



Asbestos Policy

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Regulatory Standards Mapping		
✓	1	The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.
✓	2	The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.
	3	The RSL manages its resources to ensure its financial well-being, while maintaining rents at a level that tenants can afford to pay.
	4	The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.
	5	The RSL conducts its affairs with honesty and integrity.
	6	The governing body and senior officers have the skills and knowledge they need to be effective.
	7	The RSL ensures that any organisational changes or disposals it makes safeguard the interests of, and benefit, current and future tenants.

Core Objective Mapping	
	Provision of affordable social housing
	Local control and accountability
	Efficient local service provision
	Viability
	Equality of opportunity for all customers
✓	Legal and regulatory compliance

Governance

HR

Property

Housing &
Factoring

Finance & IT

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Introduction

Overview

The Association has subscribed to the Employers in Voluntary Housing Landlord Facilities Health, Safety and Welfare Management System Control Manual as our good practice guide for our landlord services. This policy has been developed to incorporate most of the template content from the manual and has been bespoke to meet the Association's operational needs.

The presence of an asbestos containing material in itself does not constitute a danger. However, there is a potential risk to health if such material is disturbed and damaged. An isolated accidental exposure to asbestos fibres for a short duration is extremely unlikely to result in the development of asbestos related diseases. However, regular exposure – even at relatively low levels – can present a risk. As well as people employed in the building trades, inadvertent exposure (and consequent risk) can occur in other groups of people, for example, installers of burglar alarms, smoke detectors, etc. Maintenance and repair contracts will also take place in the future and it is important, therefore, to have in place a management system which minimises the potential for exposure to asbestos.

Working with and managing asbestos materials is now very tightly regulated through a number of different Legislative provisions. The purpose of this policy is to ensure that the Association complies with all current Legislation, Codes of Practice and Health and Safety Executive ('HSE') Guidance Notes.

Purpose

- To effectively manage all asbestos containing materials across the property portfolio and to reduce the asbestos related risks to as low a level as is reasonably practicable.
- To ensure asbestos works are properly scoped, serviced and managed in accordance with legal requirements and best practice.

Linked Policies and Documents

Repairs and Maintenance Policy

Landlord Facilities Health, Safety and Welfare Management System Control Manual (Employers in Voluntary Housing)

Statement of Intent

It is the policy of the Association to ensure that, as far as is reasonably practicable, no persons are exposed to risks to their health due to exposure to any asbestos containing materials that may be present in any of the properties they own or occupy.

Policy Statement

This Asbestos Policy conforms with the Health and Safety at Work etc. Act 1974 and the Control of Asbestos Regulations 2012. The Policy and Procedures will apply to all buildings and all individuals employed by the Association, to contractors/subcontractors engaged by the Association and to the Association's residents.

The Association's Policy on asbestos is to:

- Ensure the prevention of exposure to risks associated with asbestos containing materials;
- Ensure that any asbestos containing materials that may be present in any of its buildings are maintained in a condition so as to prevent the possibility of any harm to health occurring;
- Promote awareness of the risks from asbestos containing materials and the Management Procedures through training and induction of relevant staff. Key staff involved in the delivery of this Policy will receive annual re-training;
- Provide adequate resources to ensure the provision of appropriate information, instruction and training;
- Ensure a commitment to comply with all relevant asbestos legislation, Approved Codes of Practice, HSE Guidance Notes and to commit to the safe disposal of any asbestos waste in accordance with the appropriate legislation;
- Ensure that an appropriate asbestos surveying process remains in place, taking account of the need for Asbestos Management, Refurbishment and Demolition Surveys in accordance with current legislation and maintain an Asbestos Register;
- Implement an effective asbestos management strategy in order that appropriate measures such as encapsulation, labelling, inspection, working with, or removal of, the material can be undertaken;
- Ensure that an appropriate system is installed, maintained and implemented for the management of all asbestos containing materials identified in the register. Such a system is to be capable of recording the risk, the needs and priorities for treatment and/or removal;
- Ensure that all contractors and sub-contractors engaged to carry out work on any of the Association's buildings are provided with adequate information on asbestos which may be disturbed by their works;
- Ensure that information regarding the presence of asbestos is contained in tender documentation as may be appropriate;
- Ensure **licenced** contractors and sub-contractors carry out ALL asbestos major works, and **competent** contractors carry out all asbestos minor works;
- Ensure all non-licenced contractors carrying out asbestos minor works are trained in safe working procedures and have appropriate insurance cover for the work being carried out;

