

Code of Practice for Carrying Out Work that may Disturb ACMs (Asbestos Containing Materials)

Introduction

This section of the property handbook is designed to provide clear and simple but prescriptive processes and systems of work that must be followed at all times by anyone involved in arranging work that may disturb ACMs (asbestos containing materials).

Anyone with a role in commissioning, designing, planning, managing or carrying out work that has the potential to disturb ACMs, must read Section B8 of the H&S Manual. This sets out the County Council policy for dealing with ACMs and provides guidance on how we meet our “duty to manage” under the Control of Asbestos Regulations (2012). A copy of this Code of Practice and our policy must be presented to anyone carrying out building work on our behalf including contractors, licensed contractors and asbestos analysts.

Roles

A variety of roles are involved in carrying out work that may disturb ACMs.

Title	Role	Examples
Commissioner	Person who commissions the work	Head teacher, NPO, NCC department
Designer	Person who designs the work. Can be the same person as the Commissioner	Architect, Surveyor, Engineer, Head teacher
Contract Administrator (CA)	Person who runs the contract. Can be the same as person as the Designer	Architect, Surveyor, Engineer, Project Manager, Head teacher
Principal Contractor	Contractor who carries out the main building work	Builder, electrician, heating engineer
Licensed Contractor	Contractor who carries out asbestos removal or encapsulation. Can be the Principal Contractor if work is only asbestos related	Contractor who has a license from the HSE to carry out asbestos work
Analyst	Consultant who carries out asbestos surveys and monitors work of Licensed Contractor	Company on NCC Framework contract
Non-Licensed Contractor	Person who carries out non-licensed works in a building. Can be a Licensed Contractor if their license permits.	School caretaker, site manager, builder, electrician, heating engineer, Licensed Contractor

Procedure for Managing Work Likely to Disturb ACMs within NCC

Figure 1 provides an overview of the process that must be followed by anyone planning any work on or in their building. This is broken down into simpler steps on subsequent pages. The action required in this code of practice is a requirement on the commissioner but some elements may be carried out by a designer, CA or principal contractor on their behalf.

Asbestos work may only be undertaken by Property Services in non-school buildings, except where this may be classified as sporadic and low intensity¹ maintenance work.

Work that involves asbestos can fall into 1 of 3 categories:

- Notifiable Licensed;
- Notifiable Non-Licensed; or
- Non-Licensed Work.

The NCC principles are:

1. If the work involves asbestos and requires notification to HSE, we will use a Licensed Contractor.
2. If the work involves asbestos but does not require notification to HSE, we can follow the procedures set out in Asbestos Essentials provided the person carrying out the work is insured and competent.
3. Notifiable work will be organised by the Property division, non-notifiable work can be organised by others or by Property division on their behalf

Advice about the 3 categories is set out in Appendix 1.

