



Policy for the Management of Asbestos

Approval date: December 2020

Review date: November 2023

This policy applies to

- | | | | |
|--|--|--|---|
| <input checked="" type="checkbox"/> Link Group | <input checked="" type="checkbox"/> Link Housing | <input checked="" type="checkbox"/> Link Living | <input checked="" type="checkbox"/> Link Property |
| <input checked="" type="checkbox"/> Horizon | <input checked="" type="checkbox"/> Larkfield | <input checked="" type="checkbox"/> <u>West Highland</u> | <input checked="" type="checkbox"/> Lintel Trust |

Policy Summary

The purpose of this policy is to provide a clear, unambiguous statement of the organisation's policy on the management of asbestos in all buildings owned and controlled by Link. The policy is of vital importance in ensuring the health and safety of Link's employees and of others who may be affected by its undertakings. The policy has been developed to ensure that Asbestos and materials containing Asbestos are identified and managed across its housing stock and commercial premises, in accordance with the Control of Asbestos Regulations 2012.

Equalities

The operation of this policy will be delivered in accordance with Link Group's Equality, Diversity and Inclusion Policy. During the production of this policy, no issues were raised which would conflict with the Equality, Diversity and Inclusion Policy.

Privacy

It was identified during the production of this policy that incident reporting regulations may require personal data to be gathered and stored. All information collected will therefore be managed in accordance with Link Group's Data Protection Policy.

Policy Owner
Group Directors of
Housing Services

Review Manager
Asset Planning &
Performance Officer
and partner Asset
Managers

Approved By
Link Group Board

Revision History		
Date	Version Number	Comments
23 November 2020	2	

1. INTRODUCTION

Link Group (Link) is committed to ensuring the health, safety and welfare of its employees is maintained at work and of others who may be affected by its undertakings. Link has developed this policy to ensure that Asbestos and materials containing Asbestos are identified and managed across its housing stock and commercial premises, in accordance with The Control of Asbestos Regulations 2012.

The policy will apply, without exception, to all buildings owned or controlled by Link and individuals employed and/or engaged by Link Group and all Partners companies.

2. SCOTTISH SOCIAL HOUSING CHARTER (CHARTER), REGULATORY AND LEGAL CONTEXT

The following Charter outcomes, regulatory requirements or legislation relates to this policy:

- The Health Safety and Work Act 1974
- The Control of Asbestos Regulations 2012.
- Management of Health and Safety at Work Regulations 1999

3. PRINCIPLES

The following principles govern the operation of this policy:

- Link recognises that it is responsible for complying with The Control of Asbestos Regulations 2012, Regulation 4, the management of Asbestos in non-domestic premises e.g. common stairs/closes, corridors, lifts, common rooms, laundries.
- Link recognises its responsibilities under the Health & Safety at Work etc Act 1974 and its duties to properly inform all tenants, Link staff, agents and contractors of the presence of asbestos within Link domestic and commercial

properties where work activities are likely to disturb materials containing Asbestos.

- Link recognises that it has a duty of care to ensure the safety of its tenants and others who could be affected by its undertakings
- Link staff who have a duty to manage asbestos related work are trained and competent to conduct the role.

4. OBJECTIVES

The objectives of this policy are to ensure:

- Link meets or exceeds the best practice guidelines given by the Health and Safety Executive (HSE) to manage the asbestos that is in place.
- Link maintains a central Asbestos Register for all its properties and makes all pertinent information easily accessible to its staff, contractors, visitors or other parties requiring this information to safely execute their duties within those properties identified as having materials containing asbestos.
- Link maintains an up to date site-specific Asbestos Register on all sites/premises that Link staff have as a place of work (e.g. main or satellite offices and LinkLiving developments where staff work or live) and be readily accessible to all site staff, contractors, visitors and visiting Link staff.
- Link, where identified by risk assessment, will arrange for the safe removal of asbestos containing materials in accordance with all current regulations, codes of practice and HSE guidance.
- All licensable asbestos related work in Link controlled properties will be carried out by competent HSE licensed asbestos removal contractors. All asbestos related work, in Link controlled properties, identified by risk assessment as non-licensable, will be carried out by competent trained staff using appropriate equipment and controls.
- In addition to satisfying the requirements of Regulation 4 of The Control of Asbestos Regulations 2012 (i.e. Non-domestic areas), Link will also extend the scope of its annual inspections to include domestic areas of its social rented accommodation. The objective of this initiative is to satisfy Link's duty of care to its tenants, others who could be affected by its undertakings and to provide appropriate information to all Link staff, tenants, contractors and visitors requiring this information (under the Health & Safety at Work etc Act 1974) to safely occupy and execute their duties

5. APPROACH AND METHOD

The Link Group Board in its formal approval of the policy acknowledges that it accepts full responsibility for its implementation. Day-to-day responsibility for the operation of this policy lies with the appropriate directors and managers of the Link group of companies. All relevant employees have a responsibility to ensure that this policy is applied as instructed.

