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## Risk control

### Asbestos Management in Higher Education



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# Asbestos Management in Higher Education

## Introduction

Asbestos is a generic term given to several naturally occurring fibrous minerals that have a crystallised to form fibres. It is divided into two sub-groups, serpentine (white asbestos) and amphiboles (blue and brown asbestos). Asbestos fibres do not dissolve in water or evaporate, they are resistant to heat, fire, chemical and biological degradation, and are mechanically strong. Due to these properties asbestos was commonly used in the past as insulation and fireproofing in buildings. Asbestos was used in many buildings until it was prohibited in 1999. However, while asbestos continues to be safely removed, much of this material is still in place. This means that people working in buildings built before year 2000 could still be exposed to asbestos fibres if asbestos is not managed effectively and is damaged or disturbed. It is unlikely buildings constructed after 2000 contain asbestos.

However, asbestos poses significant health risks. When materials that contain asbestos are disturbed or damaged, fibres are released into the air. When these fibres are inhaled, they can cause serious diseases. Asbestos is the greatest cause of work-related deaths in the UK. Around 5,000<sup>1</sup> people die every year from asbestos-related diseases. These diseases do not have an immediate effect, they often take prolonged periods of time to develop, but once diagnosed, it is often too late to do anything.

Asbestos is not hazardous if it is in good condition and it is not being, or likely to be, disturbed. However, if it is disturbed or damaged it could become hazardous through the release of fibres into the air. Disturbing asbestos that is not in a sound condition, for example flaking or crumbling surface, or drilling, cutting, sawing, or breaking asbestos-containing materials can release respirable fibres.

Some asbestos-containing materials are more vulnerable to damage and more likely to release fibres than others. In general, materials that contain a high percentage of asbestos are more easily damaged. Sprayed coatings, lagging and insulating board are more likely to contain blue or brown asbestos.

The health risks associated with asbestos exposure include:

**Mesothelioma** – A cancer which affects the lining of the lungs (pleura) and the lining surrounding the lower digestive tract (peritoneum). It is almost exclusively related to asbestos exposure and by the time it is diagnosed, it is almost always fatal.

**Asbestos-related lung cancer** – Asbestos-related lung cancer is the same as lung cancer caused by smoking and other causes.

**Asbestosis** – A serious scarring condition of the lungs that normally occurs after heavy exposure to asbestos over many years. This condition can cause progressive shortness of breath, and in severe cases can be fatal.

**Pleural thickening** – The lining of the lung (pleura) thickens and swells. If this gets worse, the lung itself can be squeezed, and can cause shortness of breath and discomfort in the chest.

It is important to note that people who smoke and are also exposed to asbestos fibres are at a much greater risk of developing lung cancer. Even minimal exposure to asbestos fibres can be dangerous. Therefore, it is crucial to avoid exposure to asbestos to prevent these health risks. These risks can be managed if institutions have robust policies, plans and procedures in place and are supported with competent people in dutyholder positions.

This guidance document explores asbestos management arrangement required in Higher Education Institutions to ensure adequate control measures are in place to prevent exposures to asbestos-containing materials (ACMs).

## Legal Requirements

The legal requirements are outlined in the Control of Asbestos Regulations 2012<sup>2</sup>.

The duty to manage asbestos (Regulation 4) applies to institutions who have responsibility for maintaining and repairing buildings. The institution is required to assess if there are asbestos-containing materials (ACMs) present, the amount, where they are and condition. Materials should be presumed to contain asbestos unless there is compelling evidence that they do not.

The regulations specify the types of work that require a licence and those that do not. There are specific requirements for work with asbestos that require a licence (licensable) and non-licensable work.

The Health and Safety at Work etc. Act 1974<sup>3</sup> places general duties on employers to do what is 'reasonably practicable' to ensure the health and safety of anyone who may be affected by their work, such as contractors, staff members and students.