Work in schools

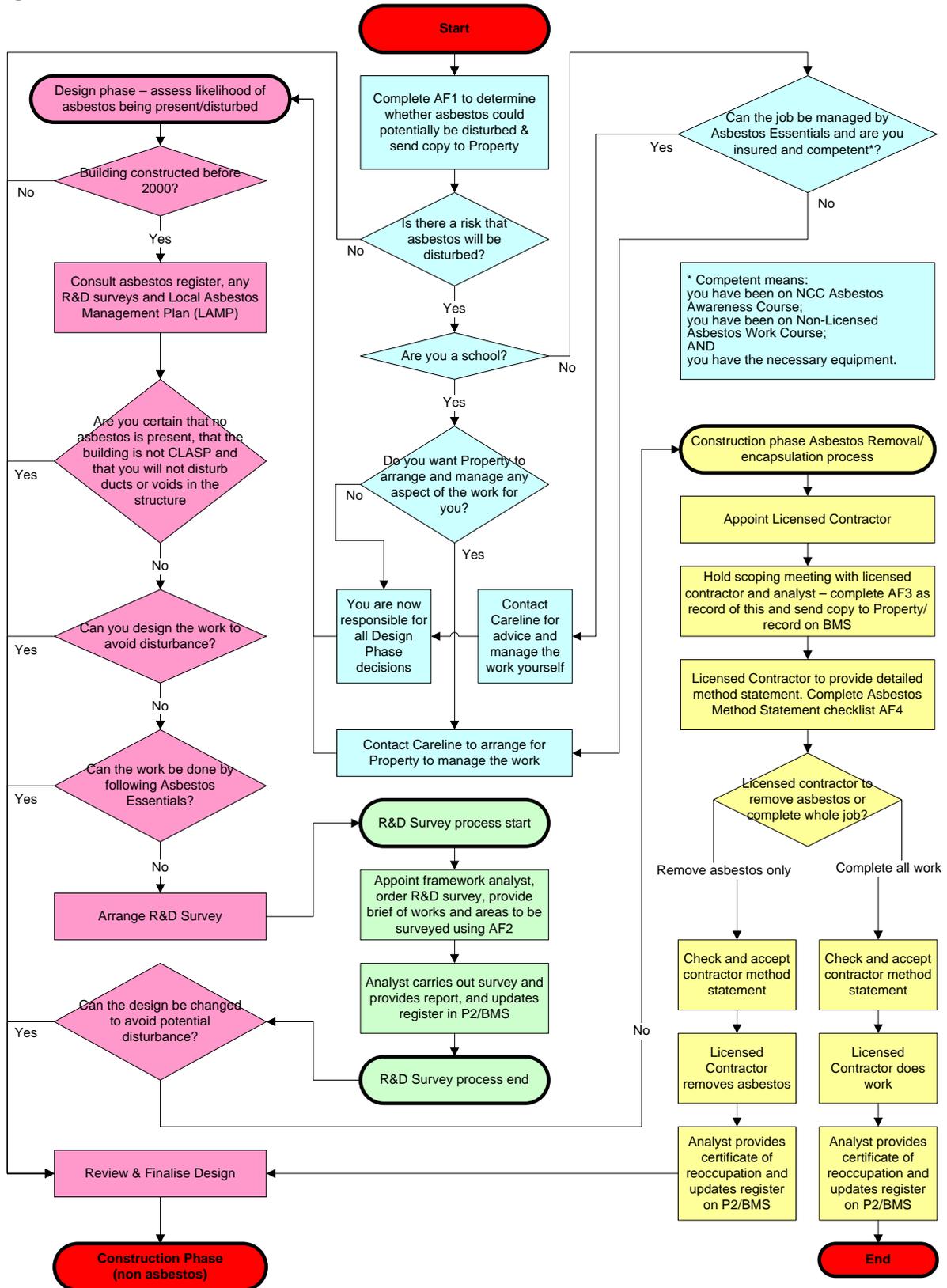
Schools will continue to have the option of managing the work themselves, usually involving appointing a competent contractor to do this on their behalf, but they must comply with this code of practice and this requires them to notify Careline of any work that they plan to carry out. This includes completing all necessary forms (AF1 to 5) and providing copies to Property via email asbestos@nottscc.gov.uk for inclusion on P2/BMS. With freedom comes responsibility and schools that choose to manage asbestos work themselves carry full responsibility and accountability for ensuring legal compliance.

Key to Using This Document

The rest of this document includes relevant sections of the overall flowchart along with further guidance and information. The essential action is in **bold and underlined** in order to ensure that there is absolute clarity about the essential steps that must be taken

¹ sporadic and low intensity refers to the level of potential worker exposure, which means that the control limit must not be exceeded and that the work involves, short non-continuous maintenance activities, or removal of materials firmly linked in a matrix or encapsulation or sealing of ACMs in good condition. Further guidance may be found in appendix 1

Figure 1



Schools should note that they might decide to manage any works that involve the potential disturbance of asbestos themselves, with no input from Property Services. However, where they do so it is extremely likely that they will carry full responsibility for that work and be accountable for any non-compliance and subsequent enforcement action/prosecution identified at any stage, before during or after the work takes place.

Types of Work to Consider

Consideration must be given to the possible disturbance of ACMs for any work that invades the structure of the building. This includes putting up shelves, installing network cabling, replacing light fittings, electrical installation work, fixing projectors and other IT equipment to walls and ceilings, etc. This may even include the lifting of ceiling tiles.

Asbestos regulations allow sporadic and low intensity maintenance work to be carried out in an unlicensed way and further guidance on this is attached as appendix 1. There will still be a need to carry out a risk assessment and follow Asbestos Essentials. Some non-licensed work must still be notified to the HSE and further guidance may be found in appendix 1.

In order to move onto the design stage, it is necessary for the commissioner to consider whether they are likely to disturb ACMs. Table 1 provides an overview of the types of work that may disturb asbestos.

The commissioner must complete form AF1 (See Appendix 2) at the planning stage to ensure that the risk of disturbing ACM's is considered and that there is a written record, which should be provided to the designer and placed on P2/BMS.