- Ensure that relevant Association staff and contractors (as identified by a Training Needs Analysis) have appropriate training in this policy and related procedures;
- Regularly review the Asbestos Management Policy and Procedures.

Asbestos Roles

Chief Executive – Duty Holder

The Chief Executive is the named Duty Holder and is responsible for:

- Ensuring compliance with the Asbestos Policy and Asbestos Management Plan;
- Receiving advice from the Property Services Manager and acting upon such advice
- Overseeing the strategies for the safe execution of asbestos related issues;
- Considering applications by the Property Services Manager for the necessary or anticipated resource allocation related to asbestos management issues.

Property Services Manager – Responsible Person

The Property Services Manager reports to the Chief Executive, and is the named person who is responsible for:

- Executing the principal functions of the asbestos management by ensuring a suitably qualified asbestos team is in place consisting of staff, consultants and contractors as appropriate to deliver the policy and plan;
- Regularly reviewing strategic asbestos management matters and progress against asbestos related actions;
- Attaining and allocating appropriate resources to ensure best management of asbestos related issues;
- Ensuring staff receive suitable and sufficient training with respect to asbestos issues;
- Ensuring continued compliance with relevant legislation concerning asbestos;
- Organising actions required in an asbestos related emergency;
- Assessing, reviewing and recommending management actions where there are changes in legislation and good practice which may affect the Association.

In the absence of the Property Services Manager, the Property Services Officer will assume the role of Responsible Person

Property Services Officer – Deputy Responsible Person

The Property Services Officer reports to the Property Services Manager and is the Deputy Responsible Person for:

- Day-to-day management of asbestos related issues;
- Distributing information contained in the Asbestos Policy and Asbestos Management Plan to appropriate personnel including tenants and maintenance personnel;
- Prior to initiation of works, ensure that contractors and consultants are advised of asbestos containing materials affecting proposed operations, referencing them to the documentation available through links within the Asbestos Register;
- Maintaining detailed project records relating to asbestos remedial or investigative works;
- Ensuring continued compliance with relevant legislation concerning asbestos;
- Prior to any refurbishment/alteration or modification works, coordinating assessment of the areas prior to the start of the works to identify any known risk from asbestos. Consulting the Asbestos Register and ensuring a Refurbishment and Demolition Survey is undertaken as appropriate. Subsequently informing contractors of the location of any known asbestos affecting a project through links within the Asbestos Register;
- Coordinating operational requirements specified within the Asbestos Management Plan, including monitoring and inspections, labelling, encapsulation and asbestos removal;
- Assisting with and coordinating actions required in an asbestos related emergency;
- Ensuring the Asbestos Register is kept up to date;
- Coordinating re-inspections of all identified or presumed asbestos containing materials in common areas and non-domestic premises are inspected on an annual basis. (NB: there are currently none);
- Co-ordinating re-inspection of any identified asbestos containing materials in tenanted properties are inspected in line with the timescale indicated in the risk assessment as applicable;
- Surveys and inspections are carried out where there is any suspicion of the presence of asbestos containing materials at void inspections, planned investment programmes, cyclical investment programmes, responsive repair works, communal area inspections and any other appropriate opportunity;
- Non-access to re-inspect asbestos containing materials will be fully documented and the tenant shall be informed in writing. Access will be pre-arranged with the tenant and attempted on at least two occasions a final letter will be sent if required;
- Maintaining detailed project records relating to asbestos remedial or investigative works;
- Overseeing asbestos works contracts including the selection of competent contractors;

Other Members Of Staff

Other members of staff shall report any asbestos issues immediately to the staff noted above and keep abreast of the asbestos management plan & Asbestos Policy to ensure they are

aware of the actions required should any issues arise.

