

Loss Prevention Standards

Asbestos in Buildings – A Guide for Residential Property Owners

Introduction

As a general rule, asbestos can be present within any property built or refurbished prior to 2000. Depending on the type of building, this may fall within the Control of Asbestos Regulations 2012. Please see the information below for guidance.

Domestic Property

If you own domestic residential property, which consists of private dwellings that do not contain common or communal areas, including common parts of houses that have been converted to flats, then your only duty is to ensure that you engage competent contractors to carry out repairs and maintenance. The onus for compliance with the Control of Asbestos Regulations 2012 is on the builder or contractor.

However, if you are aware or strongly suspect asbestos containing materials (ACMs) to be within your property, then you should inform any maintenance workers or contractors of the ACMs before they start work. Your Local Authority may be able to provide guidance on the disposal of ACMs.

If the property contains communal or common areas then you are a duty holder under the Control of Asbestos Regulations 2012, and the following guidance should be observed.

NB: It should be noted that it is illegal to sell or supply any item containing asbestos, such as an old ironing board with an asbestos cement iron rest, even if it is free of charge. Such items cannot be disposed of as normal household waste and must be disposed of as hazardous waste.

The Duties

The Regulations require Duty Holders to:

- Investigate whether asbestos or ACMs are present
- Check the condition, location and type of asbestos
- Carry out a risk assessment, including the likelihood of the ACMs being disturbed
- Prepare a written plan specifying the measures to be taken to manage the risk and maintain an up-to-date Asbestos Register
- Inform anyone who might disturb the ACMs or who might work on the materials of its presence

The above can be achieved by carrying out an Asbestos Management Survey.

It should be noted that the duties do not specifically require an official asbestos surveying company to conduct this survey and can be carried out by a competent person with knowledge of asbestos. However, a survey may be necessary to identify some ACMs or to confirm the full extent of their presence. The survey report will also note a material score for use in the written plan and as part of prioritising any work required to manage the risk.

Whilst ACMs in poor condition may need removal, this is not always the case as there are alternative methods of managing the risk, e.g. encapsulation or restricting access.

Hazards of Asbestos

The hazards of asbestos are well known and its presence in buildings makes good risk management essential.

Identifying Asbestos

The first step is to identify the materials that may contain asbestos. Although the types of asbestos are commonly known by their colour (blue, brown and white), ACMs cannot be identified by the colour alone and are often invisible to the naked eye or disguised by the colour of the materials that contain asbestos.

Condition of the ACM

The chance of asbestos fibres being released into the air will be increased if the ACM:

- Is located where it could be knocked or bumped or have frequent contact with people
- Is located where it may be worked upon, e.g. where someone may drill holes in it for pipes or cables or where routine maintenance work is carried out
- Surface is breaking up, damaged or cracked
- Has become detached from the structure or item it is protecting, e.g. a loose asbestos insulation board from a steel girder or loosened insulation wrapped around a pipe
- Is of a product type that is easily broken or disturbed

If there are signs of dust or debris from the material in the immediate area then the risk should be regarded as needing immediate attention. In some cases it may be necessary to restrict access until remedial work has been carried out.

Removal or Repair

ACMs that are irreparably damaged, prone to damage or difficult to repair will need to be removed.

ACMs that are in good condition, or have been sealed or protected, should be clearly marked with the asbestos warning sign. Keep a note of all ACMs locations, mark amendments on building plans and update the Asbestos Register.

Where ACMs are left in place, they should be annually inspected as a minimum (more regularly depending on asbestos/material type) to check on their condition. It may be helpful to record any materials that have been tested and found not to contain asbestos, in case they are called into question. Some types of work with ACMs must be carried out only by licensed persons or be notified to the Health and Safety Executive (HSE).

It is advisable that all asbestos removal be carried out by suitably trained persons. If any further information is required, please consult HSE guidance for assistance: [HSE Asbestos Essentials](#).

Notifying Workers and Contractors

It is important that any employees and contractors who are involved with building maintenance are informed of the location of ACMs. They must be made aware of the risks to health and be instructed that they must not disturb ACMs. In addition to informing them of the location, type and condition of the known ACMs, they should be generally aware of what sorts of materials contain asbestos and the need to inform a responsible person if they inadvertently discover or disturb any materials that may contain - or suspect to contain - asbestos, and the emergency procedures to follow if an area becomes contaminated with asbestos.

All contractors and anyone else that carries out routine maintenance work should have completed Asbestos Awareness Training.

Disposal of Asbestos

Asbestos waste (that is any material containing more than 0.1% asbestos) is covered by environmental legislation, the Special Waste Regulations 1996, and should be double wrapped in heavy-duty polythene bags and clearly labelled before it is transported to a disposal site. It can only be disposed of at a site that is licensed to take hazardous waste and must never be mixed with household waste.

Key Action Steps

- Identify materials that may contain asbestos on site
- Arrange for samples to be taken to identify if (and what type of) asbestos is present using a UKAS accredited laboratory
- Assess the risk of anyone being exposed to asbestos
- Decide whether the ACM should be removed or sealed or remain as it is, taking into consideration its location and condition
- Arrange for the ACM to be removed/sealed or any other remedial work using a licensed contractor if appropriate
- Mark any ACM that is to remain on site with the asbestos label and keep an up-to-date Asbestos Register
- Inform employees, tenants and contractors of the location of ACMs and make sure they do not disturb any ACMs
- Check the condition of the ACM by inspecting it at least annually

It should be noted that the above advice is relevant specifically to residential properties. Additional steps may be required for all non-domestic properties.

Additional Information

- [HSE - Asbestos Health and Safety](#)
- [The Control of Asbestos Regulations 2012](#)

Further risk management information can be obtained from [Aviva Risk Management Solutions](#)

Please Note

This document contains general information and guidance and is not and should not be relied on as specific advice. The document may not cover every risk, exposure or hazard that may arise and Aviva recommend that you obtain specific advice relevant to the circumstances. AVIVA accepts no responsibility or liability towards any person who may rely upon this document.