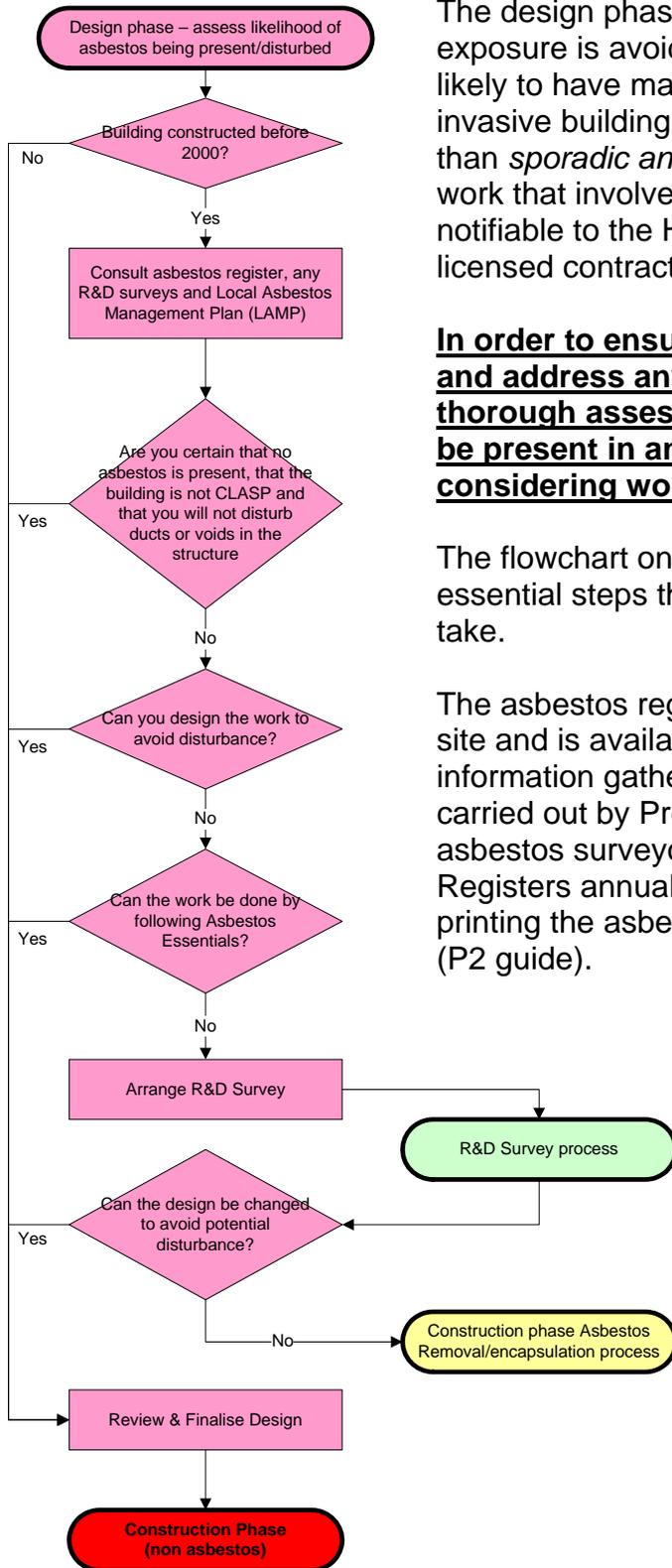
<i>Table 1</i>
Trades that may carry out work that could disturb asbestos:- <ul style="list-style-type: none">• Heating and ventilation engineers• Demolition workers• Carpenters and joiners• Plumbers• Roofing contractors• Painters and decorators• Plasterers• Construction workers• Fire and burglar alarm installers• Shop fitters• Gas fitters• Computer installers• General maintenance staff e.g. caretakers• Telecommunications engineers• Building surveyors• Cable layers• Electricians• ICT Installation companies
Anyone arranging work in a CLASP building will need to ensure that any trades people working in these or similar trades have at least attended an awareness level of training in relation to asbestos.

The designer will also need any relevant details relating to the project including any asbestos information for the site. The next section provides guidance on what this includes and how this can be found.

At this stage, for some work, the easiest way forward will involve avoiding invasive work. One example of how this may be achieved would be the surface fixing of cables rather than drilling. Another consideration at this stage, rather than carrying out a full R&D survey may be to appoint a licensed contractor to do the work safely in accordance with the HSE guide *Asbestos Essentials* (HSG210)². Advice must be sought from *Property Careline* before work proceeds.

² <http://www.hse.gov.uk/asbestos/essentials/index.htm>

Design Phase



The design phase is key to ensuring that any potential exposure is avoided. At this stage the commissioner is likely to have made a tentative decision to go ahead with invasive building related work, subject to design. Other than *sporadic and low intensity* maintenance work, any work that involves the disturbance of ACMs is likely to be notifiable to the HSE and will need to be carried out by licensed contractors.

In order to ensure that the designer is able to consider and address any asbestos risks, they must carry out a thorough assessment of whether asbestos is likely to be present in any of the areas that they are considering working in.

