

## **CONTROL OF ASBESTOS POLICY AND CONTROL OF CONTRACTORS POLICY**

### **1. RECOMMENDATIONS**

- 1.1 That the Cabinet recommend to Council that the Control of Asbestos Policy (Appendix 1) and Control of Contractors Policy (Appendix 2), be adopted.

### **2. INTRODUCTION**

- 2.1 This report introduces new policies relating to the Control of Asbestos and the Control of Contractors following a review. These policies will set a sound basis to ensure that the Council deals appropriately with its duties relating to asbestos.
- 2.2 As the policies bridge both Housing and Corporate buildings, this report will proceed through the Corporate Affairs and Local Economy and the Housing and Homelessness Overview and Scrutiny Panels, and thereafter Cabinet and Council.

### **3. BACKGROUND**

- 3.1 Following a review of the Council's approach to asbestos, EMT considered a number of recommendations to strengthen the Council's approach to asbestos, including a new Asbestos Policy and a Contractors Policy.
- 3.2 The new Policies ensure that there is clarity in terms of structure and responsibilities for asbestos, as well as the setting up of a new Asbestos Working Group which will oversee the Council's approach to asbestos and ensure good practice. There will also be a need to roll out training for all staff who are either likely, in the course of their duties, to come into contact with asbestos or, who may have responsibility for managing it.
- 3.3 At the present time, work is ongoing to ensure that the Council's asset management systems include the correct information relating to asbestos and that up to date surveys are commissioned to ensure that the Council has up to date records.
- 3.4 It is proposed that Housing Services take a lead role in ensuring a corporate-wide and consistent approach to managing asbestos but all Service Managers who have responsibility for managing physical assets will be required to ensure day to day responsibility for complying with the new policies.

### **4. THE CONTROL OF ASBESTOS POLICY AND THE CONTROL OF CONTRACTORS POLICY**

- 4.1 The new Policies sufficiently address the Council's duties and responsibilities and are structured to ensure the Council complies with the requirements of the respective legislation.

4.2 The Policies salient points are as follows:-

Control of Asbestos Policy (Appendix 1)

- (a) Statement of intent providing a framework of principle policies which will direct all other council policies, procedures and decisions concerning the management of asbestos;
- (b) Clearly identifies legislative and regulatory duties;
- (c) Clear definition of roles and responsibilities;
- (d) Creation of an Asbestos Working Group incorporating key officers to monitor, review and support those responsible managers effectively manage the risks related to asbestos.

4.3 Control of Contractors Policy (Appendix 2)

- (a) Clearly identifies legislative and regulatory duties;
- (b) Clear definition of roles and responsibilities;
- (c) Procurement of contractors for construction activities and appointment of relevant CDM duty holders;
- (d) Contractor incident notification protocol;
- (e) Creation of a CDM Working Group incorporating key officers to monitor, review and support those responsible managers effectively manage the risks related to construction work activities.

**5. FINANCIAL IMPLICATIONS**

- 5.1 Work will be required on an ongoing basis to ensure compliance with the new policies. There will be a need to carry out surveys both within Housing Revenue Account (HRA) stock and the Council's corporate buildings and costs of these are estimated to be £45,000 and £17,000 respectively in 2021/22 with approximately £38,000 being required in 2022/23 for HRA stock and £10,000 for corporate buildings. These costs do not account for any potential removal of asbestos and should this be required, the costs will be dealt with as part of the remedial work, once identified.

**6. ENVIRONMENT / CRIME & DISORDER / EQUALITY & DIVERSITY IMPLICATIONS**

- 6.1 Asbestos can be damaging to the environment if not handled properly. The risk to personal health, is however, more acute. The Council is under legal responsibilities to ensure that its staff, contractors and anyone else coming into contact with asbestos, are not exposed to unacceptable risk arising out of the Council's failure to adhere to the law and standards in respect of asbestos. There are potential serious consequences for local authorities/employers if health and safety requirements are not met.

**7. CONCLUSION**

- 7.1 The Control of Asbestos Policy and the Control of Contractors Policy puts the Council on a sound basis in terms of dealing with the Control of Asbestos Regulations 2012, the Construction (Design and Management) Regulations 2015 and the Health and Safety at Work Act 1974.

**8. OVERVIEW AND SCRUTINY PANEL COMMENTS**

- 8.1 The Housing and Homelessness Overview and Scrutiny Panel and the Corporate Affairs and Local Economy Overview and Scrutiny Panel both considered this report

and associated Appendices at their meetings in September and supported the recommendation.

**9. PORTFOLIO HOLDER COMMENTS – HOUSING AND HOMELESSNESS SERVICES**

9.1 This report ensures a coordinated approach to managing asbestos across both Housing and our Corporate buildings.

**10. PORTFOLIO HOLDER COMMENTS – FINANCE, INVESTMENT AND CORPORATE SERVICES**

10.1 The safety of our residents', staff and contractors is of paramount importance to this Council. It is therefore essential that we maintain, review and update our policies and procedures when it comes to dealing with materials that are potentially hazardous to health.

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