

Bromford Flagship

Asbestos Management Policy

Policy Statement & Purpose

The purpose of this policy is to demonstrate Bromford Flagship's commitment to ensuring the risk to people, buildings and the wider business from asbestos are reduced as far as reasonably practicable while ensuring that all legislative requirements are met.

This policy will be supported by detailed operating procedures, in the form of an Asbestos Management Plan, to ensure we assess, control and manage asbestos in our buildings and the policy is fully embedded into routine working practice across the business.

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1.0 Scope

This Policy covers Bromford Flagship Limited (BFL) and its subsidiaries [excluding Gasway].

The Asbestos Management Policy and associated procedures detail how BFL meets the requirements of the Control of Asbestos Regulations 2012 and all associated legislation and regulations. In addition to this, the policy provides assurance to BFL that measures are in place to identify, manage and/or mitigate risks associated with asbestos. As part of the policy BFL will ensure compliance with asbestos legislation and formally report at Executive and *Board level, the details of any non-compliance and planned corrective actions.

The policy is relevant to all BFL colleagues, customers, contractors and other persons or stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services. It should be used by all to ensure they understand the obligations placed upon BFL to maintain a safe environment for customers and colleagues within our buildings.

This Policy is applicable to all properties built or refurbished before the Year 2000 and all properties constructed before this date will be included within the Asbestos Surveying Programme – and assumed to contain ACMs until a survey has been completed and the presence or absence of asbestos has been confirmed. BFL will follow a systematic approach to the management of asbestos to ensure it meets the requirements set out in the Asbestos Regulations and other relevant legislation relating to asbestos. This is to ensure the safety of customers, leaseholders, colleagues and members of the public.

**References to "the Board" in this document and our governance arrangements mean the coterminous Board acting as the Boards of Bromford Flagship Limited (BFL), Bromford Housing Association Limited (BHA), Flagship Housing Limited (FHL), Merlin Housing Society Limited (MHS) and Bromford Home Ownership Limited (BHO).*

This policy applies to all BFL offices and buildings under its control or occupation. It also applies to any of our housing blocks and support schemes where the building is under our management. Where the building is controlled or managed by a third party then the responsibility for asbestos management in their designated areas must be agreed, and subsequently monitored, with the management company or commercial tenant unless this is otherwise stated in the management contract.

2.0 Legislative Requirements

Regulatory Standards

The application of this policy will ensure compliance with the Safety and Quality Standard (consumer standards) April 2024

Asbestos management is reported to the regulator via Tenant Satisfaction measure (TSM) BS03 Asbestos Safety Checks

2.1 Legislation

The principal legislation applicable to this policy is the Control of Asbestos Regulations 2012.

The policy operates in the context of the following legislation:

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- The Construction (Design & Management) Regulations 2015
- The Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013 (RIDDOR)
- Housing Act 2004
- Housing Health and Safety Rating System (HHSRS)
- The Landlord & Tenant Act 1985
- The Control of Asbestos Regulations 2012

2.2 Codes of Practice

The principal code of practice applicable to this policy is:

- Managing and working with asbestos L143 - Control of Asbestos Regulations 2012.

Failure to properly discharge our statutory, legislative, and regulatory responsibilities may also result in:

- Prosecution by the Health and Safety Executive under HASAWA 1974.
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007.

RSH scrutiny and potential determination of a breach of the Safety and Quality Standard and serious detriment having been caused/potentially caused.

- Reputational damage
- Loss of confidence by stakeholders in the organisation

3 Responsibilities/Duty Holder

Role	Responsibilities	Frequency
Board	<ul style="list-style-type: none"> • Ensuring BFL complies with legislation • Ensuring effective controls are in place to manage asbestos effectively • Reviewing compliance reports and scrutinising areas of non-compliance. 	6 Monthly/ Annually
Audit and Risk Committee	<ul style="list-style-type: none"> • Reviewing Compliance reports and control frameworks and make recommendations to Board • Providing assurance to Board on compliance with the law 	Quarterly
Chief executive officer	<ul style="list-style-type: none"> • Named Duty Holder for relevant organisation • Name an appointed person for managing the commitments within this Policy 	Ongoing
Executive Team	<ul style="list-style-type: none"> • Reviewing, endorsing and achieving this policy's aims • Ensuring the appropriate resources and performance management frameworks are in place to ensure compliance with applicable laws and regulations • Inspiring a culture which ensures compliance is prioritised and colleagues are trusted and encouraged to report concerns of non-compliance. 	Ongoing
Directors	<ul style="list-style-type: none"> • Agree and set budgets that are sufficient to meet the compliance requirements • Appoint/nominate sufficient resources to fulfil the Responsible Person roles for all Asbestos Safety requirements and use this Management Plan to define their duties • Delegate appropriate authority for in-house delivery or procurement to meet the requirements • Ensure that the conditions of all contracts are being fulfilled either by Internal Service Provider/s and/or external Contractors • Oversee the programme of Policy and Strategic Review 	Ongoing
Head of Landlord Compliance	<ul style="list-style-type: none"> • Named appointed person on behalf of the Duty Holder • Manage the implementation of the Management Plan and Policy and ensure compliance with all regulations • Formulate Programmes of Work consistent with the delivery of this Management Plan and Policy • Liaise with Neighbourhood Management Team/Housing Team and customers to explain the importance of compliance and the need to achieve access to complete Safety Checks and Works • Receive feedback from Third Party External Validation Consultants and liaise with Operational Managers and Contractors (Internal and/or External) to address any delivery shortfalls • Ensure the operational delivery of the Management Plan and Policy and compliance with the regulations • Produce, review, and update the Policy at the appropriate review dates • Receive audit feedback and act upon the findings • Report critical exceptions to an Executive Director in agreed timescales 	Ongoing

