

# Asbestos in Buildings

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Once used for a variety of purposes, asbestos is a hazardous material that is now illegal to supply, sell or give away. Residential property owners may need to identify, remove and correctly dispose of materials including asbestos.



## Introduction

As a general rule, asbestos can be present within any property built or refurbished before 2000. The hazards of asbestos are well-known and its presence in buildings makes good risk management essential.

## Types of Property

As a property owner, you may have duties under the [Control of Asbestos Regulations 2012](#).

### Private dwellings

If you own domestic residential property consisting of private dwellings that do not contain common or communal areas, including common parts of houses that have been converted to flats, your only duty is to engage competent contractors to carry out repairs and maintenance. It is the builder or contractor who must comply with the Control of Asbestos Regulations 2012. Before they start work, you should inform them of any asbestos containing materials (ACMs) that you are aware of, or strongly suspect, to be within your property.

### Property with communal areas

If your property contains communal or common areas, you are a duty holder under the Control of Asbestos Regulations 2012.

## Your 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

All of this can be achieved by carrying out an Asbestos Management Survey. This can be carried out by a competent person with knowledge of asbestos – the Regulations do not specifically require you to use an official asbestos surveying company. 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.

## Identifying Asbestos and Asbestos Containing Materials

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, in fact, they are often invisible to the naked eye or disguised by the colour of the materials the asbestos is contained within.

## Condition of ACMs

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, the risk requires immediate attention. In some cases, it may be necessary to restrict access until remedial work has been carried out.

## Removal or Repair

There are several methods of managing the risk of ACMs, such as removal, encapsulation or restricting access. Some types of work with ACMs must be carried out only by licensed persons or be notified to the Health and Safety Executive (HSE).

### Removing ACMs

ACMs that are irreparably damaged, prone to damage or difficult to repair must be removed. All asbestos removal should be carried out by suitably trained persons. If any further information is required, please consult HSE guidance for assistance: [Asbestos Essentials](#).

### Leaving ACMs in place

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 the locations of all ACMs, mark amendments on building plans and update the Asbestos Register. Any ACMs left in place should be inspected at least annually (more regularly depending on asbestos/material type) to check 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.

## Notifying Workers and Contractors

All contractors and maintenance workers should have completed asbestos awareness training. However, it is important to make sure that any employees and contractors involved with building maintenance are:

- Informed of the location, type and condition of any known ACMs
- Instructed not to disturb ACMs
- Made aware of:
  - the risks to health
  - what sorts of materials contain asbestos
  - the need to inform a responsible person if they discover or disturb any materials that may contain asbestos
  - the emergency procedures to follow if an area becomes contaminated with asbestos

## Disposal of Asbestos

Any material containing more than 0.1% asbestos is asbestos waste. It is covered by environmental legislation, the [Special Waste Regulations 1996](#), and should be double wrapped in heavy-duty polythene bags and clearly labelled before being transported to a disposal site.

Asbestos waste can only be disposed of at a site that is licensed to take hazardous waste and must never be mixed with household waste. 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. Your Local Authority may be able to provide further guidance.

## Key Action Steps

Take the following steps to manage asbestos risks as a duty holder:

1. Identify materials on site that may contain asbestos
2. Arrange for samples to be taken to identify if asbestos is present, and if so which type, at a UKAS-accredited laboratory
3. Assess the risk of anyone being exposed to asbestos
4. Decide whether the ACM should be removed, sealed or kept as it is, taking its location and condition into consideration
5. Arrange for the ACM to be removed/sealed or any other remedial work using a licensed contractor if appropriate
6. Mark any ACM that is to remain on-site with the asbestos label and keep an up-to-date Asbestos Register
7. Inform employees, tenants and contractors of the location of ACMs and make sure they are not disturbed
8. Check the condition of any ACMs by inspecting them 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.

## Checklist

A generic Asbestos Checklist is presented in Appendix 1 which can be tailored to your own organisation.

## Specialist Partner Solutions

Aviva Risk Management Solutions can offer access to a wide range of risk management products and services at preferential rates via our network of Specialist Partners.

For more information please visit:

[Aviva Risk Management Solutions – Specialist Partners](#)

## Sources and Useful Links

- [Asbestos health and safety](#) – Health and Safety Executive

## Additional Information

Relevant Loss Prevention Standards include:

- Escape of Water and Fluid Leakage

To find out more, please visit [Aviva Risk Management Solutions](#) or speak to one of our advisors.

Email us at [riskadvice@aviva.com](mailto:riskadvice@aviva.com) or call 0345 366 6666.\*

\*Calls may be recorded and/or monitored for our joint protection.

# Appendix 1 – Asbestos Checklist: Residential Property Owners



Location	
Date	
Completed by (name and signature)	

	Asbestos Checklist	Y/N	Comments
1.	<p>Property Responsibility</p> <ul style="list-style-type: none"> <li>• Are you responsible for the maintenance or repair of the premises?</li> <li>• Does the property contain communal or common areas thereby establishing you as a duty holder under The Control of Asbestos Regulations 2012?</li> </ul>		
2.	<p>Property Information</p> <ul style="list-style-type: none"> <li>• When was the property built?                             <ul style="list-style-type: none"> <li>○ Before 2000?</li> <li>○ After 2000?</li> </ul> </li> <li>• Is there any information currently available on the property identifying the presence of Asbestos Containing Materials (ACMs)?</li> </ul>		
3.	<p>Asbestos Management Survey</p> <ul style="list-style-type: none"> <li>• Has one been carried out?</li> <li>• Has it identified any materials that may contain asbestos?</li> </ul>		

	Asbestos Checklist Contd.	Y/N	Comments
4.	<p>Asbestos Containing Materials Identified</p> <ul style="list-style-type: none"> <li>• Are they located in areas where persons could come into contact with the ACMs?</li> <li>• Are they located in areas where they could be worked on (maintenance persons)?</li> <li>• What is the condition of the ACMs:               <ul style="list-style-type: none"> <li>○ Are they damaged/cracked or disturbed?</li> <li>○ If in good condition, have they been sealed/protected and identified with warning signage?</li> <li>○ Is there an updated asbestos register detailing the above?</li> <li>○ If ACMs have been left in place, are they inspected annually to check on their condition?                   <ul style="list-style-type: none"> <li>▪ Is this recorded?</li> </ul> </li> </ul> </li> </ul>		
5.	<p>Procedures</p> <ul style="list-style-type: none"> <li>• Is there a communication procedure to inform employees, tenants and contractors who may be involved with building/building maintenance, of the location of ACMs?</li> <li>• Is there a reporting procedure in place to advise:               <ul style="list-style-type: none"> <li>○ If ACMs have been disturbed or damaged during maintenance?</li> <li>○ If further materials that have been previously unidentified are found to contain or suspect to contain asbestos?</li> </ul> </li> <li>• Are there emergency procedures in place if an area becomes contaminated with ACMs?</li> </ul>		
6.	Additional Comments:		

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