

Asbestos Management Plan



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Asbestos Management Plan			
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Asbestos Management Plan



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1. Introduction, Objectives and Purpose

This document must be read in conjunction with the [NHS Lothian Asbestos Management and Control Policy](#), the [Asbestos Management and Control Roles and Responsibilities](#) document and the [NHS Lothian Control of Contractors Policy](#).

This Asbestos Management Plan (AMP) sets out the arrangements and procedures for the safe management of Asbestos Containing Materials (ACMs) present in the premises for which NHS Lothian is the Duty Holder as prescribed under the provisions of regulation 4 of the Control of Asbestos Regulations 2012.

This AMP has been prepared in order to comply with the legislative requirements as set out later in this document. More generally, the plan has been prepared to comply with the statutory requirements set out in the Health and Safety at Work etc. Act 1974 to protect the health, safety and welfare of all employees and all persons who enter and work on premises owned and managed by NHS Lothian; to include in particular, all employees, consultants and contractors who undertake work in its buildings and all members of the public who enter the buildings as NHS Lothian patients and visitors.

In order to ensure best practice, NHS Lothian will manage all the Asbestos Containing Materials in its buildings in accordance with the legislative requirements.

NHS Lothian recognises that all building-related work may give rise to the potential for disturbing ACMs which may be present in buildings, with the associated risks from exposure to airborne asbestos fibres with resultant long-term ill-health effects. A main objective of this plan is therefore to ensure that controls of the highest standards are in place for all reactive and planned building-related works and major projects to ensure the safety, health and wellbeing of all those who undertake the works, all those who may be affected by the work activities and all who enter and use the buildings on completion of the works.

This document details the NHS Lothian arrangements to ensure that the objectives of this AMP are achieved and the responsibilities and duties of all those who are, directly or indirectly, involved in the health board's management procedures to ensure that all ACMs are safely managed at all times.

2. Scope of this Asbestos Management Plan

NHS Lothian is the Scotland's second largest Health Board by budget, operating over 200 buildings with circa 500,000m² of operational clinical space – within this portfolio there are 4 major clinical sites, with the remainder comprised of smaller hospitals and dental and general practice health care sites. Approximately 24,000 staff are employed by NHS Lothian. This Asbestos Management Plan applies to the safe management of the ACMs present in all NHS Lothian properties found within the property database but excludes PFI sites, and third party models of ownership.

To date, asbestos records have been transferred from legacy systems to a new database called eRisk. NHS Lothian continues to be mindful that a number of properties previously operated and managed by the board which have been disposed of over the years, contained ACMs. While NHS Lothian has no ongoing responsibility for the management of the ACMs in these buildings, the intention is to retain historical records to address any claims and liabilities which may arise.

3. Legislative Requirements

In preparing this Asbestos Management Plan NHS Lothian recognise that consideration must be given to the requirements of and compliance with the following items of legislation, regulations, approved codes of practice and guidance documents published by the Health and Safety Executive.

The Health and Safety at Work, etc. Act 1974 (HSW Act) requires employers to conduct their work in such a manner so as to minimise health and safety risks to employees and to provide information to anyone else about their workplace which might affect their health and safety. Section 3 of the Act contains general duties for persons other than employees. Section 4 contains general duties for anyone who has control over a workplace.

The Management of Health and Safety at Work Regulations 1999 require employers to assess risks to themselves, their employees and anyone else affected by their business activities. These Regulations require employers to make appropriate arrangements to protect the health and safety of those directly involved in work activities and others as may be affected.

The Workplace (Health, Safety and Welfare) Regulations 1992 require employers to maintain workplace buildings in order to ensure the safety of all building occupants

The Construction (Design and Management) Regulations 2015 require clients in construction, refurbishment and demolition projects to provide pre-construction information relating to the risks associated with the works to be undertaken, which would include the presence of hazardous materials such as asbestos. In addition, these regulations require that at the conclusion of projects a Health and Safety file is prepared which must include, together with all other relevant information, details of any remaining ACMs which will need ongoing management.

The Control of Asbestos Regulations 2012 requires employers to prevent exposure to asbestos or, where this is not reasonably practicable, to reduce exposure to the lowest level practicable. The Regulations place a duty on those persons who have repair or maintenance responsibilities as a result of a tenancy or contract, to manage the risk from asbestos in premises. Where there is no contract or tenancy, the person in control of the premises will be the dutyholder. There is also a duty of co-operation on other parties. Dutyholders are required to have an Asbestos Management Plan in place for the safe management of ACMs present in the properties for which they are responsible. This duty applies to all non-domestic premises and the common areas of domestic flatted premises. All such areas are regarded as being non-domestic.

These duties are supported through an Approved Code of Practice entitled **“Managing and working with asbestos – Control of Asbestos Regulations 2012”** L143, second edition, 2013.

In addition to the above, there are Health and Safety Executive Guidance Notes which are relevant for consideration including:

The HSE Guidance Note “A comprehensive guide to Managing Asbestos in premises” HSG227 - provides guidance for those who have a duty to manage the risks from asbestos containing materials in premises,

including building owners, non-domestic tenants and anyone else who has any legal responsibilities for workplaces.

The HSE Guidance Note “Asbestos: The survey guide” HSG 264 - is aimed at people carrying out asbestos surveys and the dutyholders who commission these surveys. The document covers the competence and quality assurance requirements in relation to the conduct of surveys, survey planning and survey types, implementation of surveys, survey reports and the dutyholders’ use of survey information.

Other relevant legislation includes:

The Environmental Protection Act 1990 - provides local authorities with the power to serve notice for the abatement of nuisances where any premises are in a state where a nuisance is caused to the tenants and others, which may also be prejudicial to health. Failure to comply with the requirements of the notice constitutes an offence under the provisions of the Act. In addition, this legislation requires that all wastes be disposed of on sites which are specifically licensed to accept the category of wastes concerned.

The Special Waste Regulations 1996 (as amended) - requires in Scotland that all hazardous wastes, which includes all asbestos wastes, be disposed of on sites which are specifically licensed to accept these materials. These regulations detail a consignment note procedure for tracking the movement of hazardous wastes.

