

## Group Asbestos Management Policy

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### Summary

The Asbestos Policy sets out Housing 21's Board approved arrangements for managing the risks from Asbestos Containing Materials (ACMs) throughout its portfolio of properties, including Oldham PFI.

Some of the buildings owned or occupied by Housing 21 were built or refurbished at a time when the use of ACMs in their construction was common. This policy is designed to effectively manage and minimise asbestos related health risks to staff and other persons working or occupying Housing 21 premises.

The presence of an ACM does not constitute a danger. However, there is a potential risk to health if such material is disturbed or 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 fire alarms, smoke detectors, IT systems.

Working with, and managing, ACMs is controlled by legislation, primarily the Control of Asbestos Regulations 2012 (CAR 2012). Other relevant legislation includes the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999.

### Equality, Diversity and Inclusion

Housing 21 aspires to embed diversity and inclusion within all our organisational activities to enable these principles to become part of our everyday processes.

## Contents

### Legislation and Regulations

1. SCOPE
  - 1.1 Legal Framework
  - 1.2 Oldham PFI
  - 1.3 Aims and Objectives
  - 1.4 Implementation
  - 1.5 Scope of Buildings
  - 1.6 Contractors
  - 1.7 Quality Assurance
  - 1.8 Data Management and Performance
  - 1.9 Resident Engagement
  - 1.10 Significant Non-compliance and Escalation
  
2. ROLES AND RESPONSIBILITIES
  - 2.1 The Board
  - 2.2 Executive Management Team and Safety Forum
  - 2.3 Responsible Person
  - 2.4 Deputy Responsible Person – Compliance
  - 2.5 Deputy Responsible Person – Property
  - 2.6 Building Surveyors
  - 2.7 Housing Operations
  - 2.8 Training
  
3. CONSULTATION
  
4. ASSOCIATED DOCUMENTS AND GUIDANCE

<b>Legislation and Regulations</b>	
The principle legislative and regulatory documents applicable to this policy	
Control of Asbestos Regulations 2012	
Health and Safety at Work etc. Act 1974	
The Management of Health and Safety at Work Regulations 1999	
Control of Substances Hazardous to Health (COSHH) Regulations (as amended) 2002	
Personal Protective Equipment (PPE) at Work Regulations 1992 (amended 2022)	
Construction (Design and Management) Regulations 2015	
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013	
Defective Premises Act 1972	
Landlord and Tenant Act 1985	
Homes (Fitness for Human Habitation) Act 2018	
Housing Health and Safety Rating System 2005	
<b>Health and Safety Guidance (HSG)</b>	
The principle approved codes of practice and guidance (as updated) applicable to this policy	
HSG 264	Asbestos the Survey Guide
HSG L143	Managing and working with asbestos
HSG 248	Asbestos: The analysts guide for sampling, analysis and clearance procedures

HSG 247	Asbestos: The licensed contractors guide
HSG 227	A comprehensive guide to managing asbestos in premises
HSG 210	Asbestos Essentials: A task manual for building, maintenance and allied trades and non-licenses asbestos

## 1. SCOPE

Under the Control of Asbestos Regulations 2012 (Regulation 4), Housing 21 has a legal duty to manage asbestos in:

- All non-domestic premises, like factories or shops
- ‘Common parts’ of multi-occupancy domestic premises (i.e. communal areas)

As the duty holder, Housing 21 will manage asbestos in accordance with the relevant legislation and approved codes of practice to protect the health and safety of employees, residents, contractors, visitors, members of the public and other users of the buildings it owns and/or controls to minimise the risks posed by the disturbance of asbestos materials.

The Asbestos Management Policy applies to all employees and there is a collective responsibility to prevent or minimise the risks to health and safety associated with asbestos management.

Housing 21 will appoint a Responsible Person, the Deputy Chief Executive, to have designated responsibility to ensure there are appropriate resources and systems in place to manage ACMs effectively. The Responsible Person can delegate specific responsibility for the upkeep and review of procedures and guidance that exist to support the effective implementation of the policy to those with suitable and sufficient training to do so.

The organisation’s Asbestos Management Plan sets out the procedures and arrangements to manage the risk from ACMs.

The organisation will hold an Asbestos Register which will hold records of the assets which have ACMs in them.

If employees become aware of problems with the effective operation of this policy or the procedures and guidance that support it, they should notify the Deputy Chief Executive (as the Responsible Person) who will request a review of the policy or supporting procedures and guidance.

### 1.1 Legal and Regulatory Framework

The Control of Asbestos Regulations (CAR) 2012 is the principal legislation applicable to this policy. Under Regulation 4 (duty to manage asbestos in non-domestic properties) Housing 21 has a legal obligation and, as the owner and manager of homes and buildings that house tenants and leaseholders, is the ‘Duty Holder’ for the purposes of the legislation.

The application of the policy will ensure compliance with the Regulator of Social Housing’s regulatory framework and consumer standards (Home Standard) for social housing in England.

## 1.2 Oldham PFI

The Oldham portfolio is managed under a PFI contract. While there are some variations required due to differences in ownership and funding streams, our principles of ensuring statutory compliance remain the same.

Whilst compliance of Oldham PFI is managed outside of Housing 21's Property Compliance team, group assurance is obtained through reporting and review alongside Housing 21 for all core reports. Further information on management arrangements for Oldham PFI refer to the responsibilities - employees section detailed in this policy.

## 1.3 Aims and Objectives

The purpose of this Asbestos Management Policy is to set out the mechanism, roles, and responsibilities by which ACMs are to be managed. It includes details on how the organisation intends to:

- Demonstrate H21's commitment to comply with the Control of Asbestos Regulations (CAR).
- Clearly identify the responsibilities of the duty holder and appointed competent persons.
- Detail the mechanism by which the organisation shall prevent the exposure of employees, residents and others to asbestos and prevent the spread of asbestos to the lowest levels reasonably practicable.

This shall include:

- Identify all Asbestos Containing Materials (ACMs) and manage associated hazards based on assessment of the risk they present and prioritisation of action.
- Effective control of any work or activity likely to affect ACMs by project.
- