



**Asbestos Management Policy**  
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Appendix 1 – Works Flow Chart

## **1.0 Introduction**

- 1.1 To effectively manage all asbestos containing materials across the property portfolio and to reduce the asbestos related risks to as low a level as is reasonably practicable.
- 1.2 Asbestos containing materials can be in a variety of different constructions materials found in our properties built before the year 2000 where there was an outright ban on using asbestos containing materials in the UK. The risks associated with asbestos, if disturbed and inhaled, can cause serious health risks to our employees, tenants, contractors and visitors to our buildings and over time these health risks can become fatal, from such diseases as asbestosis and Mesothelioma. Southside Housing Association have a duty to manage and control asbestos within all properties owned and managed by the organisation, so far as reasonably practicable to ensure asbestos is not disturbed and no one is exposed to asbestos fibres.

## **2.0 Scope of the Policy**

- 2.1 This policy applies to all properties owned and managed by Southside Housing Association built prior to the year 2000 as well as all work streams and all departments across the organisation

This policy applies to all individuals employed by the Association, to contractors/subcontractors engaged by Southside Housing Association and to Southside Housing Association's tenants.

In line with the legislation listed in section 4 we have duties to ensure:

- 2.2
- All non-domestic properties (e.g. communal areas, offices, garages etc.) have in place a suitable management survey and are re-inspected to the required frequency.
  - We maintain an up-to-date database of all asbestos information for all properties and that all asbestos information is shared with anyone who could disturb asbestos.
  - We appropriately plan all work activities which could disturb asbestos and ensure suitable and sufficient survey information is in place before the work activity starts.
  - Contractors and staff have suitable asbestos training and awareness according to their role and work activities.
- 2.3 This policy is supported by the asbestos management plan. Both documents should be read in conjunction with one another as they set out the framework of management arrangements Southside HA have in place to manage and control the risks associated with asbestos. These documents will set out responsibilities within the organisation to ensure

staff are clear which roles have responsibilities in relation to asbestos.

### **3.0 Policy Aims and Objectives**

- 3.1 The aim of this Policy is to ensure that Southside Housing Association complies with all current Legislation, Codes of Practice and Health and Safety Executive Guidance.
- 3.2 Ensuring all asbestos containing materials (ACMs) within the Association's properties are identified, maintained, inspected and repaired to the highest standard to ensure safe use for tenants and visitors.to ensure we minimise the risk of disturbing asbestos and the risk of exposure to staff, tenants, contractors and members of the public.
- 3.3 To facilitate the effective management of asbestos, ensuring that all reasonable steps are taken to comply with the Control of Asbestos Regulations (CAR 2012) and all other relevant legislation.
- 3.4 To procure appropriately qualified contractors to carry out asbestos surveys in line with legislative/ regulatory requirements and to ensure that any staff assigned to review surveys or carry out general condition inspections are adequately trained.
- 3.5 To maintain a detailed and up to date register of common areas of flatted domestic premises that require to have surveys carried out and records of dates of surveys including any ACM's.
- 3.6 To provide assurance to the Association's Management Committee that measures are in place to identify, manage and mitigate risks associated with the management of asbestos.
- 3.7 To respond appropriately to any new and evolving legislation and guidance in relation to asbestos management to ensure required standards are met.

### **4.0 Legal and Regulatory Framework**

#### **4.1 Scottish Housing Quality Standard (SHQS)**

The Association is committed to ensuring that asbestos management and practices comply with the current outcomes set by the Scottish Social Housing Regulator:

Registered Social Landlords must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes and comply with the Healthy, Safe and Secure elements of the Scottish Housing Quality Standard.