In preparing this Asbestos Management Plan, NHS Lothian are particularly aware of the need to specifically address and have arrangements in place to comply with the requirements of Regulation 4 of the Control of Asbestos Regulations 2012. The broad legal requirements of these regulations are to:

- Undertake a suitable and sufficient assessment to determine whether asbestos-containing materials are present in the buildings for which they are responsible.
- Take reasonable steps to locate materials liable to contain asbestos.
- Presume that materials contain asbestos, unless there is strong evidence to support that they do not
- Assess the risks posed by the presence of the identified ACMs.
- Assess the likelihood of anyone being exposed to asbestos from such materials.
- Make a written record of the location and condition of the ACMs and presumed ACMs and keep it up-to-date.
- Ensure that any asbestos materials, or materials suspected of containing asbestos, are maintained in good condition or, where necessary, safely removed.
- Prepare a plan to manage the risk associated with the presence of the asbestos and put this into effect to ensure that information on the condition of ACMs is given to all persons likely to disturb the materials.
- To monitor the condition of ACMs and presumed ACMs which at the time of the initial survey were in an acceptable condition and not likely to release asbestos fibres.

- To review and monitor the Asbestos Management Plan and the arrangements at regular intervals.

4. The Principles of Asbestos Management

The main principles of Asbestos Management are to:

Assess: the presence of ACMs in buildings, structures, plant and machinery, and to assess the potential for exposure to airborne asbestos fibres which can give rise to potentially fatal diseases. Provided that the ACMs, which may be present, are maintained in a safe condition and in locations where they are unlikely to be disturbed by normal use and maintenance, they do not necessarily create an unacceptable risk. The initial assessment as to the possible presence of ACMs can be established from a detailed desk top study considering, in particular, the age and type of construction. Ultimately however the assessment will in most cases necessitate the conduct of a detailed building survey.

Record: all asbestos information gathered either from the initial desk top study investigations or the detailed building surveys, should be recorded in a format which it can then be made available to persons who are likely to disturb the materials. These records should be regularly updated following periodic checks on identified ACMs to ensure that the asbestos information provided is both accurate and current.

Inform: all asbestos records should be accessible to anyone who may work or undertake maintenance or other building or engineering works in the areas where ACMs have been identified. Procedures must be in place to proactively provide details of ACMs present in any area of any building or within plant or machinery ahead of any works which has the potential to disturb the ACMs. Arrangements must be in place, through an appropriate regime of training and inductions, to ensure that every employee, contractor or agency worker is aware of the hazards associated with the presence of ACMs and the measures and procedures which they must observe to ensure that they are not exposed to elevated levels of airborne asbestos fibres, which will have the potential to cause long term ill health effects.

Monitor: all asbestos records and management procedure documents must accord to the requirements of the Control of Asbestos Regulations 2012 and the guidance detailed within the Approved Code of Practice, "Managing and Working with Asbestos" L143 (second edition) and be regularly reviewed to ensure that the records and documents are both current and compliant with legislative requirements. In addition, on-going monitoring is required to ensure that the aims of the AMP and strategy are being met so as to ensure that no one is being exposed to elevated levels of airborne asbestos fibres whilst on premises controlled by the dutyholder.

5. Arrangements for Asbestos Management & Associated Employee Responsibilities

(Full details of the roles and responsibilities are found in the NHS Lothian Asbestos Management and Control – Roles and Responsibilities document.)

The [organogram for Asbestos Management](#) can be found on Policy Online.

Responsibilities of the Dutyholder (as per L143)

CAR2012 Regulation 4 requires dutyholders to identify the location and condition of asbestos in non-domestic premises and to manage the risk to prevent harm to anyone who works on the building or to building occupants. It also explains what is required of people who have a duty to co-operate with the main dutyholder to enable them to comply with the regulation. To summarise, the dutyholder must ensure that risks from the presence of asbestos in the premises are managed and additional groups are to co-operate with, or provide information to, the main dutyholder.

In practice, this 'duty to manage' requires the main dutyholder to make sure that competent persons:

- assess whether the premises are liable to contain asbestos and to identify its location and condition (or, alternatively, assume asbestos is present and manage the premises accordingly);
- assess the risk from any located (or presumed) ACMs and to identify vulnerable or damaged ACMs, and arrange for their repair and/or protection or, where necessary, arrange for removal by somebody competent to do this; and
- work should only start once the dutyholder is satisfied that the information in the asbestos record/register is known and understood by the workers who are doing the work on site and easily accessible for anyone who needs to inspect it.

To comply with the law the dutyholder must ensure that:

- reasonable steps are taken to find materials in premises likely to contain asbestos and to check their condition – all documentary information should be checked and a thorough inspection of premises, usually surveys, carried out and anyone who may be able to provide more information should be consulted;
- materials are presumed to contain asbestos unless there is strong evidence that they do not;
- a written record of the location and condition of asbestos and/or presumed ACMs is made and that the record is kept up to date; and
- the risk of anyone being exposed to these materials is assessed.

A written plan (this AMP) to manage that risk is then prepared and that the plan is put into effect to make sure that:

- any material known or presumed to contain asbestos is kept in a good state of repair;
- any material that contains or is presumed to contain asbestos is, because of the risks associated with its location or condition, is repaired and adequately protected or, if it is in a vulnerable position and cannot be adequately repaired or protected, is removed; and
- information on the location and condition of the material is given to anyone who is liable to disturb it or is otherwise potentially at risk.

This plan must be reviewed every 12 months. It should also be reviewed if there is reason to believe that circumstances have changed and that the plan requires amendment.

There should be periodic checks to make sure that the arrangements and procedures for managing asbestos are working and that people are fully aware of what they should be doing to comply with the duty to manage.

Dutyholders should ensure that the management plan is made available at all the individual premises, so if there are separate site managers/building managers responsible for different aspects of premises on the same site, they must each make the information available to those in their respective premises. Dutyholders should:

- tell employees what the management plan arrangements are;
- provide the emergency services with information on the location and condition of any known ACMs when attending; and
- provide copies of the management plan for employee representatives and trade union safety representatives.