The policy will be implemented using the following approaches:

- Link shall devise procedures for compliance with the policy
- Link shall review procedures at least every 3 years
- Link shall provide employees with the training and guidance needed to implement this policy. Procedures and other reference materials will always be kept up to date and accessible.
- Link shall monitor adherence to policy requirements and procedures.
- Link shall prepare an Asbestos Action Plan and review this annually.

6. MONITORING OF THE POLICY

The following areas will be subject to monitoring:

- Risk management
- Provision of training and / or information to staff
- The need for review of procedures
- Compliance with policy requirements and procedures
- Annual inspections of asbestos will take place in order to maintain current/valid information within the central Register and to comply with the terms of Regulation 4 of The Control of Asbestos Regulations 2006. Only competent individuals or organisations shall be employed to carry out surveys.

- Where Link act as a managing agent for landlords (PSL), the landlord will undertake an Asbestos survey and assessment for their properties including communal areas of multiple occupied properties. A copy of this Asbestos Register is to be requested by and provided to Link (PSL). Link will retain a copy of the register for the properties they manage.
- Link Managers when employing contractors for managed properties will provide suitable and sufficient information on known Asbestos materials within the properties.
- Contractors will ensure continuous awareness to identify any additional materials suspected of containing Asbestos prior to and during the work process.

These issues will be monitored by appropriate managers within each company and / or function and reported to the relevant director. If any significant issues of concern arise these will be dealt with by the Director who will report such matters to his / her Board.

Any matter which demonstrates a serious failure of internal controls should also be reported immediately to the Chief Executive.

Actions may be taken against employees or Board members who act in contravention of this policy in the performance of their duties or decision making on behalf of Link. Actions could be measures to improve the individual's work performance, or disciplinary action, or other measures. Contravention of this policy should be understood to include contravention or disregard of any associated procedures and other guidance.

The Internal Auditor and / or the Strategy & Business Support Team may conduct periodic audits of policy compliance. Audit results will be reported to the Audit Committee.

7. COMPLAINTS AND APPEALS

Link welcomes complaints and positive feedback, both of which provide information which helps us to improve our services. We use a complaints handling procedure (CHP) developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.

The CHP allows for most complaints to be resolved by front line staff within a five day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20 day limit (second stage). At the end of the second stage our response will be made by a director. If the customer remains dissatisfied, he/ she may then refer the matter to the SPSO.

The SPSO does not normally review complaints about our factoring service. If a factoring customer is dissatisfied after using the CHP, the complaint may be referred to the First-tier Tribunal (Housing and Property Chamber).

Anyone receiving care or support service from us has the right to complain either direct to the Care Inspectorate or to us.

At each stage Link will advise the customer how the complaint should be taken forward and advise which agency would be most appropriate to consider the case.

8. POLICY AVAILABILITY

A summary of this policy can be made available in a number of other languages and other formats on request.

9. POLICY REVIEW

Link undertake to review this policy regularly, at least every three years, with regard to:

- Applicable legislation, rules, regulations and guidance
- Changes in the organisation
- Continued best practice

Privacy Impact Assessment Screening Questions

Carrying out a Privacy Impact Assessment [PIA] will be useful to any project – large or small – that:

- Involves personal or sensitive data about individuals
- May affect our customers' reasonable expectations relating to privacy
- Involves information that may be used to identify or target individuals

Please tick the applicable statement(s) below. Will your project involve:

If you have answered 'Yes' to any of these points, please complete a full Privacy Impact Assessment. If you have answered 'No', you need take no further action in completing a Privacy Impact Assessment.

Equality Impact Assessment Screening Questions

Will the implementation of this policy have an impact on any of the following

1. A substantial change to an existing policy, process or system that involves personal information Yes No
2. A new collection of personal information Yes No
3. A new way of collecting personal information (for example collecting it online) Yes No
4. A change in the way personal information is stored or secured Yes No
5. A change to how sensitive information is managed Yes No
6. Transferring personal information outside the EEA or using a third-party contractor Yes No
7. A decision to keep personal information for longer than you have previously Yes No
8. A new use or disclosure of personal information you already hold Yes No
9. A change of policy that results in people having less access to information you hold about them Yes No
10. Surveillance, tracking or monitoring of movements, behaviour or communications Yes No
11. Changes to your premises involving private spaces where clients or customers may disclose their personal information (reception areas, for example) protected characteristics? Yes No

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|-----------------------------------|------------------------------|--|
| 1. Age | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Disability | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Gender reassignment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 4. Marriage and Civil Partnership | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 5. Pregnancy and Maternity | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 6. Race | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 7. Religion or belief | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 8. Sex | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 9. Sexual orientation | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If you have answered 'Yes' to any of these points, please complete a full Equality Impact Assessment. If you have answered 'No', you need take no further action in completing an Equality Impact Assessment.