The Construction (Design and Management) Regulations 2015 (CDM) are linked to the Control of Asbestos Regulations 2012. CDM requires that following:

1. Risk assessment – When commissioning construction work, CDM requires the institution to determine whether there is a risk that the work might disturb asbestos-containing materials, including any unidentified, presumed or hidden asbestos materials

2. Asbestos surveys – If any work disturbs the fabric of buildings the institution must ensure a suitable survey is arranged before any work commences. Ensuring that the correct refurbishment or demolition survey is carried out. These types of survey are more intrusive which involves destructive inspection by a trained accredited surveyor to identify all asbestos materials. The scope of survey must be established to ensure that the full aspects of the work are covered
3. Information sharing - The institution must ensure that the information is suitable and sufficient before passing to the person or company undertaking the work. It is good practice for the surveying company to discuss the findings of surveys with the institution and those undertaking the work ensuring understanding of the survey documentation
4. Risk control measures – The institution must ensure that the correct risk control measures are being taken
5. Licenced contractors – Typically all work on asbestos should be undertaken by a contractor licenced by the Health and Safety Executive. Institution must ensure any licenced contractors are competent to undertake the work and they have the appropriate licence in place

CDM ensures that asbestos is managed appropriately during any construction work to protect the health and safety of anyone who might be affected by the work including institutions staff and students. Within Higher Education sit-ins occur in lecture theatres, graduation halls and meeting rooms/chambers causing disruption to university activities

## Asbestos-Containing Materials

The Control of Asbestos Regulations 2012 require the dutyholder (institution) to identify and manage ACMs. Requirements are detailed in the Health and Safety Executives Guidance Document HSG264<sup>4</sup> that an appointed person assists in the management of asbestos-containing materials in buildings (paragraph 14). The person appointed must have the necessary skills and training to effectively manage asbestos in buildings and equipment. It is recommended that institutions asbestos management arrangements or policy clearly identifies this person(s) and appoints them in writing.

Identifying ACMs typically involves arranging for a qualified accredited asbestos surveyor to conduct an Asbestos Management Survey of buildings. Management Surveys have limitations these limitations must be understood by anyone that may disturb ACMs. If work is likely to disturb ACMs, then a suitable Refurbishment or Demolition Survey must be undertaken prior to any works starting.

## Asbestos Management Plan

The dutyholder is responsible for developing and implementing an Asbestos Management Plan that details how the risks from these materials will be managed. An Asbestos Management Plan is a comprehensive document that outlines the strategies, procedures, and responsibilities necessary for effectively managing asbestos-containing materials within building or equipment. Asbestos-containing materials such as gaskets, seals, refractory linings, or thermal insulation could be found in older laboratory, workshop or kitchen equipment used with high-temperature or corrosive substances, this equipment should be identified and managed in accordance with the Asbestos Management Plan.

An Asbestos Management Plan should contain (but not limited to):

**Identifying who is responsible** – The Plan should clearly identify who is responsible for managing asbestos, including deputies. This typically would be the appointed person(s), institutions may have more than one appointed person, and their roles should be clearly defined ensuring consistency

**Asbestos Register** – The plan should include arrangements for an Asbestos Register. Higher Education Institutions often have large and complex building portfolios along with equipment that may contain asbestos. The Asbestos Register should contain all relevant information allowing for the effective management of ACMs

**Monitoring schedule** – The plan should provide details of the schedule for monitoring the condition of ACMs. Frequency on inspections and monitoring activities should be set according to the risk each ACM presents. It is recommended that photographs are taken each time an inspection takes place, this will allow for a comparison to take place establishing if any work has taken place in the area

**Information sharing procedures** – It is essential that people who may disturb ACMs (in-house and contractors) receive and understand suitable and sufficient information on ACMs that may be present in the areas they work. The plan should provide detailed information regarding procedures that should be followed to obtain this information. It is recommended that the Appointed Person(s) controls the information flow to ensure that the correct information is obtained and understood

**Control arrangements** – Details of control arrangements ensuring that ACMs are not disturbed should be contained within the plan. Consulting the Appointed Person(s) regarding any control arrangement is highly recommended before starting work, this will ensure measures in place should be suitable and sufficient

**Emergency procedures** – It is essential that emergency procedures are outlined and communicated to relevant parties ensuring they are followed in case of the accidental disturbance of ACMs

The plan should be site-specific and can be written or electronic. It should be easy to read, update and find when anyone needs it. The Management Plan should be reviewed regularly but not longer than 12 months to ensure it is current and meets the requirements of legislation. If buildings or its occupants change, then reviews and revisions must be made to the plan.