The dutyholder's legal responsibilities cannot be delegated, but dutyholders can nominate others to do all or part of the work to assist in complying with the duties. Anyone or any organisation who is nominated to do some work as a result of CAR2012 Regulation 4 must know what it is they have to do and be able to do it safely. They should be competent to do this work. Where the dutyholder has nominated a person or organisation to assist in complying with their responsibilities, they must make sure that those on the premises are aware who has been nominated and the tasks they have been given.

Anyone who is not a dutyholder, but has information on or is in control of the premises, must help the dutyholder, as far as necessary, to comply with the duty but this does not extend to paying for or sharing the costs of any actions the dutyholder takes to manage these risks.

In accordance with the Safety Representatives and Safety Committees Regulations 1977, safety representatives should be consulted on matters affecting the employees they represent. This means they

should be consulted about the arrangements and, with reasonable notice being given, see any records made in connection with the assessment. Similarly, employees not represented by trade union representatives should be consulted in accordance with the Health and Safety (Consultation with Employees) Regulations 1996.

If unsure how to implement the management plan themselves, the dutyholder should seek competent specialist advice from an asbestos surveyor, a laboratory or a licensed contractor, or other competent person as appropriate. The dutyholder must satisfy themselves that any person or organisation nominated to assist them in complying with the duty to manage:

- can demonstrate suitable competence and training;
- can demonstrate independence, impartiality and integrity;
- has an adequate management system in place; and
- carries out any survey commissioned to locate ACMs, in accordance with recommended guidance.

Where the dutyholder appoints a third party to carry out a survey, they must assess if the surveyor is likely to have adequate experience and training by checking that they are accredited by a recognised accreditation body, which is the United Kingdom Accreditation Service (UKAS).

6. The Arrangements for Establishing the Location and Condition of Known or Presumed ACMs in the Properties Owned, Managed and Maintained by NHS Lothian

NHS Lothian have records of having undertaken asbestos surveys for their properties since at least 2009, which has since been transferred onto the eRisk electronic database. This combined with any new survey reports, will subsequently be made available to NHS Lothian personnel, enabling them to check that the materials were not inadvertently disturbed during reactive and planned maintenance work.

The asbestos management survey information has been periodically updated following annual condition monitoring re-inspections undertaken on sites with significant ACMs present defined by the allocation of medium or high material risk assessment scores.

Prior to 2010, asbestos surveys were only undertaken in Sites which had been constructed prior to 1985, when Regulations were introduced in the UK prohibiting the use of the most hazardous types of asbestos products and asbestos fibre types. From 2010 forward, following the introduction of new survey guidance, "Asbestos – the survey guide", published by the Health and Safety Executive, any new asbestos survey programme had then to include all sites constructed before 2000 and the re-survey of the existing surveys which had been found to contain ACMs for which the associated risks, based on the material assessment scores, had been categorised as low, medium, high or very high.

Upon uploading surveys to eRisk, a review of the data was conducted. Areas that were not previously surveyed, either accidentally missed or due to lack of opportunity for access are of the highest priority for inspection now and a schedule had been created for the surveying of those areas.

The new survey programme will involve the allocation of appropriate control and management actions for the identified ACMs which will be actioned through a remediation works programme. The eRisk asbestos management database will be updated following the completion of these works.

NHS Lothian appoints asbestos surveyors for its survey programme when accredited through UKAS. ISO / IEC 17020 for bodies undertaking inspections and ISO/IEC 17025 for good laboratory practice.

Condition monitoring re-inspections will be undertaken on an annual basis by a UKAS accredited surveying company such as Santia, during which, any necessary adjustments will be made to the material and priority risk assessment scores and the management and control actions reviewed.

In the event of a material change in the HSE guidance relating to the conduct of asbestos surveys, consideration will be given to the need for any new asbestos surveys. The intention with the new surveys is to ensure that the data held is comprehensive, of high quality and is easily accessible.

All surveys undertaken can now be accessed via eRisk.

7. Reports & Electronic Databases

All NHS Lothian asbestos survey data and reports are in pdf format and are to be held on an electronic asbestos management database provided by and managed by the NHS Lothian contractor. This system, referred to as erisk, holds all the data recorded during surveying processes, and, where available, the material, priority and total risk assessment scores together with photographs of the ACMs in situ, and detailed plans to precisely locate the ACMs within each building. Where gaps are identified, this should be brought to the attention of the surveyors for surveying.

The pdf survey reports include information relating to the buildings or areas of buildings surveyed, a summary of the findings with tabulated information for the ACMs confirmed by analysis or which are presumed and for the materials which have been confirmed by analysis as not containing asbestos. The survey reports shall also include the information required to calculate the material and priority risk assessment scores, a photograph of the ACM in situ, its unique sample number and the recommended management or control action, all of which shall then be summarised in the asbestos register for the building. The pdf report shall also include the building plans and the analysis certificates, all as specifically required to comply with the guidance provided by the HSE in HSG264, "Asbestos: the survey guide".

In addition to the survey data and reports referred to above, eRisk shall also include records and information relating to asbestos removal and remediation works undertaken in NHS Lothian site properties. This information shall include information relating to the performance of the contractors engaged to undertake

work that is notifiable to the Health and Safety Executive under the provisions of the Control of Asbestos Regulations 2012.

On receipt, the asbestos survey reports will be reviewed by the relevant Estates Officer to ensure that all areas of the buildings concerned have been included in the survey. In order to comply with guidance for dutyholders included in HSG264, "Asbestos: the survey guide". The survey reports will subsequently be reviewed by the Appointed Person for Asbestos Management or the Deputy Appointed Person together with the relevant Asbestos Co-ordinator to ensure that the allocated risk assessment scores are accurate and appropriate for the situations in which the ACMs have been identified.

Where recommendations are made in the survey reports for asbestos remediation or removal works, these are subject to a review by the relevant asbestos co-ordinator together with the Appointed or Deputy Appointed Person for Asbestos Management, to agree on the actions to be taken for carrying out the recommendations.

