
Guidance for Asbestos Licence Renewal

GN014-V0720-Asbestos Licence Renewal

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GUIDANCE FOR ASBESTOS LICENCE RENEWAL

1. BACKGROUND

- 1.1 The HSE has introduced a new approach to Asbestos Licence Renewal starting with licences which expire on or after 1st April 2019. The process involves an electronic application with documents sent via email.

When is your licence renewal?

Are you ready to submit an application and evidence?

- Be prepared
- Select evidence carefully
- Apply as soon as possible

Being fully prepared to submit an asbestos licence renewal electronically is vital.

Shortfalls, such as sending too much or too little evidence, could and has delayed the licence renewal process.

Also, it is advisable to apply as soon as possible so a licence is renewed before it expires, so not interrupting asbestos removal work being carried out.

2. COMMUNICATION AND TIMELINE

HSE/ALU write (see sample letter below) to licence holders 4 months prior to renewal. Please be aware that an application cannot be accepted earlier than this, but preparation can be made, and evidence collated.

An application should be made at least 10 weeks (preferably 12), prior to the licence expiry date, to give HSE enough time to complete the assessment and ensure licence continuity.

- 2.1 Sample HSE/ALU letter to licence holder regarding licence renewal.

Dear Sirs

**Health and Safety at Work etc Act 1974
Control of Asbestos Regulations 2012**

The asbestos licence issued to you under the above Regulations expires on {@expiryDate}.

You must act now to ensure renewal of your licence

As you will already be aware, the way the Health and Safety Executive (HSE) assesses licence applications has changed. We sent you a letter dated 1 November 2018 confirming this. **You should not apply using the old ASB1 form. You must pay the licence assessment fee, which is unchanged.**

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The Asbestos Licensing Unit (ALU) aim to process your application before your current licence expires. The timeframe for assessment commences on confirmation of payment of the licence assessment fee and the receipt of your application form and supporting evidence. In order to give us enough time to complete the assessment, you should aim to submit your application at least 10 weeks prior to your licence expiry date. Failure to do so may result in a decision being made on your application after your current licence expires.

We require you to complete some basic information about your renewal application, at your earliest opportunity, using a new online form on the HSE website. **It is vital that the information on this form is accurate and the contact details provided are up to date.**

To access and complete this form, please type the following URL into your web browser <https://notifications.hse.gov.uk/asbestos-registrations/> Please ensure you type the URL exactly as stated. Do not use www at the beginning, as it will not work. If you are not renewing your current asbestos licence, please inform ALU at AsbLicApplication@hse.gov.uk

Once you have submitted this form, ALU will email you the new Application Form and Guidance (using the contact details you provide), along with details of how to pay based upon your preferences selected in the online form. When HSE is assessing your application, we may need to get in touch with you to clarify your application or seek additional evidence. If we contact you, we will phone you and explain what you need to do and confirm in an email, again, using the contact details you have provided. It is important that someone is available to respond to any contact. If you are not able to respond within 24 hours, HSE will pause your application until you are able to provide the information required; this will delay the decision on your application.

Because this is a new process, we will provide initial extra support. You can contact ALU at AsbLicApplication@hse.gov.uk

3. **ADVICE ON RE-APPLYING FOR AN ASBESTOS LICENCE**

Following the first few months of the new asbestos licence application process a few questions and issues were raised. Therefore, HSE prepared some advice to help licence applicants.

Prepare in advance of reminder letter.

HSE write to applicants four months before licence expiry; however, the evidence that would enable them to demonstrate their management arrangements, competency and controls will mostly already exist. Making sure that evidence is available and in a format that can be sent digitally can be done in advance of the reminder.

Apply promptly and pay the licence fee when the reminder letter is received.

Read and follow the application form

The application form contains specific guidance on completion, prompts that should be answered and specific evidence that is sought. If this information is missing when the application is reviewed it can delay the assessment or lead to refusal.

Don't amend the form

The form was laid out so that evidence can be logically structured for assessment. If this layout is changed the assessor may not be able to assess the application and it may be returned.

Repeated failure to follow the application process (e.g. email naming convention) **will** slow the application and risks refusal without technical assessment.

