



## TRUST-WIDE NON-CLINICAL POLICY DOCUMENT

# MANAGEMENT OF ASBESTOS

Policy Number:	HS9
Scope of this Document:	All Staff, patients/service users, visitors and contractors
Recommending Committee:	N/A
Approving Committee:	Health and Safety Committee
Date Ratified:	October 2018
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Version Number:	2018 – Version 2
Lead Executive Director:	Director of Communication and Corporate Governance
Lead Author(s):	Head of Health Safety Fire and Security

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2018 – Version 2

Quality, recovery and wellbeing at the heart of everything we do

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# MANAGEMENT OF ASBESTOS

### Further information about this document:

Document name	<b>MANAGEMENT OF ASBESTOS (HS9)</b>
Document summary	<b>This procedure recognises the responsibilities regarding asbestos within the Trust and will ensure, so far as is reasonably practicable, nobody using its premises or undertaking work within its premises shall be exposed to the risks arising from exposure to asbestos.</b>
Author(s) Contact(s) for further information about this document	<b>Mark Clayton Safety Advisor Telephone: 0151 473 2934</b>
Published by Copies of this document are available from the Author(s) and via the trust's website	<b>Mersey Care NHS Foundation Trust V7 Building Kings Business Park Prescott Liverpool L34 1PJ Your Space Extranet: <a href="http://nww.portal.merseycare.nhs.uk">http://nww.portal.merseycare.nhs.uk</a> Trust's Website <a href="http://www.merseycare.nhs.uk">www.merseycare.nhs.uk</a></b>
To be read in conjunction with	<b>Health, Safety and Welfare SA07 Risk Management Policy &amp; Strategy SA02</b>
<b>This document can be made available in a range of alternative formats including various languages, large print and braille etc</b>	
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### Version Control:

		Version History:	
Approved		2015 Version 1	October 2015
Approved		2016 Version 2	October 2016
		Version 1	September 2017
		Version 2	October 2018

**SUPPORTING STATEMENTS** – this document should be read in conjunction with the following statements:

### **SAFEGUARDING IS EVERYBODY'S BUSINESS**

All Mersey Care NHS Foundation Trust employees have a statutory duty to safeguard and promote the welfare of children and adults, including:

- being alert to the possibility of child/adult abuse and neglect through their observation of abuse, or by professional judgement made as a result of information gathered about the child/vulnerable adult;
- knowing how to deal with a disclosure or allegation of child/adult abuse;
- undertaking training as appropriate for their role and keeping themselves updated;
- being aware of and following the local policies and procedures they need to follow if they have a child/adult concern;
- ensuring appropriate advice and support is accessed either from managers, *Safeguarding Ambassadors* or the trust's safeguarding team;
- participating in multi-agency working to safeguard the child or adult (if appropriate to your role);
- ensuring contemporaneous records are kept at all times and record keeping is in strict adherence to Mersey Care NHS Foundation Trust policy and procedures and professional guidelines. Roles, responsibilities and accountabilities, will differ depending on the post you hold within the organisation;
- ensuring that all staff and their managers discuss and record any safeguarding issues that arise at each supervision session

### **EQUALITY AND HUMAN RIGHTS**

Mersey Care NHS Foundation Trust recognises that some sections of society experience prejudice and discrimination. The Equality Act 2010 specifically recognises the *protected characteristics* of age, disability, gender, race, religion or belief, sexual orientation and transgender. The Equality Act also requires regard to socio-economic factors including pregnancy /maternity and marriage/civil partnership.

The trust is committed to equality of opportunity and anti-discriminatory practice both in the provision of services and in our role as a major employer. The trust believes that all people have the right to be treated with dignity and respect and is committed to the elimination of unfair and unlawful discriminatory practices.

Mersey Care NHS Foundation Trust also is aware of its legal duties under the Human Rights Act 1998. Section 6 of the Human Rights Act requires all public authorities to uphold and promote Human Rights in everything they do. It is unlawful for a public authority to perform any act which contravenes the Human Rights Act.