The flowchart on the left provides a process map of the essential steps that the commissioner or designer must take.

The asbestos register holds the asbestos data for each site and is available on BMS/P2. It is produced from information gathered during any asbestos surveys that are carried out by Property Services. A team of qualified asbestos surveyors from the Property Division updates the Registers annually. Further guidance on reading and printing the asbestos register can be found in Appendix 3. (P2 guide).

For CLASP buildings, the SCAPE Guide (available on P2) provides information about potential locations and forms, broken down by the type (mark) of CLASP.

The LAMP (Local Asbestos Management Plan) is a site-specific plan that records who does what to manage asbestos. It is based on information, including the assessment of risk contained within the asbestos register. It provides a local plan for ensuring that ACMs are regularly monitored and appropriately managed.

Where there is uncertainty about whether asbestos is present or work cannot be designed to avoid potential disturbance, a Refurbishment & Demolition Survey must be carried out.

Asbestos Surveys

There are two types of survey that the commissioner or designer may also need to consult or commission: -

Management Surveys

These are provided by Property on BMS/P2. They record the location of any ACMs that might be encountered during the day-to-day occupation of the building so that it can be managed. As part of the survey, samples are taken and analysed, a risk assessment is carried out, and management recommendations provided. **This type of survey does not usually go into the structure (within cavities or above ceilings).**

It will identify some ACMs but not all. It can therefore be used on some occasions to determine what action is appropriate but only where there is clarity about the location, type and condition of ACMs. This could, for example, provide the certainty required to enable work to be carried out in accordance with Asbestos Essentials.

However, if the commissioner is planning work that breaks into the fabric of the building i.e. working in ceiling voids, screwing items into walls, cabling etc, they need to be absolutely certain that any ACMs are identified and dealt with appropriately. If there is any uncertainty around the presence of ACMs, the commissioner or designer **must** commission a Refurbishment and Demolition survey.

Refurbishment & Demolition Surveys (R&D Surveys)

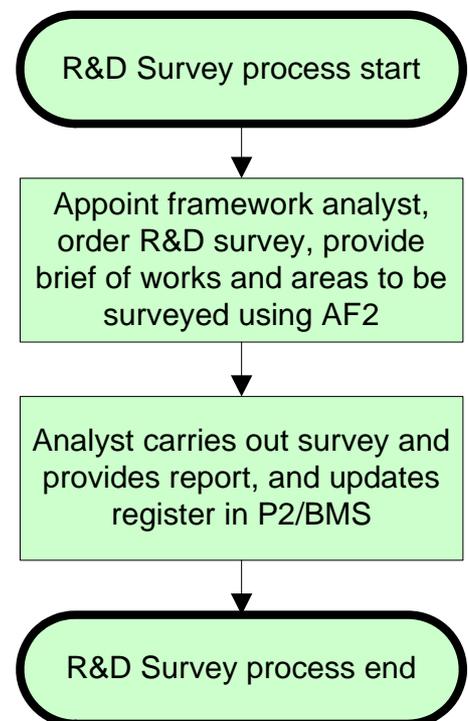
These are intrusive surveys of the areas that are going to be disturbed by any planned work and are carried out before the design is finalised and before any work can proceed. Samples are taken and analysed, their condition assessed and recommendations made for dealing with any ACMs found. The extent of the area to be surveyed is defined and limited by a brief that is based on the planned works.

To carry out an R&D Survey you will need to ensure that you have appointed a framework analyst and fully briefed them using form AF2, see Appendix 2.

