. Considering reports by Asbestos Co-ordinator and or Works Duty Holders.</p> <p>Acting immediately if any serious deficiencies are identified and escalating concerns to the CEO.</p>
<b>Chief Executive Officer (CEO) &amp; Director of Asset Management</b>	<p>The CEO &amp; Director of Asset Management, will hold ultimate responsibility for the development and implementation of the Asbestos Management Policy and any Asbestos Management Plan.</p>
<b>Director of Asset Management</b>	<p>The Director of Asset Management holds delegated operational responsibility, implementation and management of the policy and any Asbestos Management Plan for the management and control. This includes clear guidance to the Asset and Compliance Assistant, who's responsibility will be to update and maintain the Asbestos Register at all times, with assistance from the Senior Asset Officer and Asset Officers.</p> <p>The Director of Asset Management and Senior Leadership Team within the association will appoint a suitable and competent <b>Asbestos Co-Ordinator</b> to deliver on the operational compliance with the Asbestos Management Policy and any Asbestos Management Plan. Provision should also be made to ensure that all AHA staff are aware of who is responsible and ensure that provision is made for any training and development needs.</p>
<b>Asbestos Co-ordinator</b>	<p>The appointed Asbestos Co-ordinator will have delegated operational responsibility. Implementation of Asbestos Management Policy and or Asbestos Management Plan for the management and control of asbestos during investment activities and day to day maintenance activities. Also ensuring that the maintaining of the asbestos register by the Asset and Compliance Assistant is being maintained and to ensure it is updated on completion of any works on asbestos containing material (ACM's).</p>

	<b>Works Duty Holders</b>	The Three Directorates and their members of staff are classed as duty holders to ensure implementation of the Asbestos Management Policy and any Asbestos Management Plan and support the Asbestos Co-ordinator when required. Informing all staff, Contractors and Sub-Contractors, tenants & residents (were appropriate) as to the presence of any asbestos containing materials (ACM's) known to have been affected by any works.				
	<b>Employees</b>	All persons employed by AHA, ensuring that any works that may disturb or damage known asbestos containing materials (ACM's) is avoided. Report to the Asbestos Co-ordinator any materials suspected of containing asbestos, where the material has become disturbed and/or damaged.				
9.0	<b>Training and Development</b>					
9.1	Asbestos awareness training will be given to all the association staff/ three directorates who may come into contact with asbestos materials (ACM's) within their day-to-day work, or who supervise such work.					
9.2	Awareness Training on the revised Asbestos Management Policy will also be given to all the association's staff/ three directorates staff who supervise such work and be open to other staff as part of their own personal development plan. The Director of Asset Management will be responsible for organising the awareness training.					
9.3	Table 2 defines an outline training matrix applicable to all staff involved in the Asbestos Management Policy and any Asbestos Management Plan . The Director of Asset Management and Asbestos Co-ordinator will ensure the relevant staff are provided with the appropriate training and development and that all, training records will be properly maintained as per Table 2 below.					
	<b>Training area required</b>	<b>CEO</b>	<b>Director of Asset Management</b>	<b>Asbestos Co-ordinator</b>	<b>Work Duty Holders (Directors and their staff)</b>	<b>Board of Management and or Committee</b>
	Asbestos Awareness	✓	✓	✓	✓	✓
	Training on Asbestos Management Policy and Asbestos Management Plan	✓	✓	✓	✓	Optional
	Training on specific Roles	✓	✓	✓	✓	Optional

	& Responsibilities					
	Overview of Asbestos Surveys carried out and findings		✓	✓		
10.0	<b>Continual Improvement and Data Collection</b>					
10.1	The association is committed to achieving continual improvement in the management of risk associated with asbestos. This will involve a regular review of the Asbestos Policy, and the introduction of additional controls within the SDM Housing Management System were, knowledge or new technology develops or when stock condition surveys data is developed, and all property data is updated.					
11.0	<b>Managing and Monitoring</b>					
11.1	If there are significant changes to legislation or regulation or there are found to be, deficiencies or failures in this Asbestos Management Policy an immediate review will be initiated by the CEO. and Director of Asset Management.					
12.0	<b>Compliance with relevant performance standards</b>					
12.1	<p>The <b>Scottish Social Housing Charter</b> came into effect in April 2012, and this sets the standards and outcomes that all social landlords should aim to achieve when performing, their housing activities.</p> <p>The Charter replaces the Performance Standards and states in terms of maintenance of its stock landlords should:</p> <p><b>Manage</b> their business so that tenants' homes, as a minimum, having met the Scottish, Housing Quality Standard by April 2015 and continue to meet it thereafter, and when, allocated, are always clean, tidy and in a good state of repair.</p> <p><b>Manage</b> their businesses so that tenants' homes are well maintained, with repairs and improvements conducted when required, and tenants are given reasonable choices, about when work is done.</p> <p><b>Manage</b> all aspects of their business so that tenants, owners, and other customers, receive services that provide continually improving value for the rent and other charges they pay.</p>					
12.2	Social landlords are responsible for meeting the standards and outcomes set out in the Charter. The Scottish Housing Regulator is responsible for monitoring, assessing and reporting on how well social landlords, individually and collectively, achieve the outcomes.					
12.3	We will, through operation of this Asbestos Policy and any supporting Asbestos Management Plan , demonstrate, compliance with the Scottish Social Housing Charter.					
12.4	The Scottish Housing Regulator's approach to monitoring landlords' achievement of the outcomes and standards in the Charter will be based on the landlord's per performance, information and their own assessment of their performance. For each year ending on 31 March, landlords will be expected to:					