## 4.2 Regulatory Compliance

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Control of Asbestos Regulations (CAR) 2012.
- L143 Approved Code of Practice and guidance - Managing and working with asbestos
- Construction (Design and Management) Regulations 2015 (CDM)
- Reporting of Injuries, Diseases or Dangerous Occurrences Regulations (RIDDOR) 2013
- HSG210: Asbestos Essentials
- HSG247: Asbestos: The licensed contractors' guide
- HSG248: Asbestos: The analysts guide
- INDG 223 A Short Guide to Managing Asbestos in Premises
- HSG264 Asbestos: The survey guide
- The Housing Scotland Act 2006
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR 2013)
- The Workplace (Health, Safety and Welfare) Regulations 1992
- Personal Protective Equipment at Work Regulations 1992
- Environmental Protection Act 1990 Amendment (Scotland) Regulations 2019
- The Waste (Scotland) Regulations 2012

## 4.3 SHR Requirements which are relevant to this Policy are:

- **Regulatory Requirement AN3** - Each landlord must have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety, and;
- **Regulatory Requirement AN4:** Notify us (SHR) of any tenant and resident safety matters which have been reported to or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.

## 5.0 Asbestos Information

- 5.1 The presence of an asbestos containing material in itself does not constitute a danger but there is a potential risk to health if such material is disturbed and damaged. An isolated accidental exposure to asbestos fibres for a short duration is extremely unlikely to result in the development of asbestos related diseases. Regular exposure even at relatively low levels can present an increased risk, but not just to building trades operatives, but to anyone exposed including tenants and anyone else using the building. it

is important to prevent inadvertent exposure to maintenance and repair contractors by having an asbestos register which can be easily accessed and shared with records of all surveys are stored and available.

## **6.0 Our Approach**

6.1 Southside Housing Association will ensure that, as far as is reasonably practicable, no persons are exposed to risks to their health due to the exposure to asbestos containing materials that may be present in any of the properties it owns or occupies. To this end, will:

- Appoint responsible person(s) who will have a duty to ensure these regimes are carried out on time.
- In line with Regulation 4 of CAR 2012 we will survey all non-domestic properties and reinspect at the appropriate frequency by a UKAS accredited contractor.
- We will maintain an accurate and up to date asbestos database of all survey information and share this with anyone who could disturb asbestos
- We will carry out appropriate surveys to any area where we do not hold asbestos information where we suspect there may be asbestos, before the work activity begins
- We will ensure there is appropriate training and awareness in place for staff and contractors.
- Corrective works are carried out quickly to minimise exposure to asbestos.
- Retain records for a minimum of 35 years.

## **7.0 Asbestos Roles**

7.1 The following is the list of officers and roles included within the management of asbestos for the Association:

- Duty Holder – CEO.
- Responsible Person – Director of Property Services
- Deputy Responsible Persons – Maintenance & Void Manager  
Service Contracts Officer  
Asset Management Officer
- Competent Persons – Property Services Officers.

7.2 Delegated authority is granted by the Management Committee through the SHA Scheme of Delegated Authority to the Chief Executive and SHA staff to operationally interpret and implement the Fire Safety Policy and associated procedures.

7.3 The Director of Property Services is responsible for the implementation and monitoring of the operational effectiveness of the Policy, operational management plan and procedures and ensuring all appointed organisations

and individuals have the appropriate levels of skills, knowledge, education and training.

## **8.0 Disturbed ACM (Emergency procedure).**

- 8.1 It is the responsibility of all staff to report to the Property Services & Void Manager if they suspect that disturbed or damaged asbestos containing materials may be present in a building owned or occupied by Southside Housing Association.
- 8.2 In such cases, an external consultant having UKAS (United Kingdom Accreditation Service) accreditation for asbestos sampling and analysis, will be contacted to carry out identification.
- 8.3 If asbestos is identified within the sample, advice will be obtained from a competent consultant on the appropriate course of action.
- 8.4 Where damage to any material known to contain asbestos has taken place and is likely to give rise to airborne respirable fibre release. The Property Services & Void Manager will arrange for isolation of the area pending an investigation and arrange for air monitoring tests, (measurement of airborne fibre concentrations) sampling and analysis by an independent UKAS accredited contractor to determine the level of any potential contamination, or to provide reassurance that unacceptable contamination has not occurred.
- 8.5 Details of air test results will be made available for inspection and record purposes.
- 8.6 Remedial action will be required when airborne fibre levels **exceed 0.01 f/cc**. The nature of the remedial work must be agreed with the Director of Property Services & Assets.