Access to eRisk is provided to any NHS Lothian employees who require it. Access to erisk is achieved via the homepage of the asbestos management contractor. Authorised users are provided with a unique username and password which are obtainable from the asbestos management contractor.

The user guide for NHS Lothian users can be obtained from your site asbestos co-ordinator, their email addresses are:

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|----------------------------------|--|
| ▪ Edinburgh Acute (WGH) | Paul Johnstone [paul.johnstone@nhslothian.scot.nhs.uk] |
| ▪ Edinburgh Acute (Lauriston) | Archie Mason [archie.mason@nhslothian.scot.nhs.uk] |
| ▪ Edinburgh Community, REH & AAH | Tom Watson [thomas.watson@nhslothian.scot.nhs.uk] |
| ▪ East & Midlothian | Angus MacIsaac [angus.macisaac@nhslothian.scot.nhs.uk] |
| ▪ West Lothian | Rae Jarvis [rae.jarvis@nhslothian.scot.nhs.uk] |

8. Training for Employees and Contractors

Regulation 10 of CAR 2012 requires employers to ensure that anyone liable to disturb asbestos during their work, or who supervises such employees, receives the correct level of information, instruction and training to enable them to carry out their work safely and competently and without risk to themselves or others. The training needs to be appropriate for the work and the roles undertaken by individuals.

In recognition of the above requirements, NHS Lothian are committed to provide asbestos awareness training to all employees who have any potential for coming into contact with ACMs during their normal work and for those who have a management or oversight role for those who may come into contact with ACMs.

The main groups of employees to whom this training will be provided are detailed in the table in this section.

Asbestos awareness training will conform to the requirements set out in regulation 10 of CAR 2012 and the associated Approved Code of Practice, "Managing and working with Asbestos" L143 2013. In addition, this

training will include specific reference to the asbestos management procedures as set out in this AMP, relevant to those who will receive the training, including the NHS Lothian Asbestos Emergency Procedures. This training will be delivered by a training organisation approved by the United Kingdom Asbestos Training Association (UKATA).

Those who have direct asbestos management responsibilities or who may be required to provide asbestos management advice, will undertake the British Occupational Hygiene Society Proficiency Module P405 training in Asbestos Management.

The UKATA approved half day Duty to Manage extension to Asbestos Awareness training includes information on the fundamentals of asbestos management, the course will cover a brief overview of: regulation 4 of CAR2012, surveying, survey reports, the management plan and categories of asbestos work.

The UKATA Asbestos Project Manager course is suitable for persons who are responsible for delivering and overseeing asbestos removal projects and where persons are required to understand the legislative requirements for asbestos surveying and asbestos removal procedures, including the procurement and the on-site management of asbestos contractors (both licensed and non-licensed).

To ensure that relevant Senior Managers and Directors of NHS Lothian are aware of their legal responsibilities relating to the management of asbestos, consideration will be given to providing a two-hour asbestos management briefing.

A 2-hour toolbox talk covering asbestos materials and the correct reporting process will be required for anyone who is likely to encounter damaged asbestos; domestic and security staff are the most likely to need this.

All contractors who are engaged by NHS Lothian to undertake maintenance or other building related works will be expected to confirm that they have received a minimum of asbestos awareness training delivered by an approved training provider and to meet the requirements of UKATA.

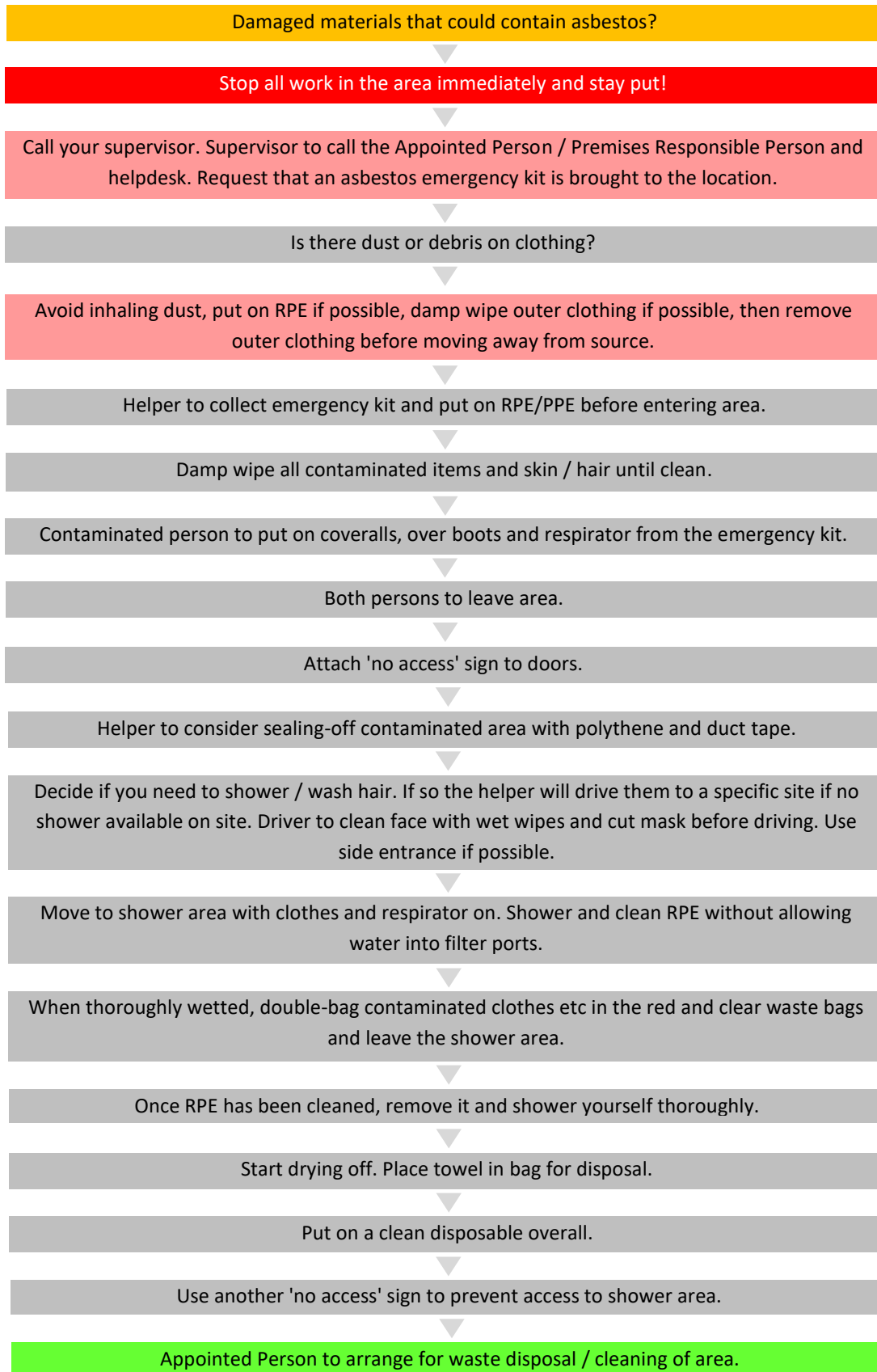
The training requirements referred to above is summarised in the table below:

