

Title Asbestos Policy

Applicable Company: Calico Homes

Author: Director of Maintenance and Compliance

Signed Off By: Homes Board

Review Cycle: Bi-Annually

Revision Date: 01/04/2025

Next Review Date: 01/04/2027

Policy Checklist Completed? Yes

Applicable Company: Calico Homes



Contents

1.0	Introduction and Objectives	2
2.0	Scope	3
3.0	Roles and Responsibilities	3
4.0	Legislation, Guidance, and Regulatory Standards	4
5.0	Obligations	5
6.0	Programmes	7
7.0	Follow-Up Work	8
8.0	Data and Records	8
9.0	Competent Persons	9
10.0	Equality and Diversity	10
11.0	Training	11
12.0	Performance Reporting	11
13.0	Quality Assurance	11
14.0	Significant Non-Compliance and Escalation	12
15.0	Glossary	12
	Appendix 1 - Additional legislation.	13

1.0 Introduction and Objectives

- 1.1 As a landlord and duty holder, Calico Homes (Calico) is responsible for maintaining our properties, many of which may contain asbestos. We have a legal 'duty to manage' asbestos in these buildings.
- 1.2 Homes or buildings built or refurbished before 2002 may contain asbestos. Disturbing or damaging asbestos-containing materials can release harmful fibres into the air, posing a health risk. Workers, particularly those carrying out repairs and maintenance, are at risk, but building occupants may also be affected.

- 1.3 This policy aims to ensure our Board, The Senior leadership team (SLT), employees, partners, and customers understand our legal and regulatory asbestos safety obligations. It provides the framework for colleagues and partners to meet these requirements and ensure safety.
- 1.4 This policy supports our commitment to promoting a positive health and safety culture among employees and contractors (as outlined in our corporate Health and Safety Policy). It will be stored on our shared drive, distributed to relevant colleagues, and made available on QUIP.

2.0 **Scope**

- 2.1 Calico Homes has a legal duty to manage asbestos risk in buildings it maintains and repairs. This policy applies to all properties owned, leased, or managed by the Calico Group including rented properties and those managed by third parties, unless specified otherwise in the lease or management agreement. Statutory responsibility for properties managed on behalf of external owners will be detailed in the management agreement.

3.0 **Roles and Responsibilities**

- 3.1 The Board has overall governance responsibility for ensuring this policy is implemented to ensure full compliance with legislation and regulatory standards. As such, the Board will formally approve this policy and review it every year (or sooner if there is a change in legislation or regulation).
- 3.2 For assurance that this policy is operating effectively in practice, the Board will receive quarterly updates on asbestos safety performance and non-compliance.
- 3.3 The Senior leadership team (SLT) will receive monthly performance reports in respect of asbestos safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.

- 3.4 The Compliance Contract Manager will fulfil the role of the Appointed Person and will be the overall responsible person for asbestos on behalf of Calico. He/she will oversee the implementation of this policy with support from the Director of Maintenance and Compliance.
- 3.5 Neighbourhood teams will provide support where gaining access to properties is difficult.

4.0 **Legislation, Guidance, and Regulatory Standards**

- 4.1 **Legislation** - The principal legislation applicable to this policy is:
The Control of Asbestos Regulations 2012.

This policy also operates within the context of additional legislation (see Appendix 1).

- 4.2 **Approved Code of Practice (ACoP)** - The principal ACoP applicable to this policy is:
ACoP L143 - Managing and working with Asbestos (Second edition, 2013).

- 4.3 **Guidance** – The principal guidance documents applicable to this policy are:

- HSG227 - A comprehensive guide to managing asbestos in premises (First edition, 2002).
- HSG247 - Asbestos: The licensed contractors' guide (First edition, 2006).
- HSG264 - Asbestos: The survey guide (Second edition, 2012).
- INDG223 - Managing asbestos in buildings: a brief guide (Revision 5, April 2012).
- HSG210 - Asbestos Essentials: A task manual for building, maintenance and allied trades and non-licensed asbestos work (Fourth edition, 2018).
- HSG248 – Asbestos: The Analysts' Guide (Second edition, 2021).
- Managing and working with asbestos in soil, construction, and demolition materials. CAR/Soil.

- 4.4 **Regulatory Standards** – We will ensure that we comply with the Regulator of Social Housing's regulatory framework and consumer

standards for social housing in England; the Safety & Quality Standard is the primary one applicable to this policy.

- 4.5 **Sanctions** – Failure to discharge our responsibilities and obligations properly, could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution under the Control of Asbestos Regulations; and via a regulatory notice from the Regulator of Social Housing.