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Provide evidence not assertion

For example, describing the business applying in positive terms doesn't demonstrate how the applicant achieves compliance; equally reiteration of HSE guidance doesn't show how the applicant would achieve such good practice themselves.

Reference documents (or evidence within documents) if they are more than a few pages

Large documents inevitably take a long time to read and this slows assessment. The application form asks for such documents to be referenced so the key points within the document are easily identified within it.

Provide relevant evidence for each topic (if it exists)

HSE cannot assess topics without evidence and may be unable to grant a licence.

Do not provide 'unlimited' data

Very large data submissions will be returned to the applicant. Provide a sample and describe the totality (e.g. describe 20 audits carried out in the form but send a sample of 3).

Reflect on, or preferably provide evidence relating to issues that have arisen:

- From your previous assessment
- From license conditions
- From inspections

DO NOT IGNORE THIS AS IT IS CRITICAL

If HSE has raised concerns they will want to see evidence of how those were addressed, preferably with evidence of effective controls in-place and working.

Who has what skills in your business

HSE will not be meeting applicants so the applicants need to tell HSE if the management team members have specific roles. If they have relevant, recognised, qualifications they should be described or within an attached CV.

Respond to queries/info requests promptly

Check the email address and phone number given to HSE in your application.

Check the junk mailbox, as **failure to respond to queries will delay your application.**

4. CHOOSING AND SENDING EVIDENCE**4.1 What to send as evidence**

The following describes the minimum evidence that you will need to send with your licence application but please note that this list is not exhaustive.

- **Section 1 – a CV for each of the relevant people (persons who are going to manage/direct licensed work)**

(e.g. director, operations manager, contracts manager, health and safety manager, senior supervisor etc.) describing:

- Details of their experience with asbestos removal
- Their roles and responsibilities
- Dates and names of companies worked for in the past five years

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Please also include CVs for others if the following key tasks are not carried out by those named as relevant people; for example, those who:

- Are responsible for preparing and reviewing PoWs and risk assessments
- Carry out internal audits
- Organise and manage training and TNA
- Manage and organise RPE

Do not include irrelevant information such as age/DoB, marital status, hobbies or school history in the CVs.

- **Section 2 – Organisation structure and roles**
 - A chart/diagram, showing names and roles; tell us about any changes to key people/senior managers since you were last assessed.
 - Short-term staff – your company policy/procedures for short-term employees/temporary staff, including assessment of competence, training and TNA, personal monitoring, RPE and PPE.
- **Sections 4 and 5 – PoWs and site checks**
 - **Copies of 2 PoWs that:**
 - Show a range of removal work carried out in the current licence term, preferably in the past 6 months.
 - Are not for a job already visited by HSE
 - Cover different removal methods where possible
 - **Please include all the site documents related to the job**, e.g. site diary, amendments to the PoW, isolation certificates, handover to analyst, 4SC etc.
 - Describe what your company has done to incorporate HSE's revised PoW guidance into your own PoWs.
 - If the format of your PoWs has changed, please also provide an example of what you are using now.
 - You may be asked for a further PoW when your application has been allocated to an Inspector.
- **Sections 3,4,5 and 6 – asbestos removal, PoWs, decontamination, site checks**
 - Please send a copy of your company's standard operating procedures (SOP) for management and removal of asbestos.
 - You may find that your SOP is helpful as evidence for other application topics too, e.g. how you prepare and manage jobs, project set-up, clearance, daily checks etc.
 - Ensure that you reference the relevant pages of your SOP in your application form if you are using it for evidence.
 - You need to clearly cross-reference the relevant parts of these documents in the application form.
 - Due to the large size of SOP documents, we will only review the pages/sections of SOPs specifically referred to in your application.
- **Section 7 – Personal and air monitoring**
 - A copy of your company's strategy/system/plan for monitoring.
 - A summary of your personal and air monitoring results.
 - A description of what you have done to address high readings.