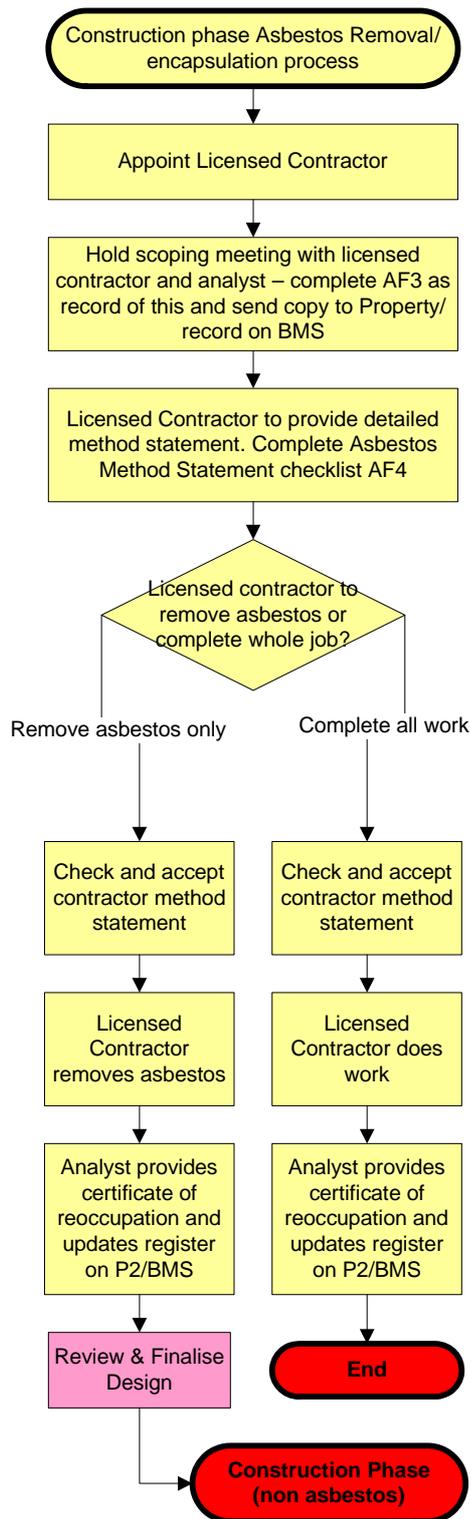
For guidance on how to appoint a framework asbestos analyst, please consult Property Careline.

Where Property are not involved in the project (schools), the process remains the same although a copy of the Refurbishment and Demolition Survey must be sent to the Property Asbestos/Condition Specialist before the work commences.

Once the work is complete, the CA must place a scanned a copy of the Certificate of Reoccupation in the project file in P2/BMS.



Construction Phase



You have reached the stage where you need to work with asbestos (remove or encapsulate) meaning you **may** need to appoint a licensed contractor. A list of all approved contractors holding a license is available in BMS and a full list of licensed contractors may be found on the HSE website at:

<http://webcommunities.hse.gov.uk/connect.ti/asbestos.licensing/view?objectId=7076>

Notification to HSE as the enforcing authority is required 14 days in advance of the start of any licensable work on ACMs using the HSE's ASB5 form (contractor responsibility). This 14-day limit does not apply for reportable non-licensed work.

It is also essential to appoint an asbestos analyst to carry out checks at various stages of the work. The CA, rather than the licensed contractor should appoint the analyst, in order to avoid any conflict of interest (perceived or real). All results and certificates of reoccupation (produced by the analyst) must be issued to the CA as well as to the licensed contractor.

It is then essential to hold an on-site scoping meeting with the contractor and analyst and to complete AF3 as a record of this. A signed copy of this should be placed in the project folder on P2/BMS.

The contractor must then provide a detailed method statement (Plan of Work) to the CA and to the analyst. Checklist AF4 should be completed to record this and a signed copy of this should be placed in the project folder on P2/BMS.

It is essential to ensure that safety performance is monitored throughout the removal phase including:

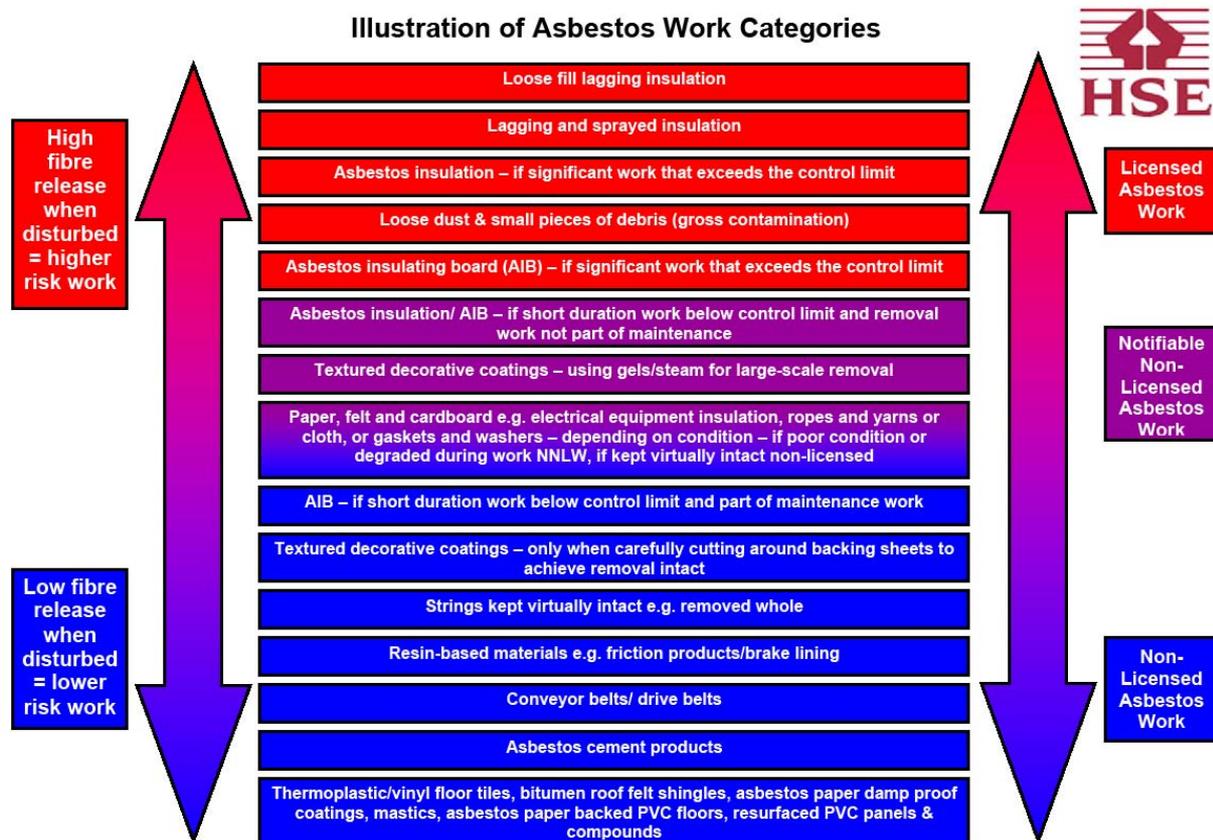
- Regular inspections
- Being present to observe the analyst checking the enclosure prior to it being dismantled and
- Checking the area after the enclosure has been dismantled.