5.0 **Obligations**

- 5.1 Under The Control of Asbestos Regulations 2012 (CAR 2012) Calico has a legal obligation under Part 2, Section 4 'Duty to manage asbestos in non-domestic properties' and is the 'Duty Holder' for the purposes of the legislation. We are required to:

- 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.
- Identify the location and condition of any ACMs.
- Assume asbestos is present if the property was built prior to the year 2002. If built after the year 2002 asbestos will not be present and no further action will be required.
- Keep an up-to-date record (an asbestos register) of the location and condition of ACMs or presumed ACMs, this should include any removals.
- Assess the risk from any ACMs found.
- Prepare an Asbestos Management Plan that sets out how we will manage the risk from ACMs, and review and monitor its implementation.
- Set up a system to provide information on the location and condition of ACMs to anyone who is liable to work on or disturb them.

- 5.2 We acknowledge and accept our responsibilities under CAR 2012 as outlined in Section 5, and we recognise that the main hazard in relation to asbestos is the non-identification of ACMs. As such, we will protect those persons potentially exposed to asbestos as far as is reasonably practicable

using appropriate control measures and safe working practices.

- 5.3 To fully comply with CAR 2012, we will have a Board approved Asbestos Policy. We will also have an Asbestos Management Plan, an emergency procedure, and we will maintain an asbestos register.
- 5.4 We will carry out an intrusive refurbishment/demolition survey to domestic and non-domestic properties as and when required, as per HSG264.
- 5.5 We will ensure that information about ACMs (known or presumed) is provided to every person liable to disturb it, accidentally or during their work activities. This includes employees, contractors, and customers.
- 5.6 We will ensure that there is a robust process in place to manage immediately dangerous situations identified during asbestos related works.
- 5.7 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings. We will ensure that contractors liability insurances are up to date on an annual basis.
- 5.8 We will use the legal remedies available within the terms of the tenancy and lease agreement should any customer, leaseholder, or shared owner refuse access to carry out essential asbestos related inspections or remediation works. Where customer vulnerability issues are known or identified, we will ensure we safeguard the wellbeing of the customer during these works.
- 5.9 We will establish and maintain a risk assessment for asbestos management and operations, setting out our key risks from asbestos and

appropriate mitigations.

- 5.10 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs to void and tenanted properties and component replacement works and refurbishment projects and planned maintenance, this will be reviewed as and when required.
- 5.11 We will ensure there is a robust process in place to investigate and manage all Asbestos Incident's and potential releases, we will also manage any RIDDOR reportable occurrences. We will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

6.0 Programmes

- 6.1 All non-domestic properties (communal blocks/ offices/ warehouses etc.) that we own or manage, built prior to the year 2002, will have an asbestos management survey that is compliant with Car 2012 (dated after 6 April 2012 when this legislation came into effect).
- 6.2 Thereafter, we will maintain a programme of asbestos re-inspections for all none domestic properties that contain ACMs (known or presumed). Re-inspections will be carried out annually or in accordance with the frequency and risk level identified by the previous survey.
- 6.3 Properties under management agreement or lease – We will obtain adequate information on ACMs for properties owned by a third party from which Calico homes deliver services. If this information is not available, we will carry out the required asbestos survey and re-charge the property owner for the cost of this work.
- 6.4 Garages – We own and manage garages, many of which may contain ACMs. We will carry out a risk-based programme of sample inspections to

assess the location and condition of ACMs within these garages and implement a programme of remedial works as necessary.

- 6.5 Repairs / planned maintenance - We will review existing asbestos survey information prior to carrying out any intrusive void work, day-to-day repairs, planned maintenance or refurbishment work to the areas of the property that are likely to be disturbed as part of the proposed works.
- 6.6 Where there is no asbestos information, prior to the work taking place, we will commission a refurbishment/demolition survey to the areas of the property that are likely to be disturbed as part of the proposed works. At the same time, we will also undertake a management survey to the remainder of the property. Once completed, survey details will be provided to the relevant operatives or contractors.

7.0 **Follow-Up Work**

- 7.1 Where asbestos is positively identified and removal, sealing or encapsulation is recommended by the competent person, all non-licensed works, notifiable non-licensed works, and licensed works (as defined in regulation 2 of CAR 2012) will be carried out by a Licensed Asbestos Removal Contractor.
- 7.2 When removal or encapsulation works are completed, a re-inspection survey will be carried out to ensure the register is updated with current position.

8.0 **Data and Records**

- 8.1 We will maintain a core asset register of all properties owned or managed by Calico Homes, setting out which properties are and are not required on the asbestos re-inspection programme.
- 8.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from asbestos programmes and the programme remains up to date.
- 8.3 We will keep an asbestos register in the Active H system. The asbestos register will include details of ACMs in the properties we own or manage, with information on the type, address, location, and condition. We will hold inspection dates, asbestos surveys, details of remediation works and evidence of completion of these works in Active H and on Documotive.
- 8.4 We will keep all these records for a minimum of 5 years and in line with best practice and have robust processes and controls in place to maintain appropriate levels of security for all asbestos related data.
- 8.5 We will keep any air monitoring and health surveillance records for at least 40 years.