Contractors

Contractors working for or on behalf of the Association are responsible for:

- Ensuring that all employees under their control abide by the rules and conditions set out within the Contractors' Code of Conduct and the Asbestos Management Plan inclusive of any other associated documentation;
- Ensuring that all employees under their control are furnished with the appropriate information relating to any asbestos containing materials for the properties they are working on. If the contractor is in any doubt or have any suspicion that there may be ACMs present they should request this information from the Asbestos Register prior to any works commencing;
- Comply with all statutory requirements, HSE guidance and industry best practice.

Prohibition On Staff Handling Asbestos

Unless properly trained to do so, no Association staff member will be permitted to handle or work on asbestos containing materials.

Identification of Suspect Material – Damaged, Disturbed or Previously Unidentified

- It is the responsibility of all staff to report to the Property Services Manager if they suspect that disturbed or damaged asbestos containing materials may be present in a building owned or occupied by the Association. In a case where an accessible material is suspected of containing asbestos, and where this material may reasonably become disturbed, this would also apply.
- In such cases, an external consultation with a **UKAS** accreditation for asbestos sampling and analysis (United Kingdom Accreditation Service) will be contacted to carry out identification.
- If asbestos is identified within the sample, advice will be obtained from a competent consultant on the appropriate course of action.
- Where damage to any material known to contain asbestos has taken place, and is likely to give rise to airborne respirable fibre release, the Property Services Manager will arrange for isolation of the area pending an investigation. They will arrange for air monitoring tests (measurement of airborne fibre concentrations) to be conducted and sampling and analysis will be carried out by an independent UKAS accredited organisation to determine the level of any potential contamination, or to provide reassurance that unacceptable contamination has not occurred.
- Details of air test results will be made available for inspection and record purposes.
- Remedial action will be required when airborne fibre levels **exceed 0.01 f/cc**. The nature of

the remedial work must be agreed with the Health and Safety Controller.

- When remedial action becomes necessary after exposure, the relevant facts may have to be reported to the HSE in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (**RIDDOR**). Advice may be sought from a competent Asbestos Consultant to determine whether the incident is in fact RIDDOR reportable.

Asbestos Surveys and Management Plans – Normal Occupancy of Premises

- Where organisation premises and common areas of housing stock were built or renovated prior to 2000 (The HSE expects that no asbestos containing materials would be in use from the year 2000 onwards), an Asbestos Management Survey programme will be carried out by a competent UKAS-accredited asbestos management consultancy. The surveyor and the Association should jointly determine an appropriate strategy to cost-effectively assess relevant premises, taking account of the permissibility of 'representative' surveying across properties of the same archetype and construction date.
- Note that current legislation does not subject 'domestic dwellings' to the requirement for Asbestos Management Surveys (although Refurbishment and Demolition Surveys are required – see below). However, the Organisation will take a view on whether to adopt the increasingly common stance of undertaking Management Surveys to domestic dwellings.
- The findings of all surveys undertaken will be used to prepare a Register of asbestos containing materials (including their location and condition along with details on how best to manage / remediate the material) in all relevant premises.
- An asbestos management plan will be developed and implemented, ensuring that all asbestos containing materials are properly managed. This will include procedures for re-inspecting materials and carrying out remedial works where necessary.
- The Property Services Manager will be responsible for maintaining the registers, organising surveys, re-inspections and so on.