Whenever work takes place that affects asbestos-containing materials the plan should be reviewed and updated accordingly.

If staff with management responsibilities change, the plan should be also reviewed and updated.

The Asbestos Management Plan should be reviewed and updated after any accidental disturbance of ACMs or after any scheduled condition checks are conducted.

The purpose of an Asbestos Management Plan is to keep people safe from asbestos exposure. The document details how the asbestos within a building or equipment will be safely managed. The location, condition, and clear labelling of the asbestos should all be documented within the plan.

Review processes should involve checking that the Asbestos Management Plan is still relevant and up to date, ensuring that any actions set out in the plan have been completed. If necessary, the plan should be revised to include new actions.

### Emergency Procedures

Ensuring robust mechanisms are in place to manage accidental contact or disturbances of ACMs are essential. For following circumstances should be included within an Asbestos Emergency Procedure (but not limited to):

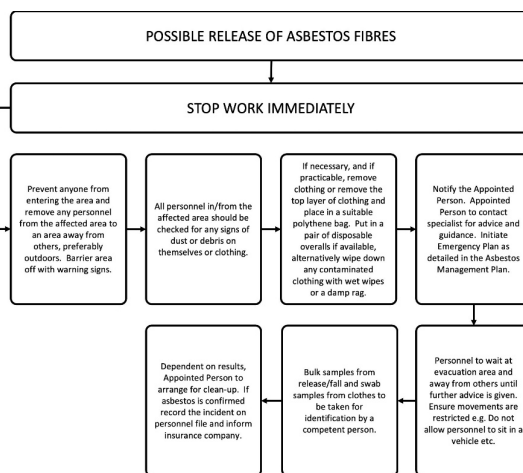
- Suspected ACMs encountered – ACMs may be encountered that are not detailed on relevant surveys or register
- Known or suspected ACMs are damaged or discovered in a damaged state.

If the circumstances occur it is recommended that the relevant Appointed Person(s) is contacted immediately.

If during work materials are discovered which are believed to be asbestos stop work immediately. Put up warning signs and ensure the area is secured to prevent unauthorised access. This situation should be reported to the Appointed Person(s) and arrangements made to sample the material. If after the results from sampling indicate the material does

not contain asbestos the work can continue. If the material does contain asbestos, then procedures detailed in the Asbestos Management Plan should be followed.

### Example of Emergency Procedure



The above procedure is designed to manage uncontrolled release of asbestos materials. They should be adapted or amended, as necessary.

### Training and Awareness

The requirement to ensure suitable training is received by those that may disturb asbestos is detailed in the Control of Asbestos Regulations 2012. The regulations place a legal obligation on employers to ensure that all workers likely to encounter ACMs during their normal course of work, should receive relevant Asbestos Training.

There are three main levels of training:

- Asbestos Awareness
- Non-licensable work with asbestos including Notifiable Non-Licence Work
- Licensable work with asbestos

#### Asbestos Awareness

Information, instruction, and training for asbestos awareness is intended to give workers and supervisors the information they need to avoid work that may disturb ACMs during any normal work on the fabric of buildings or other items which may contain asbestos. This level of training does not prepare workers to conduct work with asbestos-containing materials.

Listed below are occupations (but not limited to) that may disturb asbestos and require awareness training:



- General Maintenance Worker
- Electricians
- Plumbers
- Joiners
- Painters and Decorators
- Plasterers
- Construction Workers
- Telecommunication Engineers
- Fire/burglar alarm installers
- Computer and data installers

The asbestos aware training should cover the following:

- The properties of asbestos and its effects on health, including risk of developing lung cancer for asbestos workers who smoke
- The types, uses and likely occurrences of asbestos and asbestos materials in buildings and equipment
- The general procedures to deal with an emergency
- How to avoid the risk of exposure to asbestos.