9.0 **Competent Persons**

- 9.1 The Compliance Contracts Manager is the Appointed Person and operational lead for asbestos and will hold a recognised qualification, either the P405, P402, P407, W504 or other equivalent qualification.

- 9.2 Only competent contractors (as per HSG264) will carry out asbestos management surveys.
- 9.3 Only competent Licensed Asbestos Removal Contractors will carry out work on non-notifiable non-licensed work, notifiable non-licensed work, and licensed works.
- 9.4 Only suitably competent asbestos consultants and contractors will provide third party technical quality assurance checks.
- 9.5 We will check that our contractors hold the relevant qualifications and accreditations upon procurement and then on an annual basis thereafter. We will document these checks and each contractor's certification appropriately.

10.0 Equality and Diversity

This policy ensures that all customers are treated equally, with no discrimination or victimisation based on any protected characteristic as outlined in the Equality Act 2010. Calico Homes has considered its public sector equality duties under Section 149 of the Equality Act 2010, which require the following:

- **Eliminating Discrimination:** Taking steps to prevent any form of discrimination, harassment, or victimisation.
- **Advancing Equality of Opportunity:** Ensuring equal opportunities for individuals with protected characteristics compared to those without.
- **Fostering Good Relations:** Promoting positive interactions and mutual understanding between individuals with different protected characteristics.
- **Ensuring Accessibility:** Calico Homes is committed to providing accessible formats of information, such as Braille, large print, and digital formats for those with visual impairments. We also ensure web accessibility for individuals with disabilities and offer translator services to support effective communication for all customers.

- 10.1 Additionally, the policy considers the diversity of customers in terms of their access to and the delivery of services, ensuring fair and inclusive treatment for all

11.0 Training

11.1 We will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; asbestos awareness training; and on the job training for those delivering the asbestos programme, planned maintenance and repair works as part of their daily job. All training undertaken by employees will be formally recorded.

11.2 Employees without the relevant training should NOT be subjected to the risk of Asbestos Fibre release.

12.0 Performance Reporting

We will report robust key performance indicator (KPI) measures for asbestos safety. These will be provided to SLT monthly and to the Board on a quarterly basis. As a minimum, we will report:

Data – the total number of:

- Properties – Communal blocks and other properties.
- Properties on the asbestos management/re-inspection programme.

Narrative - an explanation of the:

- Current position.
- Corrective action required.

In addition:

- The number of RIDDOR notifications to the HSE with regards to asbestos safety.

13.0 Quality Assurance

13.1 We will require external contractors to provide the results of their own five per cent quality assurance audit checks, as required by UKAS, on a bi-annual basis.

13.2 Internally we will undertake 100 per cent desktop audits of all asbestos surveys and certification.

- 13.3 We will commission an independent audit of asbestos management at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify any non-compliance issues for correction.

14.0 **Significant Non-Compliance and Escalation**

- 14.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety. All non-compliance issues will be reported and escalated and reported immediately.
- 14.2 Any non-compliance issue identified at an operational level will be formally reported to the Compliance Contracts Manager in the first instance, who will agree an appropriate course of corrective action.
- 14.3 In cases of serious non-compliance, the Compliance Contracts Manager, Director of Maintenance and Compliance, Managing Director of Calico homes and the H&S BP will consider whether it is necessary to disclose the issue through RIDDOR reporting to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation.

15.0 **Glossary**

This glossary defines key terms used throughout this policy:

- **Duty Holder:** The owner of the non-domestic premises or the person or organisation that has clear responsibility for the maintenance or repair of non-domestic premises, for example through an explicit agreement such as a tenancy agreement or contract.
- **Management survey:** A survey to enable the management of asbestos-containing materials during the normal occupation and use of premises.
- **Refurbishment/demolition survey:** A refurbishment/demolition survey is a survey which is necessary prior to any works which may affect the fabric of a building, and which is used to locate (as far as reasonably practicable) asbestos-containing materials. The survey may be within a localised area or

cover the whole building.

- UKAS: The appointed national accreditation body for asbestos surveyors. Accreditation is a means of assessing, in the public interest, the technical competence and integrity of organisations offering evaluation services

Appendix 1 – Additional legislation.

This policy also operates within the context of the following legislation:

- Defective Premises Act 1972
- Health and Safety at Work Act 1974
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Occupiers' Liability Act 1984
- The Workplace (Health Safety and Welfare) Regulations 1992
- Personal Protective Equipment at Work Regulations 1992
- The Asbestos (Licensing) (Amendment) Regulations 1998
- The Management of Health and Safety at Work Regulations 1999
- Control of Substances Hazardous to Health Regulations (as amended) 2002 (COSHH)
- Hazardous Waste (England and Wales) Regulations 2005 (Amendment 2009)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Building safety Act

Further Information can be found in the following Calico documents:

- Asbestos Emergency Plan
- Asbestos Management Plan (UNDER REVIEW)