Asbestos Surveys – Prior To Work On Premises

- Prior to any work being carried out on the fabric of the (pre-2000) buildings, the asbestos register will be interrogated to determine whether asbestos may be encountered and appropriate precautions (including the use of HSE licensed contractors where necessary) will be taken. Where the works are likely to disturb material not included in the registers (for example, behind wall panels, within voids and so on), the below will apply:
- Prior to any refurbishment, demolition or repair works on building fabric, which is not known to be asbestos free, a competent UKAS accredited asbestos management consultancy will be commissioned to carry out a 'Refurbishment or Demolition' (i.e. intrusive) asbestos survey of

the area to be worked upon. The surveyor and the Association should jointly determine an appropriate strategy to cost-effectively assess relevant premises, taking account of the permissibility of 'representative' surveying across properties of the same archetype and construction date.

- **Prior to works starting**, the information obtained from Refurbishment/Demolition Surveys will be discussed with the proposed works contractor (or internal direct works staff) to ensure that asbestos containing materials will not be disturbed by their works. In the event that works would have the potential to disturb asbestos containing materials, appropriate measures will be taken, including the prior removal of these materials, amendments to work programme, and so on.
- Records of all surveys and discussions with contractors will be retained in the Job File to demonstrate that asbestos was properly considered and appropriate actions taken to prevent disturbance and exposure.

Work With Asbestos Materials

Most work likely to disturb or remove asbestos must be carried out by an HSE licensed asbestos removal contractor, and notified to the HSE 14 days prior to commencement. However, the Control of Asbestos Regulations 2012 does allow work with certain lower risk asbestos containing materials (e.g. asbestos cement and asbestos textured coatings) to be carried out by non-licensed personnel and without notification to the HSE. The three categories of asbestos work are:

- Major Works: Licenced Works – 14 day notification and licenced contractor (highest risk work)
- Minor Works: Notifiable Non-Licenced Works – Notification before works start and competent (non-licenced) contractor
- Minor Works : Non-notifiable, Non-licenced Works – No notification and competent (non-licenced) contractor

References

- Health and Safety at Work etc. Act 1974
- Control of Asbestos Regulations 2012
- INDG 223 A Short Guide to Managing Asbestos in Premises
- HSG264 Asbestos: A survey guide

Equalities Impact Assessment

Yorkhill Housing Association Equality Impact Assessment Tool			
Name of Policy/proposal to be assessed	Asbestos Policy	Is this a new policy or a revision?	Revision
Person responsible for the assessment.	Robert Calvert, Property Services Manager		
Briefly describe the aims, objectives and purpose of the policy.	Outlines the Association's approach to managing asbestos and associated risks within housing stock		
Who is intended to benefit from the policy/proposal (e.g. applicants, staff, tenants, contractors).	Residents through effective safeguarding against asbestos in homes Association staff and contractors through clearly defined responsibilities and procedures		
What outcomes are wanted from this policy/proposal (e.g. the benefits to customers).	As above		
Which protected characteristics could be affected by the proposal? (tick all that apply)			
<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Disability		
<input type="checkbox"/> Marriage/Civil Partnership	<input checked="" type="checkbox"/> Pregnancy/Maternity		
<input checked="" type="checkbox"/> Race	<input type="checkbox"/> Religion or Belief		
<input type="checkbox"/> Gender	<input type="checkbox"/> Gender Reassignment		
<input type="checkbox"/> Sexual Orientation			
If the policy/proposal is not relevant to any of the protected characteristics listed above state why and end the process here:			
Describe the likely positive or negative impact(s) the policy/proposal could have on the protected characteristics identified.	Positive impact	Negative impact	
		Particularly older/younger residents, pregnant residents or residents with respiratory conditions may be more severely affected by asbestos exposure – which must be managed carefully. Notices of disruptive asbestos related works may not be fully understood by those whose first language is not English.	
What actions are required to address the impacts arising from this assessment? (This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).	Clear communication and engagement with those residents affected by asbestos works to ensure full comprehension of the situation plus opportunities to reassure on any safety concerns.		