## **9.0 Asbestos Surveys**

- 9.1 HSE expects that no asbestos containing materials would be in use from the year 2000. Southside Housing Association premises and common areas of housing stock built or renovated prior to that date will be subject to an Asbestos Management Survey programme by a competent UKAS accredited surveyor.
- 9.2 The findings of all surveys undertaken will be added to the Asbestos Register including their location and condition along with details on how best to manage the material in all relevant premises.
- 9.3 An asbestos management plan will be developed and implemented, ensuring that all asbestos containing materials are properly managed. This will include procedures for re-inspecting materials and carrying out remedial

works where necessary.

## **10.0 Planned and Reactive Works**

- 10.1 The asbestos register will be interrogated to determine whether works are likely to disturb asbestos material prior to any work being carried out on the fabric of the building and the appropriate precautions taken.
- 10.2 Records of all surveys and discussions with contractors will be retained in the Job File on the Association's management system to demonstrate that asbestos was properly considered and appropriate actions taken to prevent disturbance and exposure.

## **11.0 Working with Asbestos Materials**

- 11.1 No Southside Housing Association staff will be permitted to handle or work on asbestos containing materials (ACM's).
- 11.2 Most work likely to disturb or remove asbestos must be carried out by an HSE licensed asbestos removal contractor and notified to the HSE 14 days prior to commencement.

Control of Asbestos Regulations 2012 does allow work with certain lower risk asbestos containing materials e.g. asbestos cement and asbestos textured coatings to be carried out by non-licensed personnel and without notification to the HSE. The three categories of asbestos work are:

- Major Works: Licensed works – 14-day notification and licenced contractor (highest risk work)
- Minor Works: Notifiable non-licensed works - notification before works start and competent (non-licensed) contractor
- Minor Works: Non-notifiable non-licensed works – no notification and competent (non-licensed contractor)

The HSE flowchart, **Appendix 1** shows the decision-making process on appropriate classification of works

- 11.3 Minor works not required by licensed contractors will be undertaken in a safe manner by appropriately trained personnel, reducing the generation of airborne dusts to as low a level as is reasonably practicable. All method statements and risk assessments for such work will be screened by a competent person prior to work commencing.
- 11.4 Where licensed contractors are required to carry out asbestos works, the following documentation will be requested from the contractor prior to commissioning, and copies kept in the job file:
- Current asbestos licence checks on HSE website
  - Insurance certificate indicating the insured is covered for asbestos work
  - A representative sample of medical examination certificates conducted by an Employment Medical Advisory Service registered



- doctor for personnel who will work on the job
- A representative sample of training records for all personnel who will work on the job provided by a United Kingdom Asbestos Training Association (UKATA) member
- Where applicable, notification of the job to the HSE 14 days prior to commencement
- Method statement and risk assessment for the job

11.5 At the conclusion of all asbestos works, Southside Housing Association will directly appoint a UKAS accredited Asbestos Analyst to carry out the required level of inspection and test.

- Licensed works: 4-stage clearance test
- Minor works: reassurance air test

## **12.0 Notification Requirements**

12.1 Work likely to disturb or remove asbestos must be carried out by an HSE licensed asbestos removal contractor and notified to the HSE 14 days prior to commencement.

12.2 Inadvertent exposure will be reported to the HSE in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

## **13.0 Contractors**

13.1 Ensure that all General Contractors and Subcontractors engaged to carry out work on any of Southside Housing Association's buildings are asbestos aware and provided with adequate information on asbestos which may be disturbed by their works.

## **14.0 Tenant Responsibilities**

14.1 Southside Housing Association will inform tenants of the possibility of ACM's being present and on the requirements for undertaking work on their dwellings.

14.2 Prior to a tenant starting work which will interfere with the fabric and/or services of a property, tenants will be required to seek advance permission from Southside Housing Association.

14.3 Before issuing permission, the Asbestos Register will be consulted and, where ACMs are identified within the proposed work zone the Property Service Team will liaise with the tenant to ensure all appropriate actions are taken.