Once the asbestos work has been completed, further project work can proceed. Form AF5 must be completed in relation to any ACMs that have been discovered by the R&D survey and left in-situ. The CA will need to ensure that the paperwork referred to in this code of practice (i.e. any asbestos surveys, clearance certificates, certificates of reoccupation, forms AF 1 to 5) and details of any removals or encapsulation are recorded and appended to P2/BMS by the CA and the Asbestos register must also be updated by the asbestos analyst. The LAMP must also be updated by NPO.

Appendix 1: Licensed, Notifiable Non-Licensed and Non-Licensed work

Work that involves asbestos can fall into 1 of 3 categories:

- Notifiable Licensed;
- Notifiable Non-Licensed; or
- Non-Licensed Work.



The NCC principles are:

1. If the work involves asbestos and requires notification to HSE, we will use a Licensed Contractor.
2. If the work involves asbestos but does not require notification to HSE, we can follow the procedures set out in Asbestos Essentials provided the person carrying out the work is insured and competent.
3. Notifiable work will be organised by the Property division, non-notifiable work can be organised by others or by Property division on their behalf

Under principal 2, “competent” means the person carrying out the work has:

- been on an appropriate Asbestos Awareness Course;
- been on a Non-Licensed Asbestos Work Course; AND
- the equipment listed in Asbestos Essentials required to carry out the work.

To determine whether work is Notifiable, use Figure 2. This flowchart is taken from HSE Asbestos Essentials A0. Examples of the types of work covered by the categories are available in Table 2.

NCC has identified various Licensed Contractors who can carry out non-licensed works within the permissions of their license, and has provided an "approved" list in BMS. They need to be told the relevant category of work that applies.