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- **For two employees who carry out RPE checks**, copies of their current training certificates.
- **For two employees only**: copies of personal monitoring, exposure records, face-fit tests and certificate of current valid asbestos medical (but NOT medical records).
- **Section 8 – health records etc.**
 - A copy of your ELCl certificate, including details showing that work with asbestos is included.
- **Section 11 – competence and training**
 - Your company's policy/strategy/system on assessing competence and training needs and how this reflects the guidance given in Chapter 4 of HSG247.
 - Examples of how your company keeps up to date with asbestos related and other health and safety issues; also, what you do with this information, e.g. what happens after you attend a trade association meeting, how you disseminate the information to your staff; actions taken etc.
 - **For two employees only (one operative, one supervisor)**
 - Copies of current TNAs and training certificates
 - Please include refresher/other training related to asbestos removal; also, non-asbestos related training, e.g. work at height, manual handling, lifting, confined spaces etc.
- **Section 12 – measuring performance and reviewing arrangements**
 - A copy of your company's strategy/system/plan for monitoring performance
 - Copies of 3 external (independent) audits
 - Copies of 3 internal audits
 - Details of trends noticed, actions arising from audits, what was done about them and when
 - 3 examples of how your company has fully addressed the concerns raised by Inspectors and prevented them from reoccurring
 - 3 examples of how your company has fully addressed the non-compliances/concerns raised by external auditors and prevented them from reoccurring
 - if your company is certified to ISO 45001 (occupational health and safety) and/or ISO 9001 (quality management), please send a copy of your latest management audit(s).
- **Section 13 – worker involvement**
 - copies of notes/minutes from meetings held with operatives and supervisors; or screen shots of WhatsApp group conversations; invoices from equipment purchased following a suggestion by an employee.

4.2 HOW to send your evidence

There are restrictions on the file size and types of documents that we are able to receive and open via email because of the limitations of our IT system. Preferred file formats are: Microsoft Word and Excel, also files with the suffixes pdf, jpeg and msg.

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Request that applicants send PDF/Word/ other document versions that can be word searched. Scans may be the only form of record and will be accepted if that is the case.

CVs as evidence of relevant/key personnel should:

- Detail experience.
- Avoid irrelevant material (e.g. hobbies)
- Only for persons are going to manage/direct licenced work.

We are unable to receive or open:

- emails greater than 15Mb; if the total size of each email, including all the attachments and also the text of the email itself, exceeds 15Mb, then you will need to split them into separate emails
- large zip files, particularly those with sub-folders
- files from file-sharing systems like WeTransfer or Drop Box
- Discs or Memory Sticks.

4.3 HOW to list your evidence

The above evidence, and any other evidence, must be listed clearly in the pre-populated evidence tables for the relevant sections on the application form. If an applicant does not use a document which is requested, the applicant needs to record that and briefly explain why.

Evidence must be named exactly the same as the attachment for easy identification and checking.

5. ARCA CONTINUES TO SUPPORT MEMBERS IN PREPARATION FOR A RENEWAL APPLICATION

5.1 After over 10 years of supporting members' preparation for their licence renewal assessment, in mid-2017 ARCA consolidated the service into two packages.

- 'Package 1' is a one-day review meeting with the organisation's senior management team
- 'Package 2', involves ARCA undertaking a desktop review prior to a one-day review meeting with the organisation's senior management team and providing a report of findings.

ARCA does advise that these reviews are carried out six to twelve months prior to a licence renewal application. This enables improvements to be put into place and progress to be monitored, so providing evidence in readiness for an application.

Members can draw on the knowledge from ARCA's team of experts in asbestos, auditing and regulatory requirements, together with former HSE inspector's experience.

During a review meeting with senior management, ARCA's representative would discuss asbestos licensing, leadership and management, using previous data, such as HSE ASB4 assessment reporting form and HSG65, as reference points.

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Also covered is the way an application is approached by HSE, that is the subjects examined, and the kind of evidence and amount of evidence that could be used to provide HSE with confidence. For example, including a policy is not evidence, HSE need to see actual evidence that the policy has been carried out.

If required, ARCA would carry out an in-depth review of the organisation's management arrangements and examine a sample of projects.

Performance history would be analysed, for example, site audit reports give a good indication of performance, as they include; plans of work, which cover project management and instructions for the on-site team; and the actual set-up to remove, and the actual removal of, asbestos containing material.

ARCA member site audits, which are unannounced meaning a member has no prior notice, support a licence renewal. These membership unannounced audit reports, along with all ARCA audit reports, are clearly labelled and colour coded so HSE can easily identify the type of audit submitted as evidence.

<https://www.arca.org.uk/licence-renewal-preparation>