



Lift & Escalator Industry Association

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SAFETY INFORMATION SHEET

GUIDANCE ON THE DUTY TO MANAGE ASBESTOS IN A BUILDING

This information sheet is one of a series produced by the LEIA Safety and Environment Committee on topics relevant to the lift and escalator industry. Whilst every effort has been taken in the production of these sheets, it must be acknowledged that they should be read in conjunction with the relevant legislation, codes of practice etc. They should not be taken as an authoritative interpretation of the law but guidance to it.

Lift owners and operators who are responsible for lifts and escalators within non domestic premises need to be fully aware of The Control of Asbestos Regulations 2012 particularly the duty to manage asbestos in the building.

The duty holder must:

- take reasonable steps to find out if there are asbestos containing materials (ACMs) in non-domestic premises, and if so, its amount, where it is and what condition it is in;
- presume materials contain asbestos unless there is strong evidence that they do not;
- make, and keep up-to-date, a record of the location and condition of the asbestos containing materials - or materials which are presumed to contain asbestos;
- assess the risk of anyone being exposed to fibres from the materials identified;
- prepare a plan that sets out in detail how the risks from these materials will be managed;
- take the necessary steps to put the plan into action;
- periodically review and monitor the plan and the arrangements to act on it so that the plan remains relevant and up-to-date; and
- provide information on the location and condition of the materials to anyone who is liable to work on or disturb them – this includes maintenance personnel attending to lifts and escalators.
- ensure that if ACM or material assumed to be ACM is exposed that all personnel immediately withdraw The duty holder must seek professional advice.



Asbestos panelling on the back of landing doors

Non domestic premises include all industrial, commercial or public buildings such as factories, warehouses, offices, shops, hospital, schools and the common areas of some domestic premises (e.g. purpose built flats) which might include foyers, corridors, lifts and lift-shafts, staircases - but would not include the flat itself.

How can duty holders comply?

There are three essential steps:

1. find out whether the premises contain asbestos, and, if so, where it is and what condition it is in. If in doubt, materials must be presumed to contain asbestos;
2. assess the risk; and
3. make a plan to manage that risk and act on it.

In very simple premises the duty holder may be able to carry out a survey themselves but in most cases a professional surveyor will be required to conduct a survey.

The survey report will contain a register which will detail the asbestos type, (determined by sampling or by informed presumption), what it is, where it is and how much there is, how accessible it is, its condition, and any surface treatment.

Types of survey

There are two types of survey for ACM

A) Management survey

The purpose of a Management Survey is to manage ACM during the normal occupation and use of premises. The duty-holder can undertake a Management Survey themselves where the premises are simple and straightforward. Otherwise, a professional surveyor is needed.

A Management Survey aims to ensure that:

- nobody is harmed by the continuing presence of ACM in the premises or equipment;
- that the ACM remain in good condition; and
- that nobody disturbs it accidentally

The Survey must locate ACM that could be damaged or disturbed by normal activities, by foreseeable maintenance, or by installing new equipment. It involves minor intrusion and minor asbestos disturbance to make a Materials Assessment. This shows the ability of ACM, if disturbed, to release fibres into the air. It guides the client, for example, in prioritising any remedial work.

NOTE: many duty holders have commissioned Management Surveys only to find parts of the premises were not accessed by the surveyor and the resulting survey report is incomplete.

Foreseeable maintenance includes maintenance of the lift or escalator and, to be complete, the survey should include examination of lift well, machine room and the equipment within.



Asbestos panelling cladding escalator handrail drive adjuster

HSE document HSG264 (Asbestos: The survey guide) makes clear that all areas should be accessed and inspected as far as is reasonably practical – it seems both reasonable and practical that a survey be planned with a lift company or others in attendance to provide access to areas with which are otherwise inaccessible to the surveyor.

Where areas have not been surveyed these must be presumed to contain asbestos. Attention is drawn to HSG264 with regard to areas not surveyed: The areas not accessed and presumed to contain asbestos must be clearly stated in the survey report and will have to be managed on this basis (HSG264 para 46), that is, maintenance or other disturbance work should not be carried out in these areas until

further checks are made.

B) Refurbishment/ Demolition survey

Although a Management Survey will cover simple and routine maintenance work, where more intrusive work is required or modernisation or refurbishment work is undertaken, a localised Refurbishment Survey will be needed. It is the duty holder's responsibility to arrange for the survey and pass on the results to the contractor doing the work.

The Refurbishment/ Demolition Survey is required where the premises, or part of it, need upgrading, refurbishment or demolition. Normally, a professional surveyor will undertake the survey.

A Refurbishment / Demolition Survey aims to ensure that:

- nobody will be harmed by work on ACM in the premises or equipment;
- such work will be done by the right contractor in the right way

The survey must locate and identify all ACM before any structural work begins (e.g. the removal of existing lift entrances, sills and architraves). It involves destructive inspection and asbestos disturbance. The area surveyed must be vacated, and certified 'fit for reoccupation' after the survey.

The results of the Refurbishment/ Demolition Survey must be passed by the duty holder to the lift or escalator contractor with the pre-construction information required under the Construction (Design and Management) Regulations (CDM).

References:

HSE website The Duty to Manage Asbestos

<http://www.hse.gov.uk/asbestos/duty.htm>

HSE website Types of Asbestos Survey

<http://www.hse.gov.uk/asbestos/surveys.htm>

HSE HSG264 Asbestos: The survey guide

<http://www.hse.gov.uk/pubns/books/hsg264.htm>

Other Documents

Managing and working with asbestos

Control of Asbestos Regulations 2012. Approved Code of Practice and guidance

<http://www.hse.gov.uk/pubns/books/l143.htm>

Managing asbestos in buildings

A brief guide

<http://www.hse.gov.uk/pubns/indg223.htm>

Managing health and safety in construction (CDM)

<http://www.hse.gov.uk/pubns/books/l144.htm>