Figure 2



Decision flow chart

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

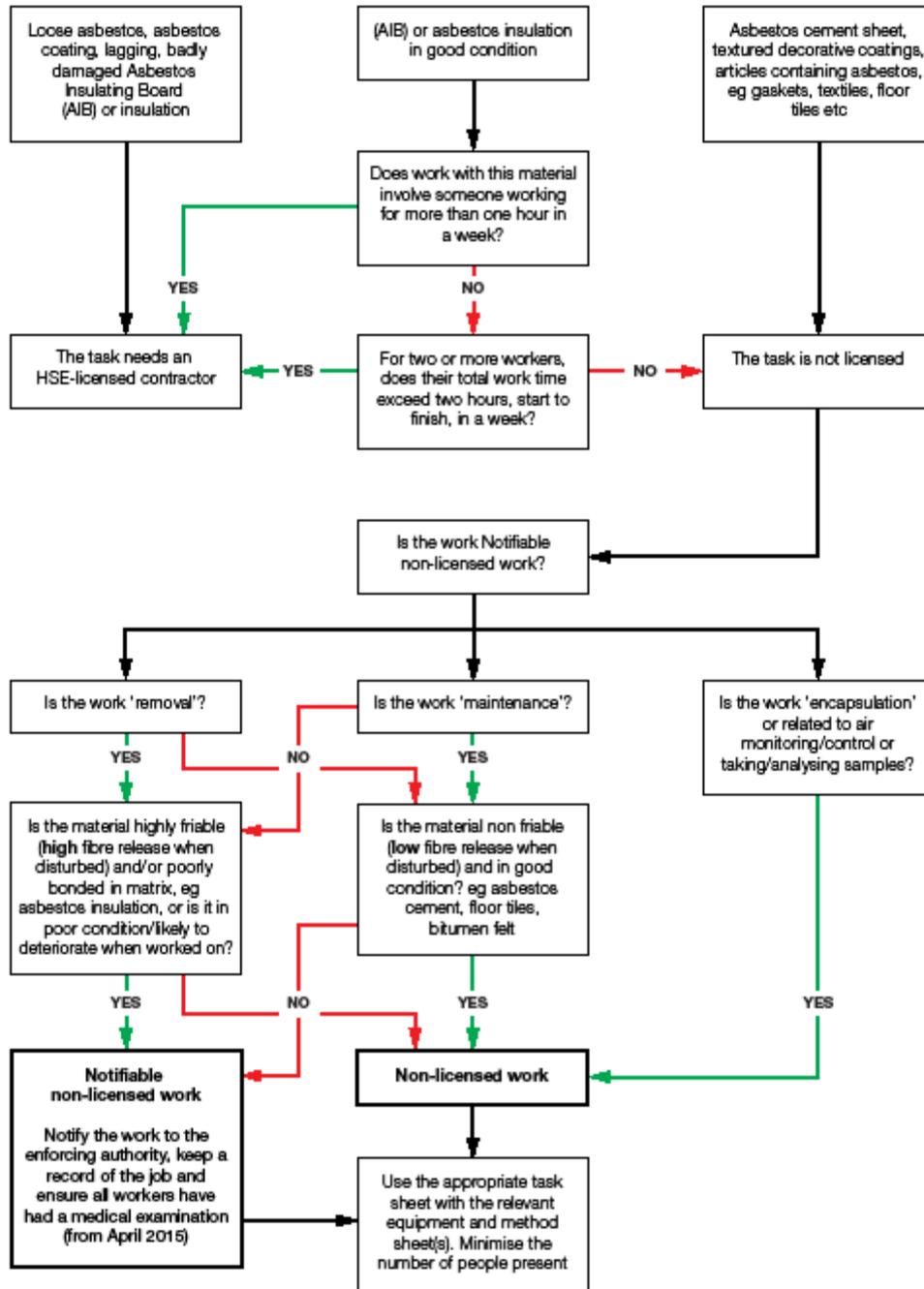


Table 2	
Licensed Work (Licensed Contractor Needed)	<ul style="list-style-type: none"> • Removal of asbestos debris from ceiling voids to enable full body entry into the void • Removal of any AIB or ACM products which last over 1 hour • Drilling holes into AIB for the purpose of installing a conduit for ICT cabling • Work with more friable products such as pipe lagging and spray coatings
Notifiable Non Licensed Work (NNLW)	<ul style="list-style-type: none"> • Removal of textured coatings i.e. Artex using gels or steam. Must last less than 1 hour • Work on AIB where the friability is medium / high. Work must last less than 1 hour
Non Licensed Work (No Notification) – must follow Asbestos Essentials	<ul style="list-style-type: none"> • Lifting of a ceiling tile for the purposes of inspection i.e. to find the location of stop taps or information for impending construction work (ICT cabling)* • Work which falls within Asbestos Essentials: <ul style="list-style-type: none"> ➤ removal of vinyl floor tiles ➤ painting cement soffits ➤ cleaning light fitting etc attached to AIB ➤ removal of highly bound ACM – bakelite cisterns and toilet seats • Work on AIB where the friability is low. Work must last less than 1 hour
<p><i>*The issue of lifting ceiling tiles within CLASP constructed buildings has been researched by the HSE and they state that tiles should not be lifted by any member of staff without the appropriate training and control measures (overalls, mask etc). This is due to the possible presence of debris within the ceiling void.</i></p>	
<p><i>Remember: if you are unsure about whether there is asbestos within the areas where you are working, commission a 'Refurbishment & Demolition' Survey which will give you more information. If you are still unsure, presume it is asbestos and implement further controls as listed in the text.</i></p>	

