

# CLIENT NOTICE

## ASBESTOS AWARENESS GUIDANCE IN NON-DOMESTIC PREMISES

### WHAT IS ASBESTOS?

Asbestos is a naturally occurring fibrous silicate material that was widely used in construction and manufacturing throughout the 20th century.

It only poses a risk to health if the asbestos fibres are disturbed, become airborne and then inhaled via the nose or mouth. There are three types of asbestos: chrysotile (white) amosite (brown) crocidolite (blue).

Blue and brown asbestos are the most dangerous and were removed from use in the UK in 1985. White asbestos continued to be used until the importation, supply and use of all asbestos was banned in 1999.

Asbestos may be found in multiple areas of the workplace and was commonly used in friction linings, ceiling or floor cavities, lagging of pipework, sprayed and textured coatings, insulation, floor tiles, textiles, composites and asbestos cement products.

### HEALTH AND SAFETY AT WORK ETC ACT 1974

The Health and Safety at Work Act puts duties on Allianz as the employer to provide a safe place of work; but it also puts duties on you as our client to provide a safe place of work for persons not in their employment.

This requirement is also reinforced within our inspection contract:

#### 3 THE CLIENT SHALL

3.2 provide the Competent Person with:  
A safe working environment on the sites.

### YOUR RESPONSIBILITIES

The duty to manage asbestos is directed at those who manage non-domestic premises, (i.e. the people with responsibility for protecting others who work in such premises, or use them in other ways), from the risks to ill health that are caused by exposure to asbestos.

The duty holder is the owner of the non-domestic premises or the person or organisation that has clear responsibility for the maintenance or repair of non-domestic premises, for example through an explicit agreement such as a tenancy agreement or contract.

### WHICH PREMISES ARE AFFECTED?

The duty to manage covers all non-domestic premises. Such premises include all industrial, commercial or public buildings such as factories, warehouses, offices, shops, hospitals and schools.

Non-domestic premises also include those 'common' areas of certain domestic premises, such as purpose-built flats or houses converted into flats. The common areas of these premises include foyers, corridors, lifts and lift-shafts, staircases, roof spaces, gardens, yards, outhouses and garages - but would not include the individual flats themselves. Common areas do not include rooms within a private residence that are shared by more than one household, such as bathrooms, kitchens etc. in shared houses, and communal dining rooms and lounges in sheltered accommodation.

N.B. Properties constructed after the year 2000 will not contain any asbestos material but appropriate caution must be taken if the building was constructed on a brownfield site.



## HOW SHOULD DUTY HOLDERS COMPLY?

There are four essential steps:

- Find out whether your premises contains asbestos, and, if so, where it is and what condition it's in. If in doubt, materials must be presumed to contain asbestos.
- Assess the risk from asbestos present in the premises.
- Make an asbestos management plan to manage the risk and act on it.
- Provide this information to other employers (e.g. engineers, building contractors) who are likely to disturb any asbestos that is present, so that they can put appropriate control measures in place while the work is being completed.

## HOW DOES THIS AFFECT THE COMPLETION OF YOUR THOROUGH EXAMINATIONS?

Allianz engineer surveyors may be required to access plant rooms, lift hoist ways and roof areas which historically may have contained, or still contain asbestos.

As the duty holder, you have a responsibility under the Control of Asbestos Regulations 2012 to notify anyone who might work on, or disturb asbestos in advance of the commencement of any work.

Please ensure your site responsible person notifies our engineer surveyors in advance of the commencement of examinations. They'll be required to review your asbestos register and then complete a dynamic risk assessment to ascertain if it's safe to continue with the examination.

If it's deemed unsafe, a 'Plant Not Available' report will be issued, clearly stating the reason why an examination could not be completed and a re-attendance fee may be applied.

N.B. Domestic properties are not subject to the Control of Asbestos Regulations 2012 and the requirement to develop and maintain an asbestos management plan. However, as the duty holder, our clients have a legal responsibility to notify our engineer surveyors when asbestos has been identified as present in a domestic location as the location will fall under the remit of the Health and Safety at Work Act 1974 when any maintenance or inspection duties are carried out.

## FURTHER INFORMATION

Please see the Control of Asbestos Regulations 2012.

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