Mersey Care NHS Foundation Trust is committed to carrying out its functions and service delivery in line with a Human Rights based approach and the FREDA principles of **F**airness, **R**espect, **E**quality **D**ignity, and **A**utonomy

## **Introduction**

- 1.1 Mersey Care NHS Foundation Trust (hereinafter referred to as the Trust) recognises its responsibilities under the Control of Asbestos Regulations 2012. In particular the Trust will ensure, so far as is reasonably practicable, nobody using its premises or undertaking work within its premises shall be exposed to the Risks arising from exposure to Asbestos. This includes employees, contractors, service users, visitors and members of the public.
- 1.2 Consequent to a specialist survey, several locations were identified where asbestos containing materials (ACMs) are present within the Trust's estate. Some of these materials are left in situ, have been made safe [e.g. by encapsulation], are clearly labelled and closely managed to prevent the accidental release of fibres.

## **2. Asbestos Register**

- 2.1 Risk Assessments have been undertaken of remaining ACMs and an asbestos management plan (AMP), produced. A record of the location of ACMs, details of those which have been removed, the risk assessment and the management plan is held by Head of Operations, Estates and Facilities.
- 2.2 The condition of materials is reviewed through on-going vigilance by our buildings maintenance contractor, and also formally, on a 12 monthly basis by the Trust's specialist contractor and action taken as necessary.
- 2.3 The risk assessment and management plan are reviewed at least annually and updated when there are changes in the matters to which they relate.
- 2.4 Any contractor whose work may disturb the ACMs must ensure they meet this obligation (HS9) and refer to the Management of Contractors Procedure (HS7).
- 2.5 Any contractor whose work may disturb the ACMs are made aware that no work may be carried out in the immediate vicinity without a permit to work. There is a statutory obligation for any person, whose work may involve contact with ACMs to undertake Asbestos Awareness training annually.
- 2.6 The Estates and Facilities Department has ensured that our buildings maintenance contractor's operatives have received asbestos awareness training, including refresher, and specific familiarisation with the ACMs in our building/s.
- 2.7 In the unlikely and unfortunate event that ACMs are accidentally disturbed, the actions identified in the AMP will be immediately implemented. Flow charts are included in the Appendix outlining the actions to be taken.

## **3. Monitoring**

- 3.1 Compliance will be included as part of the annual SPA audits. Details of such audits are discussed by and reviewed at the Trust's Health & Safety Committee meetings.

**A. Flow Chart: Identifying and Maintaining the Integrity of Asbestos.**

Establish a register of ACM's within the premises which records, as far as is reasonably practicable, the location, extent, condition and accessibility of suspected ACMs that could be disturbed or damaged during normal occupancy including foreseeable maintenance.

Establish periodic inspections in order to monitor the condition of the asbestos and take action when required.

Identify and label asbestos with an appropriate warning notes/signs/stickers

Establish a routine maintenance plan such as painting to seal in wall surfaces, Encapsulate asbestos where this is possible without disturbing it and create physical barriers to protect surfaces and prevent migration of fibres.

**B. Flow Chart: Planned General Work**

Prior to undertaking work refer to Asbestos Register and if identified as containing asbestos refer to asbestos management plan.

Ensure that any work that may disturb or damage a material containing asbestos is avoided

Ensure that the asbestos management plan is adhered to when work cannot be completed without disturbing asbestos

Halt work and seek advice if suspected asbestos material is discovered during the course of work

Adherence to the Trusts asbestos management policy

**C. Flow Chart: Unplanned Asbestos Release**

Do not enter premise if the structural integrity of the premises prior to or upon entering is identified as having been compromised. Prevent entrance into the premises by securing the area and contacting Trust Estates and Facilities.

In the event of damage to the premise during occupancy evacuate area immediately leaving personal belongings behind and prohibit access to the area

Turn off air conditioning etc. and close windows and doors to prevent the spread of fibres if doing so would not result in increased risk to those vacating the premises

Temporarily isolate individuals in a secure area to prevent the potential further spread of asbestos fibres.

Organise changing and decontamination facilities and the correct disposal of contaminated clothing.

Notify Estates/Safety Team in order to ensure that the area is cleared of asbestos and that the area completes air testing requirements.