Asbestos awareness training provided must satisfy the requirements of Regulation 10 of the Control of Asbestos Regulations 2012. Attending a training course in isolation will not make a worker competent. Competence is developed over time by implementing and consolidating skills learnt during training, on-the-job learning, instructions, and assessment. Even minimal exposure to asbestos fibres can have severe consequences therefore it is crucial that anyone who may disturb asbestos during their work receives appropriate levels of training.

Workers who plan to conduct work that will disturb asbestos require a higher level of training in addition to asbestos awareness. The institute must ensure that in-house staff or contractors undertaking this type of work have the relevant level of training to remain safe and to meet legal requirements.

To support Appointed Person(s) and Deputies they must receive adequate information, instruction, and training to undertake their duties. It is recommended suitable accredited training is obtained and refreshed regularly.

It is essential that training records are checked for any contractors undertaking work that may disturb asbestos to ensure they have received an adequate level of training to satisfy the requirements of the relevant regulations.

## Review and Audit

To ensure the management of asbestos remains effective and compliant with the Asbestos Management Plan systematic audits and checks should be conducted.

### Review of the Asbestos Management Plan

Reviewing the Asbestos Management Plan to ensure that it includes all necessary components such as the Asbestos Register, monitoring schedule, information sharing procedures, control arrangements and emergency procedures is critical to ensure compliance with the legal requirements.

### Inspection of ACMs

As part of the review and audit process an independent inspection of the Asbestos Register should be conducted by checking the ACM's listed and verifying their location and condition.

### Verification of Training and Information

Checks to confirm that appropriate training has been provided and completed by all relevant staff is essential to ensure that employee remain safe, and the requirements of the regulations are met.

Reviewing of information and surveys shared will ensure that the location and condition of ACMs is being properly shared. Reviews should consider work tasks that require the sharing of asbestos information and that this was received and understood.

### Assessment of Control Measures

An assessment whether the control measures outlined in the Asbestos Management Plan are being effectively implemented should be made.

### Evaluation of Emergency Plan

Reviews should consider whether the Emergency Plan/Procedures detailed in the Asbestos Management Plan are adequate and have been communicated.

### Check on Updates

The review process should consider whether the Asbestos Management Plan is being reviewed and updated regularly, and checked whenever there are changes to the building or its occupancy.

### Documentation and Record Keeping

Checks to ensure that records are thoroughly documented and there is a process to ensure that they are in place.

### **Audit Trail System**

Checks should be made to ensure that an audit trail system is in place which ensures no request for information or survey is missed and not closed until received.

The review results can then be used to identify areas of non-compliance and to recommend improvements. The results should be shared with any relevant party within the institution, for example Health and Safety or Governance Committees.

### **Conclusion**

The management of asbestos within Higher Education Institutions can be complex due to the array and size of institutions estates. Having clear policies, responsibilities, procedures, and review processes will enable the institution to manage the risks from asbestos effectively. Having an up-to-date Asbestos Management Plan will not only protect staff, contractors, and students from the risks of asbestos exposure but will enable institutions to thoughtfully plan work in a prioritised and cost-effective manner.

It must be noted that asbestos is not only present in the fabric of buildings but also in equipment used and therefore should be managed appropriately.

### **References**

1. Introduction to Asbestos Safety: Overview – HSE  
<https://www.hse.gov.uk/asbestos/introduction/index.htm>
2. The Control of Asbestos Regulations 2012 – Legislation.gov.uk  
<https://www.legislation.gov.uk/uksi/2012/632/contents/made>
3. Health and Safety at Work etc. Act 1974 – Legislation.gov.uk  
<https://www.legislation.gov.uk/ukpga/1974/37>
4. Asbestos: The Survey Guide HSG264 – HSE  
<https://www.hse.gov.uk/pubns/books/hsg264.htm>

## Further information

For access to further RMP Resources you may find helpful in reducing your institution's cost of risk, please access the RMP Resources or RMP Articles pages on our website. To join the debate follow us on our LinkedIn page.

## Get in touch

For more information, please contact your broker, RMP risk control consultant or account director.

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