Category of Training	Employee Groups	Target Delivery Dates- To Be discussed.	Course duration	Refreshers
Asbestos Awareness training to CAR 2012 and UKATA requirements	Persons in charge at NHS Lothian premises		½ day	Annual 2-hour refreshers
	Estates Sector Managers			
	AP for asbestos management			
	Deputy AP			
	H&S Adviser			
	Asbestos co-ordinator			
	Contractors			
	Help desk officers			
	Project managers			
	Project engineers			
	Assurance managers			
Any other supervisors and trades personnel/ anyone else likely to accidentally disturb asbestos.				
UKATA half day extension to Asbestos Awareness – Duty to Manage	Asbestos Co-ordinators		½ day	Annual ½ day refreshers (including asbestos awareness)
	Assurance managers			
UKATA Asbestos Project Manager	Project Managers		1 day	Annual one day refresher (including asbestos awareness)
BOHS P405 Asbestos Management	NHS Lothian Appointed Person for Asbestos Management		4 days	Annual one day refresher
	Deputy Appointed Person for Asbestos Management			
	H&S Adviser			
Duty to Manage	Asbestos co-ordinators		3 days	Annual refresher: asbestos awareness
Asbestos briefing	Appropriate Senior Managers and Directors including Chief executive, Director of		Two hours	Annual refresher, duration as per TNA

	Operations Facilities and Director of Capital Planning.			
Asbestos toolbox talk	Cleaners and security – anyone else likely to spot damaged ACMs.		Two hours	Annual refresher, duration as per TNA
Emergency Procedures Training	Appropriate Persons in Charge at each building, asbestos co-ordinators or maintenance supervisors		Two Hours	Annual refresher as per TNA
Erisk training	Managers and supervisors of contractors and staff with access to erisk		2 hours	As per TNA
	Helpdesk officers			

Appendix A Emergency Procedures

Example of an emergency procedure – for adaptation by local estates management:



By following this procedure it will enable a person to be rescued from an emergency situation much quicker than a LARC could arrive on site but it will involve extra training and the provision of asbestos emergency kits on sites.

Appendix B Terms, Definitions & References

Term	Description
ACMs	Asbestos containing materials
AP	Asbestos Appointed Person
AMP	Asbestos Management Plan
Capital Project Work	Major work activities involving construction, expansion, renovation, or replacement of existing facilities and equipment normally in excess of £30k
CDMS	Controlled electronic document management system.
Clearance Indicator Level	An area is deemed acceptable for occupation if this level is not exceeded. The level is expressed as 0.01 f/cm ³ or f/ml.
Control Limit	A concentration of asbestos in the atmosphere of 0.1 fibres per cubic centimetre (f/cm ³) (can also be expressed as fibres per millilitres f/ml) of air averaged over a continuous period of 4 hours.
Deputy AP	Deputy Appointed Person
DH	Duty Holder
eRisk	The asbestos management contractor's online asbestos risk management system.
HSE	Health and Safety Executive.
LARC	Licensed Asbestos Removal Contractor
Material Score (Material Assessment Algorithm)	A numerical value given to the material deeming its friability.
NAD	No Asbestos Detected (in sample)
NL	Non-Licensed work
NNLW	Notifiable Non-Licensed Work.
PDH	Principle Duty Holder
Priority Assessment	A numerical value which considers the likelihood of disturbance and potential scope of exposure, which is dependent upon occupancy and work activities in the area. This assessment is generally not used for determining remediation activities.
RP	Responsible Person.
Site Minor Works	Low value, low complexity work activities (nominally below £30,000 in value) involving renovation, or replacement of facilities and equipment.

Register	Record system which holds the list of known asbestos locations (on erisk)
Site Asbestos Survey Report	A single set of reports holding the up-to-date asbestos survey information for the Site
SOP	Standard Operating Procedure
TNA	Training Needs Analysis

References

Reference	Title
CAR 2021	Control of Asbestos Regulations 2021
CDM 2015	The Construction (Design and Management) Regulations 2015
L143	Managing and working with asbestos
HSG247	Asbestos: The licensed contractors' guide
HSG248	Asbestos: The analyst guide for sampling, analysis and clearance procedures
HSG264	Asbestos: The survey guide
HSG210	Asbestos essentials
HSG227	A comprehensive guide to managing asbestos in premises

Please also see the HSE website for detailed up to date guidance and definitions:

<https://www.hse.gov.uk/asbestos/>

Appendix C Roles & Responsibilities

Responsibilities of the Lothian NHS Board:

- Ultimate responsibility for ensuring that appropriate arrangements are in place for the safe management of all ACMs included in NHS Lothian properties for which the organisation has sole or shared dutyholder responsibilities for asbestos management.
- Ensuring that there are adequate arrangements and procedures in place to ensure the safe management of ACMs present in the buildings owned or leased, operated and maintained by NHS Lothian, in full compliance with the requirements of CAR2012 and other relevant items of legislation, as referred to in this Asbestos Management Plan.
- The Board have delegated the dutyholder responsibilities to the Chief Executive who must ensure that adequate arrangements and procedures are in place to ensure the safe management of all ACMs on the sites and in all the buildings for which NHS Lothian is the sole or shared dutyholder for compliance with the asbestos management provisions of CAR 2012.