14.4 Where the asbestos data is inconclusive Southside Housing Association will

review the request and decide whether to refuse permission or to arrange for a Refurbishment Survey to be carried out.

## **15.0 Training & Development**

- 15.1 Staff dealing with the management of asbestos will have training appropriate to their needs and to the needs of the Association within their Personal Training Plans. Ensure that relevant staff of Southside Housing Association and contractors (as identified by a Training Needs Analysis) have appropriate training in this Policy and Procedures.
- 15.2 We will ensure that all employees have an awareness of the policy and receive adequate training to enable them to report issues relating to asbestos and to support our tenants.

## **16.0 Equality and Human Rights**

- 16.1 In applying the Asbestos Management Policy, SHA will ensure it complies with the Equality Act 2010. The Act makes it unlawful to discriminate against, harass or victimise a person because they have one or more of the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.
- 16.2 An Equality Impact Assessment (EqIA) will be carried out in relation to this policy to assess the positive and negative Equality Impacts of this Policy.

## **17.0 Data Protection**

- 17.1 SHA will treat all personal data in line with our obligations under the Data Protection Act 2018, the UK General Data Protection Regulation and the SHA Privacy Policy and Data Retention Policy. Information regarding how SHA process personal data and the legal basis for processing personal data is set out in SHA Fair Processing Notices.

## **18.0 Monitoring and Reporting**

- 18.1 The Director of Property Services is responsible for ensuring the implementation of this policy and supporting procedures by staff, and for the maintenance of all the necessary records on the housing system to enable the compilation of regular reports on asbestos management.
- 18.2 The Operations Sub-Committee will receive reports from the Director of Property Services to allow effective monitoring of the policy and implications for other policies. These reports will include:
- Confirmation of asbestos surveys carried out

- Action plans arising from the surveys
- Confirmation of condition inspections
- Action plan updates
- Incident reports
- Any items requiring significant maintenance investment

## **19.0 Risk Management**

19.1 The management of asbestos represents risk to SHA in the following ways:

- Failure to comply with relevant legislation may result in possible legal challenges including criminal proceedings.
- Failure to comply with regulatory guidance may result in action by the Scottish Housing Regulator.
- Inadequate prioritisation of the rectification of identified hazards may lead to an asbestos related illness.
- Failure to ensure contractors or surveyors appointed to carry out surveys or asbestos related works are suitably qualified and experienced may lead to a failure to leading to adequately control risks.

19.2 In considering the importance of these risks the effective management of this policy is vital. By having a written fire safety policy and procedure the Association can ensure that a consistent uniform and professional approach is adopted, and the service delivered is compliant with legislation and best practice.

19.3 SHA consider and review risk at strategic level through monitoring of the Corporate Risk Register by the Finance and Corporate Services Committee and Management Committee.

## **20.0 Links with Other SHA Policies**

20.1 The Association recognises that asbestos management is dependent on policies and performance in a variety of service areas, including:

- Repairs and Maintenance
- Electrical safety
- Gas Safety
- Void Management
- Planned and Cyclic Maintenance
- Estate Management
- Health and Safety
- Risk Management

## **21.0 Openness and Transparency**

- 21.1 This policy will be published to the SHA website. Associated asbestos management documents and information are available on request from the Association subject to statutory exemptions and exceptions which may be applied to release in terms of the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIR).
- 21.2 SHA will always exercise a presumption to publish information in relation to repairs and maintenance which is in the public interest unless there is a compelling reason as set out in FOISA or the EIRs not to publish.

## **22.0 Review**

- 22.1 This policy will be approved by the Management Committee. It will be reviewed every three years unless amendment is prompted by a change in legislation, operational requirements, customer feedback or as dictated by our risk management strategy. The Director of Property Services will be responsible for the review process.
- 22.2 The policy, in parts, attempts to summarise current legislation. In any case of conflict between the two, legislation will always take precedence.