	<ul style="list-style-type: none"> <li>• Measure and assess their performance in progressing towards or achieving the Charter outcomes and standards;</li> <li>• Provide the Regulator with key performance information on their achievement of the outcomes and standards; and</li> <li>• Report their performance to their tenants and other service users who use their services.</li> </ul>								
12.5	<p>In addition, the Association's approach to Asbestos Safety is based on legislation and good practice, and particularly the Raising Standards manual from the SFHA (Scottish Federation of Housing Associations).</p> <p>A recent statement from the Scottish Housing Regulator confirms "In the Annual Assurance Statement to be submitted, we are asking landlords to confirm whether they meet all duties in relation to tenant and resident safety, and in particular that they have obtained appropriate assurance about their compliance with all relevant safety requirements including Asbestos".</p>								
13.0	<b>Risk Management</b>								
13.1	<p>The management of asbestos safety represents a risk to the association in that:</p> <ul style="list-style-type: none"> <li>• Failure to comply with relevant legislation may result in possible legal challenges including criminal proceedings;</li> <li>• Failure to have in place proper accessible documentation and taking responsibility for advising tenants, staff, and contractors of the presence of asbestos containing materials will be contrary to the relevant legislation;</li> <li>• Should staff of the association work with asbestos in the process of removing or any associated downtakings of ACM's this will also be contrary to the relevant legislation.</li> </ul>								
13.2	<p>This Asbestos Management Policy review is conducted in accordance with the association's policy review programme and Tenants Health and Safety Compliance, agreed and approved by the Chief Executive Officer and Policy Sub-Committee and Board of Management.</p>								
13.3	<p>This policy will be subject to review in three years or if there are changes in legislation or Scottish Housing Regulator guidelines.</p>								
14.0	<b>Regulatory Compliance</b>								
14.1	<table border="1"> <tr> <td><b>Standard 1:</b></td><td>The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.</td></tr> <tr> <td><b>Guidance 1.4:</b></td><td>All governing bodies accept collective responsibilities for their decisions.</td></tr> <tr> <td><b>Guidance 1.6:</b></td><td>Every governing body member always acts in the best interests of the RSL and its tenants and service users and does not place any personal or other interest ahead of their primary duty to the RSL</td></tr> <tr> <td><b>Standard 2:</b></td><td>The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders and its primary focus is the sustainable achievement of these priorities.</td></tr> </table>	<b>Standard 1:</b>	The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.	<b>Guidance 1.4:</b>	All governing bodies accept collective responsibilities for their decisions.	<b>Guidance 1.6:</b>	Every governing body member always acts in the best interests of the RSL and its tenants and service users and does not place any personal or other interest ahead of their primary duty to the RSL	<b>Standard 2:</b>	The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders and its primary focus is the sustainable achievement of these priorities.
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	<b>Guidance 2.2:</b>	The governing body recognises it is accountable to its tenants and has a wider public accountability to the taxpayer as a recipient of public funds and actively manages its accountabilities.		
	<b>Guidance 2.4:</b>	The RSL seeks out the needs, priorities, views and aspirations of tenants, service users and stakeholders. The governing body takes account of this information in its strategies, plans, and decisions.		
	<b>Standard 3:</b>	The RSL manages its resources to ensure its financial well-being, while maintaining rents at a level that tenants can afford to pay.		
	<b>Guidance 3.3:</b>	The RSL has a robust business planning and control framework and effective to monitor and accurately report delivery of its plans. Risk to the delivery of financial plans are identified and managed effectively.  The RSL considers sufficiently the financial implications of risk to the delivery of plans.		
	<b>Guidance 3.4</b>	The governing body ensures financial forecasts are based on appropriate and reasonable assumptions and information, including information about what tenants can afford to pay and feedback from consultation with tenants on rent increases.		
	<b>Standard 4:</b>	The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.		
	<b>Guidance 4.1</b>	The governing body ensures it receives good quality information and advice from staff and, where necessary, expert independent advisors, that is timely and appropriate to its strategic role and decisions. The governing body is able to evidence any of its decisions.		
	<b>Guidance 4.3:</b>	The governing body identifies risks that might prevent it from achieving the RSL's purpose and has effective strategies and systems for risk management and mitigation, internal control and audit.		