Responsibilities of the Chief Executive:

Ultimate accountability for this AMP lies with the Chief Executive who, on behalf of Lothian NHS Board, recognises and accepts its responsibility as an employer for providing a safe and healthy work environment for its employees and others including patients, contractors, visitors, and other users who may be affected by its work.

The Chief Executive is responsible for ensuring that there are adequate arrangements and procedures (including sufficient financial and employee resources) in place to ensure the safe management of ACMs present in the buildings owned, operated and maintained by NHS Lothian in full compliance with the requirements of the CAR 2012 and other relevant items of legislation as referred to in this AMP.

This will include ensuring that there are systems in place to:

- Identify, evaluate and manage the risks associated with known ACMs.
- Detailed responsibilities and functions for asbestos management are appropriately delegated in accordance with the guidance provided in the Health and Safety Executive document, HSG 264, "Asbestos – the survey guide", ensure that an Appointed Person and where necessary a Deputy Appointed Person(s) are nominated to ensure that asbestos management requirements are complied with on a day-to-day basis. Further, ensure that the Appointed Person and the Deputy Appointed Persons have the necessary skills, knowledge, experience, authority and time to enable them to carry out their duties effectively.

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- Provide sufficient resources for effective staff training relevant to their roles and responsibilities on an annual basis.
 - Ensure that in buildings where there is a shared responsibility for asbestos management, that there is an adequate level of co-operation between NHS Lothian and other organisations who have dutyholder responsibilities for asbestos management.
 - Monitor any incidents relating to the release of asbestos fibres via the NHS Lothian Health and Safety Committee and/or Facilities Health and Safety Group.
 - Review the effectiveness of this Asbestos Management Plan on a 12-monthly basis via the Lothian Partnership Forum, or more regularly where circumstances dictate.

For the jurisdiction to which this Asbestos Management Plan applies, the Chief Executive has delegated the dutyholder responsibilities for asbestos management to the Appointed Persons.

Responsibilities of the Director of Estates and Facilities – Appointed Person:

The Director of Estates and Facilities has been appointed by the Designated Person as the NHS Lothian Appointed Person for Asbestos Management (alongside the Director of Capital Planning) who will, ensure that all asbestos management requirements for NHS Lothian are undertaken and complied with on all work, excluding significant construction projects which will be the responsibility of the Director of Capital Planning.

The AP shall require the necessary skills, knowledge and experience required to effectively undertake their asbestos management roles, having the necessary authority and financial provision to undertake their duties effectively.

For buildings where there is a shared responsibility with other dutyholders for asbestos management, co-operation shall be maintained with other parties to ensure that the ACMs are safely managed at all times.

In liaison with the Director of Capital Planning and Deputy AP, to ensure that the AMP is kept fully up to date and reviewed at least every 12 months, to reflect the progress of NHS Lothian towards ensuring and maintaining the asbestos management requirements as prescribed within CAR 2012.

The Responsibilities of the Head of Operations Hard FM:

The Head of Operations Hard FM has been appointed by the Appointed Person as the NHS Lothian Deputy Appointed Person for Asbestos Management, who will ensure that all asbestos management requirements for NHS Lothian are undertaken and complied with on a day-to-day basis.

As the NHS Lothian Deputy Appointed Person for Asbestos Management, the Head of Operations Hard FM will be responsible for ensuring that on all occasions, except for significant construction projects, there shall be:

- Adequate and compliant management surveys have been carried out to fully define the presence, extent and condition of ACMs present in the buildings and areas of buildings owned by NHS Lothian, including any sites leased to or by NHS Lothian.
- The risks associated with the identified ACMs have been correctly and adequately assessed.
- Records are available to include asbestos registers and plans to accurately locate the ACMs which have been identified.
- Effective and efficient systems are in place to make the information relating to the presence of ACMs and the associated risks available.
- Systems are in place for the periodic condition monitoring of identified ACMs at periods not in excess of 12 months and more regularly where circumstances dictate.
- Where works which may disturb the fabric of any building are to be undertaken, appropriate refurbishment and demolition surveys are commissioned and carried out to identify any ACMs which may be concealed within the fabric of the building.
- Where it may be necessary to undertake any asbestos removal or works to reduce the risks associated with identified ACMs, including enclosure, encapsulation or detailed cleans to remove asbestos debris, liaise with the asbestos co-ordinator and if necessary, an asbestos consultant, and to ensure that the works are undertaken by competent and HSE Licensed Contractors.
- Where clearance testing is required, that this shall be procured from an analyst appointed separately from the main asbestos removal contractor.
- Following the undertaking of asbestos removal or other abatement works, complete records of work are obtained and stored securely for future reference with appropriate updates made to the Asbestos Registers.
- The requirements of the Asbestos Management Plan are complied with progress monitored toward achieving the objectives detailed within the AMP. This management plan shall be maintained in place and updated as required.
- The Deputy AP will review any policies in line with NHS Lothian policy review guidelines and make any amendments as a result of legislation changes or as a result of an adverse incident.
- For asbestos management work generally, the Head of Operations Hard FM will ensure, through discussion with the Appointed Person, that adequate financial provisions are included in annual

budgets to facilitate the undertaking of necessary works to either remove or otherwise make safe any ACMs which have been found to be in a friable condition.

- Ensure that all members of staff who may have a role in asbestos management or otherwise encounter ACMs during the undertaking of their work, receive the appropriate level of asbestos training as detailed in this AMP.

Assistance shall be sought from the Head of Projects Estates.

Support will also be sought from the area asbestos co-ordinators, and the Head of Operations Hard FM will need to ensure competence of the asbestos co-ordinators before appointment.