Identify and record details of all individuals present during the incident

Investigate cause of unplanned release and take action to prevent future issues once safe to do so

Refer all individuals affected by the release of Asbestos to Occupational Health for monitoring/counselling

Seek guidance on reporting incidents under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

## Equality and Human Rights Analysis

**Title:**

**HS9 Management Of Asbestos**

**Area covered: Trust Wide**

**What are the intended outcomes of this work?**

The procedures above are paramount to maintaining the health and safety and welfare of everyone who the Trust interacts with. To do this we need to think about what might cause harm to people and or the environment and to consider the procedures in place to provide this protection.

Risk assessments are required by law.

The Health and Safety at Work etc. Act 1974, the Management of Health and Safety at Work Regulations 1999 and the Control of Asbestos Regulations 2012 impose duties to safeguard the health and safety of those who are not in the employment of Mersey Care NHS Foundation Trust, but who may be affected by our activities. These duties also apply to a contractor or sub-contractor on Trust premises, in respect of safeguarding our employees, patients and visitors from their activities.

**Who will be affected?**

**Staff, Patients, Service Users, Visitors, Contractors.**

**Evidence**

**What evidence have you considered?**

**The Procedures**

**Disability including learning disability**

**Risk assessments will consider a range of vulnerable groups**

<b>including those who have disabilities.</b>
<b>Sex</b> No issues identified within discussions.
<b>Race</b> No issues identified within discussions.
<b>Age</b> Risk assessments will consider a range of vulnerable groups including younger/older people.
<b>Gender reassignment (including transgender)</b> No issues identified within discussions.
<b>Sexual orientation</b> No issues identified within discussions.
<b>Religion or belief</b> No issues identified within discussions.
<b>Pregnancy and maternity</b> Risk assessments will consider a range of vulnerable people including pregnant women/new mothers.
<b>Carers</b> Will be covered by the procedures above when visiting the Trust buildings.
<b>Cross Cutting</b> All groups of people will be subject to health and safety and protection.
<b>Other identified groups</b> No issues identified within discussions.

<b>Human Rights</b>	<b>Is there an impact?</b> <b>How this right could be protected?</b>
<b>This section must not be left blank. If the Article is not engaged then this must be stated.</b>	
<b>Right to life (Article 2)</b>	<b>Human Rights Based Approach Supported.</b> <b>The above procedures aim to</b>



	<b>maintain the health and safety (including life) of all people using /working/visiting the Trust premises.</b>
<b>Right of freedom from inhuman and degrading treatment (Article 3)</b>	<b>No Issues identified within Discussions.</b>
<b>Right to liberty (Article 5)</b>	<b>No Issues identified within Discussions.</b>
<b>Right to a fair trial (Article 6)</b>	<b>No Issues identified within Discussions.</b>
<b>Right to private and family life (Article 8)</b>	<b>No Issues identified within Discussions.</b>
<b>Right of freedom of religion or belief (Article 9)</b>	<b>No Issues identified within Discussions.</b>
<b>Right to freedom of expression Note: this does not include insulting language such as racism (Article 10)</b>	<b>No Issues identified within Discussions.</b>
<b>Right freedom from discrimination (Article 14)</b>	<b>No Issues identified within Discussions.</b>
<b>Engagement and involvement</b>	
<b>N/A</b>	

## Summary of Analysis

### Eliminate discrimination, harassment and victimisation

The procedures above all relate to health and safety of all people using/ visiting/working the Trust.

Pregnant women/ mothers of new born babies

People with Disabilities

Younger /older people are identified as vulnerable groups within the procedures.

### Advance equality of opportunity

N/A

### What is the overall impact?

No negative/adverse impact detected.

### Addressing the impact on equalities

N/A

### Action planning for improvement

N/A

### For the record

Name of persons who carried out this assessment:

Carlton Brooks

Date assessment completed:

**October 2018**

**Name of responsible Director/Lead Trust Officer  
Executive Director of Communication and Corporate Governance**

**Date assessment was signed:  
October 2018**

## Action plan template

This part of the template is to help you develop your action plan. You might want to change the categories in the first column to reflect the actions needed for your policy.

Category	Actions	Target date	Person responsible and their Division
Other			
Data collection and evidencing			
Analysis of evidence and assessment			
Monitoring, evaluating and reviewing			
Transparency (including publication)			