Compliance Manager (Asbestos)	<p>Will instruct/liaise with internal operational managers and external Contractors in respect to the operational delivery of this Management Plan.</p> <ul style="list-style-type: none"> • To assist and carry out internal audits on both internal and external contractors in relation to asbestos works • Managing customers feedback (enquiries, complaints, and compliments) handling and progress • Monitor the quality and correct storage of all Certification and documents required to demonstrate Landlord Compliance • Will oversee the preparation of the KPI/MPI and OPI reporting suite 	
Specialist Asbestos Surveying Consultants and Asbestos Contractors	<p>Operational delivery of Planned Asbestos Surveys and Re-Surveys to Non-Domestic Properties within an Annual Programme.</p> <ul style="list-style-type: none"> • Operational delivery of an agreed Programme of Planned Asbestos Surveys within the Domestic Stock • Delivery of Reactive Asbestos Surveys • Asbestos Removal and Encapsulation • Air Testing and Monitoring • Review Property Addresses and reconcile with Contractor Databases to ensure the Programme remains accurate • Liaise with customers in relation to arranging/keeping appointments • Liaise with the Compliance Team in relation to access issues. • Update System(s) with accurate data • Provide appropriate, complete, and correct Certification for all Asbestos Safety works • Provide Quality Assurance (QA) checks in accordance with the contract 	Ongoing
Colleagues	<ul style="list-style-type: none"> • Carry out their work in line with this policy and associated procedures and processes • Report non-compliance to line management as soon as practically possible • Consider asbestos management in all our activities and notifying compliance leads of any activity which puts compliance at risk • Understand emergency procedures and implement of appropriate 	Ongoing
Customer	<p>Agreeing to and keeping appointments to provide access.</p> <ul style="list-style-type: none"> • Liaising with Bromford Flagship colleagues in relation to any poor service, failure to attend/poor repair etc • Provide customer satisfaction information • Take note of asbestos advice provided and follow the appropriate procedures in respect to seeking authorisation for any alteration work which could disturb ACMs 	As required
Independent External Auditor	<p>Undertake External Validation of Asbestos Safety Inspections in line with this Management Plan.</p>	Ongoing

4.0 Principles

BFL are committed to providing a robust, safe and cost-effective service to our customers in relation to the management of asbestos. In respect of our responsibilities for asbestos management BFL will:

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- Provide clear lines of responsibilities for the management of Asbestos Safety, supported by written guidance in the Asbestos Management Plan. Ensure that a clear and consistent process including front-line engagement and enforcement is in place to obtain access to properties to conduct the Asbestos Survey and any subsequent remedial works, which shall include legal action when required.
 - Ensure a robust Asbestos Management Plan is in place and adhered to by all colleagues. This will be achieved by providing full training on the Plan for all necessary colleagues.
 - Develop a framework to prevent or minimise the exposure to asbestos fibres to the lowest level reasonably practicable to protect customers, colleagues, contractors, and visitors on BFL property.
 - Prepare an Asbestos Management Plan to Manage the Risk and Implement the Plan. Set out its emergency approach in the case of an unplanned incident, such as accidental damage to ACMs and/or uncontrolled release of fibres.

4.1 Delivery

Ensure reasonable steps have been taken to locate and identify the presence of asbestos containing materials (ACMs) in all non-domestic properties and in domestic properties where maintenance or construction activities are likely to disturb ACMs.

Determine the Type/Amount, Location and Condition of the asbestos through the following activities:

- Hold up to date Management Surveys of all Non-Domestic properties constructed prior to 2000 in accordance with recommended Health and Safety Executive (HSE) guidance – HSG264 and HSG227.
- Aim to get to 100% of domestic properties surveyed through commissioning management surveys with targeted refurbishment surveys whenever refurbishment or void work takes place, and a full management survey is not already completed.
- Undertake Asbestos Surveys prior to any planned maintenance activity where there is the potential to disturb asbestos or where work is planned for previously un-surveyed areas. This will include a Refurbishment and Demolition Survey localised to the area of work and a Management Survey to the rest of the property in accordance with recommended Health and Safety Executive (HSE) guidance – HSG264 and HSG227.
- Re-inspection of ACMs within the Non-Domestic Stock based on the basis of a risk assessment, or in absence of a risk assessment then annually as a minimum.
- Re-inspection of ACMs in Domestic Properties at void stage as required, depending on the void works to be carried out.