To ensure that the Head of Operations Hard FM and the Head of Projects Estates have the necessary knowledge and skills to full their job roles and responsibilities, the requirement will be for them to hold the British Occupational Hygiene Society P405 module qualification in Asbestos Management.

The Responsibilities of the Capital Planning Deputy AP:

The Capital Planning Deputy AP has also been appointed as the NHS Lothian Deputy Appointed Person for Asbestos Management, supporting the Director of Capital Planning, who will ensure that all asbestos management requirements for NHS Lothian are undertaken and complied with on significant construction projects.

The Capital Planning Deputy AP will be responsible for ensuring that on significant construction projects:

- Adequate and compliant Management Surveys have been carried out to fully define the presence, extent and condition of ACMs present in the buildings and areas of buildings owned by NHS Lothian, including any sites leased to or by NHS Lothian.
- The risks associated with the identified ACMs have been correctly and adequately assessed.
- Records are available to include asbestos registers and plans to accurately locate the ACMs which have been identified.
- Effective and efficient systems are in place to make the information relating to the presence of ACMs and the associated risks available to those who undertake capital project works.
- Systems are in place for the periodic condition monitoring of identified ACMs at periods not in excess of 12 months and more regularly where circumstances dictate.

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- Where works which may disturb the fabric of any building are to be undertaken, appropriate refurbishment and demolition surveys are commissioned and carried out to identify any ACMs which may be concealed within the fabric of the building.
 - Where it may be necessary to undertake any asbestos removal or works to reduce the risks associated with identified ACMs to include enclosure, encapsulation or detailed cleans to remove asbestos debris, liaise with the asbestos co-ordinator and if required, an asbestos consultant, to ensure that the works are undertaken by competent and HSE Licensed Contractors.
 - Where clearance testing is required, that this shall be procured from an analyst appointed separately from the main asbestos removal contractor.
 - Following the undertaking of asbestos removal or other abatement works, complete records of work are obtained and stored securely for future reference with appropriate updates made to the asbestos registers.
 - The requirements of the Asbestos Management Plan are complied with progress monitored toward achieving the objectives detailed within the AMP. This management plan shall be maintained in place and updated as required.
 - The Director of Capital Planning will review any policies in line with NHS Lothian policy review guidelines and will make any amendments as a result of legislation changes or as a result of an adverse incident.
 - For asbestos management work generally, the Director of Capital Planning will ensure, through discussion with the Appointed Person, that adequate financial provisions are included in annual budgets to facilitate the undertaking of necessary works to either remove or otherwise make safe any ACMs which have been found to be in a friable condition.
 - Ensure that all members of staff who may have a role in asbestos management or otherwise encounter ACMs during the undertaking of their work, receive the appropriate level of asbestos training as detailed in this AMP.

Support will also be sought from the asbestos co-ordinators.

To ensure that the Director of Capital Planning has the necessary knowledge and skills to full their job roles and responsibilities, the requirement will be for them to hold the British Occupational Hygiene Society P405 module qualification in Asbestos Management.

The Responsibilities of the Head of Projects Estates:

The Head of Projects Estates will provide support to the Head of Operations Hard FM in fulfilling the role of Deputy Appointed Person for Asbestos Management as detailed above.

The requirement will be for them to hold the British Occupational Hygiene Society P405 module qualification in asbestos management.

Responsibilities of the Asbestos Co-ordinators:

- General day-to-day responsibilities to check and monitor on the condition of the buildings under their control.
- Will be responsible for ensuring that they familiarise themselves with the ACMs present in the buildings for which they are responsible by referring to the asbestos management data held on the
- On every occasion that an asbestos co-ordinator visits a building they must ensure that the hard copy asbestos survey report is available at the reception area or some other easily identifiable location where it can be accessed by any building trades or equipment installation contractor to reference on arriving at the premises.
- The asbestos co-ordinator will have sufficient authority to undertake their role and work in partnership with the post-holder(s) to ensure that the ACMs within NHS Lothian premises are maintained and that exposure to asbestos is prevented or reduced as far as is reasonably practicable.

The Responsibilities of the Estates Sector Managers:

When planning for the conduct of reactive or planned maintenance work, where asbestos is identified at the work location prior to commencement of the work by the appointed contractor, by referring to the premises asbestos register, the Estates Sector Managers will respond to requests from the Facilities Helpdesk to investigate the details relating to the ACMs present at the work location. Where there is a possibility that the identified ACMs may be disturbed by the responsive or planned maintenance work, the Estates Sector Managers will, in consultation with the NHS Lothian AP or Deputy AP, seek quotations from approved LARCs. Where required, they should also seek advice from the appointed asbestos consultants to assess the work and prepare a specification document.

Post-work clearance tests should be sought from an analyst appointed independently of the main asbestos contractor.

On completion of the asbestos works the Estates Sector Managers will ensure that the certificates of re-occupation for the areas concerned are received prior to handing the location back over to the maintenance contractor to complete their works.

Subsequently, the Estates Sector Managers will ensure that the records of the asbestos work undertaken are provided to the NHS Lothian AP or the Deputy AP so that they can ensure, in conjunction with the appointed asbestos consultants, that the asbestos management records are updated in eRisk and an updated survey report produced with a hard copy provided to the premises concerned.

Whilst undertaking a visit to any NHS Lothian building for any purpose, the Estates Sector Managers will take the opportunity to undertake a check on the condition of ACMs in accessible areas, as time allows, in order to identify any damage or deterioration which may have occurred. In the event of damage or deterioration being detected the Estates Sector Managers will instigate arrangements for any required asbestos removal or abatement works to be undertaken.

To ensure that they have the necessary knowledge to undertake the asbestos management duties included in their job role and responsibilities under this AMP the requirement will be for the Estates Sector Managers to hold the British Occupational Hygiene Society P405 module qualification in Asbestos Management.