Appendix 2: Forms

AF1: Initial Risk Assessment and Project outline brief

AF2: Asbestos Analyst's Brief

AF3: Asbestos Scoping meeting

AF4: Asbestos Method Statement Checklist

AF5: Samples to be addressed

Initial Risk Assessment and Project outline brief			AF1
Site			UPRN
Commissioner	Name		
	Address		
	Tel		
	Email		
Nature of works		e.g. whiteboard on wall of room 3	
List all the foreseeable H&S issues considered		e.g. services routes, structural walls, impact on fire escapes etc	
How you will achieve this	1. Do you consider yourself competent to identify, assess and control all of the risks identified with this work?		Yes / No
	If not then you must seek advice from Property and/or Health and Safety		
	2. If the building was constructed before 2000, assess if there is a risk that the work will disturb asbestos by answering the following questions:-		Yes / No
	<ul style="list-style-type: none"> • Does the asbestos register identify asbestos in the area where work is planned or in adjacent areas? • Is the building CLASP? • Will you disturb ducts or voids in the structure 		
	If you answer yes to any of the questions then you must conclude that there is a risk of disturbing asbestos. You may still be able to proceed on the basis that the work is sporadic and low intensity maintenance work and you can control the risk in accordance with Asbestos Essentials. If you do not understand what this means or any of the questions above then you must seek advice from Property Careline.		
	If you answer yes to Q2 above, do you want to manage the project yourself?		Yes / No
If no, appoint a CDM Designer for the project and record their details below			
Designer	Name		
	Address		
	Tel		
	Email		
	Reason for choosing Designer?		
Prepared by			Date
<ul style="list-style-type: none"> • Commissioner to pass signed copy to Designer / CA • Designer / CA to scan copy to project file in P2/BMS 			

Asbestos Analyst's Brief			AF2	
Site		UPRN		
Project or Job No		Date		
Purpose of works				
Designer / Contract Administrator	Name			
	Address			
	Tel			
	Email			
Analyst	Name			
	Address			
	Tel			
	Email			
	Role(s)	R&D Survey	Yes/No	
		Project advice	Yes/No	
		Checking method statement	Yes/No	
Monitoring Licensed Contractor		Yes/No		
Air monitoring & Clearance Certification		Yes/No		
Documents provided	Asbestos Register inc schematic	Yes/No		
	CS room plans	Yes/No		
	Specification & project drawings	Yes/No		
	Other:	Yes/No		
Scope of works	<i>(Rooms/Areas to be surveyed/deadlines etc)</i>			
Designer / CA signature				
<ul style="list-style-type: none"> • Designer / CA to send signed copy to analyst • Designer / CA to scan copy of signed form to project file in P2/BMS 				

Asbestos Scoping meeting				AF3
Site				UPRN
Project or Job No		Date		Time
Purpose of works				
Attendees				
Designer / Contract Administrator	Name			
	Address			
	Tel			
	Email			
Analyst	Name			
	Address			
	Tel			
	Email			
	Role(s)	R&D Survey	Yes/No	
		Project advice	Yes/No	
Checking method statement		Yes/No		
Monitoring Licensed Contractor		Yes/No		
Air monitoring & Clearance Certification		Yes/No		
Contractor	Name			
	Address			
	Tel			
	Email			
Sub-contractor	Name			
	Address			
	Tel			
	Email			
Documents used	Outline Brief from client	Yes/No		
	Asbestos Register inc schematic	Yes/No		
	Job specific R&D survey	Yes/No		
	Specification & project drawings	Yes/No		
	Other:	Yes/No		
Decisions made / brief for works <i>(Who / what / where / when)</i>				
Designer / CA signature		Analyst signature		
Contractor signature		Sub-Contractor signature		
<ul style="list-style-type: none"> • Designer / CA to scan copy of signed form to project file in P2/BMS • Designer / CA to send scanned copy to all attendees 				

Asbestos Method Statement Checklist			AF4
Site		UPRN	
Project or Job No			
Purpose of works			
Method Statement prepared by		Date	
Contract details	Details of site correct?		Yes/No
	Details of client correct?		Yes/No
	Contacts for project correct?		Yes/No
	Does it state who else is involved (e.g. analyst, main contractor)?		Yes/No
Management of job	Is it clear how they will run the job (e.g. how many staff on site, patterns of work etc)?		Yes/No
	Is it clear how they will deal with any changes?		Yes/No
Scope of work	Does it match what you are asking for?		Yes/No
	Does it include job specific risk assessment?		Yes/No
Control measures	Does it set out how they will control asbestos exposure?		Yes/No
	Does it set out air monitoring arrangements?		Yes/No
Method of work	Does it set out methods of carrying out the work (e.g. type H vacuum, how ACMs will be removed, how any remaining ACMs will be encapsulated)?		Yes/No
	Does it set out the tools to be used?		Yes/No
Work sequence	Does it clearly state the sequence in which tasks will be carried out and by whom?		Yes/No
Check carried out by	(signature)	Date	
Print Name			
Role/position			
Designer/CA to scan signed copy to project file in P2/BMS			