4.2 Management

Assess and manage the risk posed by ACMs by doing the following:

- Presume materials contain asbestos unless it is confirmed that they do not.
- Training those liable to disturb ACMs in accordance with this Policy and the Asbestos Safety Management Plan
- Providing Asbestos Safety information to tenants in accordance with the Policy (see section on Communication)
- Providing site-specific advice (including being clear where ACM is presumed or if a Survey has not been undertaken one is to be carried out prior to any works

commencing) and information on the Location and Condition of the ACMs to those liable to work on or disturb them.

- Carrying out a Material Risk Assessment (MRA) considering the (i) Material, (ii) Product Type, (iii) Asbestos Type and (iv) Asbestos Fibre Content, (v) Location, and (vi) Condition together with an assessment of the likelihood of disturbance based on accessibility and the activities carried out in the area around the ACM. Based on this assessment a risk score will be calculated.
- Re-inspection Surveys will be undertaken to all ACMs within Communal (Non-Domestic) areas annually, or on such an earlier date which will be determined by the Location, Condition and Risk of Disturbance.
- Undertaking remedial action, in accordance with the Asbestos Management Plan and recommendation of the Competent Person, where the risk identified by the MRA requires it.
- Label ACMs as detailed within the Asbestos Management Plan.
- Have a robust process in place to gain access to homes and property for the undertaking of essential asbestos management inspection and works, in accordance with BFL's access procedures.

4.3 Customer Alterations

Require that customer alterations that may have an implication regarding Asbestos Safety should be subject to prior notification, agreement, and appropriate landlord's permission from BFL to proceed before they are undertaken – as is required by the Tenancy Agreement. Permission will not be unreasonably withheld and when given will be on the proviso that certain requirements are met e.g. the customer arranges for relevant Risk Assessments to be undertaken and that work is undertaken by suitably qualified contractors.

Any work carried out by customers that is deemed unsafe will be rectified at the customer's own cost and by BFLs appointed contractor.

4.4 Data

Maintain a Master Database of all properties indicating if they do and do not have a requirement for an Asbestos Survey and the associated responsibility.

Maintain up-to-date electronic records of the Type, Location and Condition of the ACMs (or presumed ACMs) within the Asbestos Register.

Hold Asbestos Safety maintenance records electronically in the Master Database, by the relevant Operational Department (to be specifically identified in the Asbestos Safety Management Plan), with other Landlord Compliance records. There may be instances where a hard copy is kept onsite, and these will be detailed in the Asbestos Management Plan.

Maintain detailed information on Re-inspection frequencies and of any remedial works required. These will be prioritised according to Risk in the view of a Competent Person. Include due dates and most recent status date in the Master Database (with detailed evidence supporting the current status).

Provide details relating to the accessibility of all Asbestos Data/Information in the Asbestos Management Plan.

5. Linked documentations (including policies, procedures, standards, processes, reconciliation frameworks)

Bromford Flagship Documents	Bromford only	Flagship only
Bromford Flagship Health and Safety Policy	Asbestos Management Plan	Asbestos Safety Management Plan
Customer Alterations policy		Operational Guidance Notes

6. External References

External references
<u>The Control of Asbestos Regulations 2012</u>
<u>Managing and working with asbestos. Control of Asbestos Regulations 2012. Approved Code of Practice and guidance</u>

7. Competence and Training

We will commit to demonstrating a sufficient level of skill, knowledge and aptitude that shows we can provide good quality advice and services to our customers. Competence will be detailed through our process and procedure documentation and remain under continuous review to ensure we provide our services safely and by suitably trained colleagues.

We will ensure we provide training so that we will meet all legal requirements as detailed in our Asbestos Management Plan.

Agreed KPIs

Percentage of Duty to Manage re-inspections completed on time

Percentage of non domestic properties built before to the year 2000 with a Management Survey

Percentage of domestic properties with a management survey

8. Assurance Framework

Our risk appetite is **averse** for health and safety risks. We have zero tolerance for actions or omissions that could compromise the health and safety of individuals affected by our operations. We are committed to upholding the highest standards of health and safety compliance, proactively identifying and mitigating risks, and fostering a culture of safety throughout the organisation.

Our assurance framework should be read in conjunction with this document to understand how we undertake assurance in line with our risk appetite.

9. Document Details

Owner: Paul Coates- Chief Customer Officer
Approved By: Bromford Flagship Board
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Share to website: Yes/No

Version Control

Renewal Date	Version	Approved By	Comments