

Regulation 4 of the Control of Asbestos at Work Regulations came into force in 2002

This regulation imposes a Duty to Manage Asbestos in all Non-Domestic Premises.

Duty holders must identify any likely asbestos containing materials in the premises under their control, carry out a risk assessment on it and put a plan in place to manage it. This plan may be inspected by the Health and Safety Executive.

A duty holder is any person who has control to any extent of the premises in question, or a person who has a maintenance and repair obligation by virtue of a contract or tenancy. Where there is more than one duty holder for a premise, their duty under this regulation is determined by the nature and extent of their normal maintenance and repair obligations.

Take the correct action

Step 1.

The first step for duty holders is to identify any asbestos containing material. Unless it is a modern building with documentary evidence that no asbestos was used in construction, then an **asbestos survey** will be required.

Step 2.

Persons undertaking asbestos surveys and management must be competent. There is no statutory qualification for this, but the industry accepted qualification is British Occupational Hygiene Society (BOHS) P402 for surveying and P405 for management.

Step 3.

The Standard for surveying, sampling and assessment of asbestos containing materials is published by the HSE in MDHS 100. Alliance Risk Services work to this standard.

Step 4.

An asbestos survey on its own does not discharge the duty. Identified or suspected asbestos must be **risk assessed** and **managed** on an **ongoing basis**. This may or may not include removal of the asbestos.

Step 5.

Asbestos management plans must consider all situations where exposure from the asbestos is likely to occur and all persons likely to be exposed. This especially includes maintenance workers, building contractors, demolition contractors and similar, as well as usual employees at work in the premises.

Alliance Risk Services' consultants are competent to deal with these issues.

About Asbestos

Asbestos is a naturally occurring fibrous material having excellent insulation properties; it has been used in large quantities for lagging boilers, steam pipes and similar plant, and as fire protection. The strong fibres have been used as strengtheners in the manufacture of a variety of items, including for example, asbestos cement roof sheets.

The risk from asbestos comes when the individual fibres are inhaled. Attaching to the lungs, they can cause a number of respiratory diseases, many of which are terminal. The period from inhalation of asbestos to the onset of disease can be as long as forty years, but can be considerably shorter. Not everyone exposed to asbestos will develop a disease; some people may be affected by a single exposure, although this is unusual.

Asbestos is no longer legally available for use in the UK but there is still a large quantity remaining in commercial and residential properties. The eventual aim is to remove it from our environment but in the meantime we need to prevent accidental exposure and illness by properly identifying and managing it.