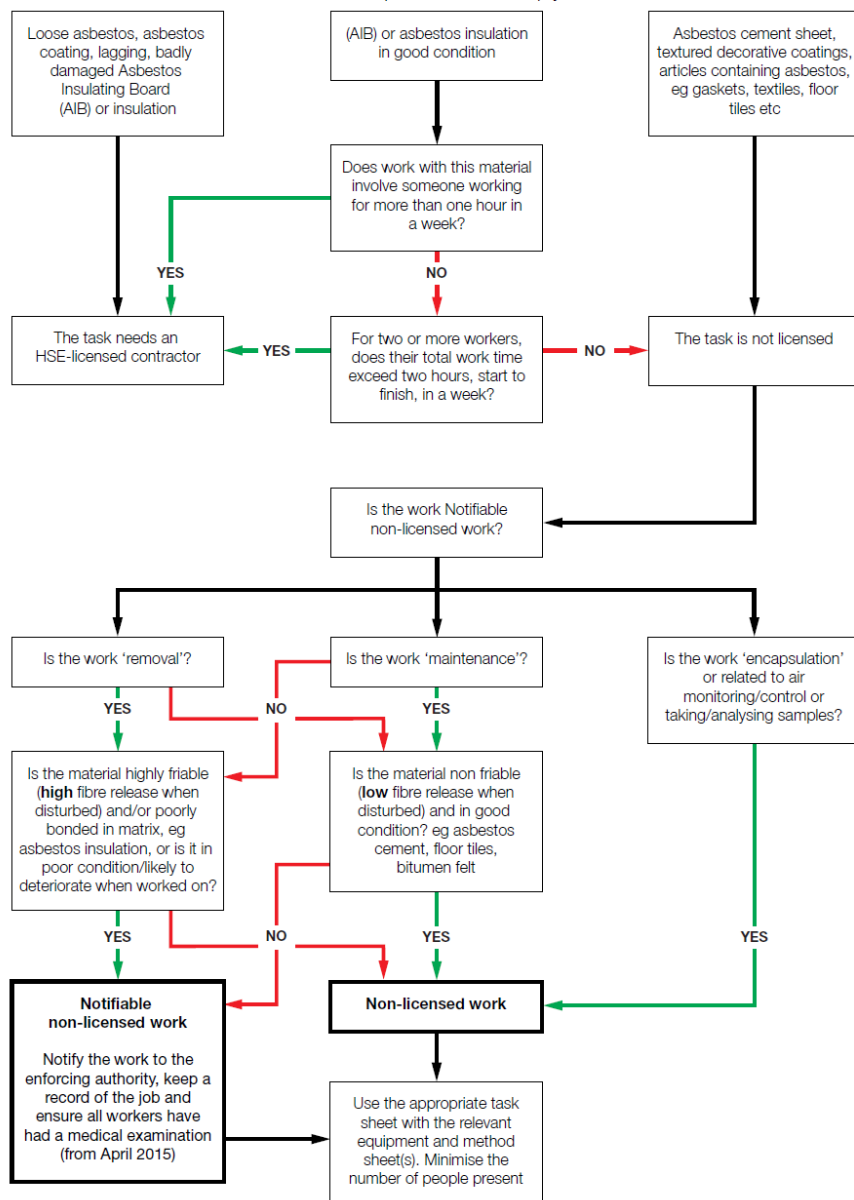
## **23.0 Complaints and Appeals**

- 23.1 If anyone feels that they are dissatisfied with the service they have received as a result of this policy they have the right to complain and should be encouraged to use the Associations Complaints Procedure.
- 23.2 Further information on how to make a complaint is available from the SHA website. Complaints can be made via the website, in person in writing or by email, or by telephoning the SHA office.
- 23.3 We will attempt to resolve complaints quickly through front line resolution by the staff who receive the complaint. Where this is not successful or where the complaint has been categorised as constituting a serious service failure, we will carry out a full complaint investigation.
- 23.4 Beyond SHA's two stage internal procedure, complainants have a right to refer their complaint to the Scottish Public Services Ombudsman (SPSO) for an independent external review. SHA's Complaints Handling Procedure details the way in which complaints can be made to the SPSO, and the timescales for responding.

## Appendix 1

### Decision flow chart

Use this simple flow chart to help you decide who needs to do the work:





### Southside Housing Association

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