The Responsibilities of the Property Project Managers:

Where the need for projects is required, the property project managers will assess the requirements of the project and prepare capacity drawings to determine if the project is feasible. This process may also be undertaken by an appointed architect. In accordance with the requirements of CDM 2015, to identify all risks associated with a project, the Property Project Managers will consider the asbestos information available for the area of the building where the work is to be undertaken. Invariably, project work will disturb the fabric of buildings and in accordance with the guidance provided in the HSE document HSG 264, "Asbestos – the survey guide", the Property Project Manager will arrange for an appropriate refurbishment or demolition survey to be carried out to determine the possible presence of ACMs concealed within the fabric of the building. The findings of this survey will be provided to the project designer for the undertaking of the detailed design for the project.

In the event of asbestos removal or abatement works being required to facilitate the project, the Property Project Managers will arrange for an appropriate specification of works to be prepared and for this to be issued to approved LARCs for pricing and eventual execution of the works. (This process may be handed over to the principal contractor.)

Property Project Managers must ensure that all relevant paperwork (updated survey reports, certificates of reoccupation, waste consignment notes and any statements of cleanliness) are forwarded to enable the

eRisk register to be updated. They must also ensure that any contractors or non-NHS Lothian organisations appointed by them are aware of the NHS Lothian arrangements for managing asbestos.

The Responsibilities of the Health and Safety Adviser:

The Health and Safety Adviser will be consulted in relation to the content and procedures detailed within this Asbestos Management Plan.

From time to time, the Health and Safety Adviser will undertake audits of projects and other procedures to ensure that all health and safety and asbestos management procedures are being complied with. In the event of any non-compliances being identified, the relevant matters will be referred to the Director of Estates and Facilities to ensure that appropriate corrective actions are undertaken.

Further, the Health and Safety Adviser will undertake investigations of accidents, incidents or other emergencies, which could involve the accidental disturbance of ACMs. Subsequent to these investigations, the Health and Safety Adviser will advise the Head of Operations Hard FM as to whether the circumstances of any incident or accident are reportable to the Health and Safety Executive under the provisions of the Reporting of Injuries, Diseases or Dangerous Occurrences Regulations 2013.

The Responsibilities of the Helpdesk Officer:

The Helpdesk Officer will receive requests for building maintenance requirements from the various buildings either as an online request using the Facilities Management Helpdesk or by way of a phone call to the helpline. The requests for work received by telephone communication will be detailed and logged onto the system. These requests for work will be conveyed to the engineer or contractor as may be required. The requirements for the work are either relayed by email or, for more urgent works, by telephone contact. When the work requirements are conveyed to contractors, the Helpline will include a requirement for the contractor to check the asbestos information for building location where the required work is to be carried out.

The Responsibilities of Contractors engaged by NHS Lothian:

All contractors engaged by NHS Lothian to undertake any building maintenance or installation works will be required in accordance with this Asbestos Management Plan to check for the presence of ACMs at any work location before commencing work. A communication relating to this requirement will be provided to all contractors to emphasise and remind them of this obligation.

Contractors will be provided with access to the eRisk asbestos management database which will give them the capability to check for the presence of ACMs at any location before their employee travels to site. If not, contractors will be able to have access to the hard copy survey reports on their arrival on site.

For planned maintenance work the responsibility to provide asbestos information to contractors prior to the commencement of the planned maintenance programme will be on the person who undertakes the planning of the works.

For project works, contractors will be provided with information relating to the presence of ACMs in the area where the project works are to be undertaken as part of the pre-construction information provided in accordance with the provisions of CDM 2015.

All contractors who undertake building related or installation works for NHS Lothian will be required to ensure that as a minimum, their site employees receive appropriate asbestos awareness training delivered by a training provider approved by UKATA. A communication will be sent to all relevant contractors to remind them of this obligation.

On arrival at an NHS Lothian premises, the contractor should introduce themselves to the NHS Lothian reception or alternatively the person in charge of the building.

The contractor must comply with the required signing in procedure and confirm that the required checks for the presence of ACMs at the location where work is to be undertaken have been undertaken.

The contractor must select methodologies which will enable the works to be undertaken with no disturbance of ACMs and not undertake any work which will involve any direct contact with ACMs unless they have received appropriate training.

In the event of the contractor coming across any materials suspected of containing asbestos, which have not been previously identified, immediately stop work and refer to the asbestos co-ordinator responsible for the building.

Contractors must familiarise themselves with the asbestos emergency procedures (example in this AMP) and follow these procedures in the event of any inadvertent or accidental disturbance of an ACM. A copy of the asbestos emergency procedure will be provided to all contractors engaged by NHS Lothian.

The Responsibilities of the Appointed Asbestos Consultants:

Tersus Consultancy has provided asbestos management consultancy services to NHS Lothian since 2021. All the NHS Lothian asbestos survey data and reports have recently been moved onto their eRisk asbestos management database, together with the records of all asbestos removal and abatement works undertaken.

The requirements for appointment as an asbestos consultant are that:

- They possess accreditation through UKAS to confirm compliance with ISO/IEC 17020, “Conformity assessment - requirements for the operation of various types of bodies performing inspection” for the conduct of asbestos surveys and condition monitoring re-inspections.
- They possess accreditation through UKAS to ISO/IEC 17025, “General requirements for the competence of testing and calibration laboratories” for the conduct of airborne fibre monitoring and analysis by Phase Contrast Microscopy, and the analysis of bulk samples for asbestos fibre content by Polarised Light Microscopy.
- They have relevant experience in delivering asbestos consultancy services for a range of clients.
- They hold the required employee liability insurance, public and products insurance and professional indemnity insurance.

In summary, the services provided by the Asbestos Consultants will include:

- Asbestos Management Surveys in accordance with the procedures detailed in the Health and Safety Executive Guidance Note, “Asbestos: The survey guide” HSG 264.
- Asbestos Refurbishment and Demolition Surveys in accordance with the HSG 264.
- Asbestos condition monitoring re-inspections.
- Emergency asbestos sampling.
- Project Management, supervision and monitoring of asbestos removal and abatement works.
- Provision of asbestos advisory, management and consultancy advice.
- Preparation of asbestos management documentation.
- Air test monitoring to supplement risk assessments, where considered necessary.
- Asbestos related training.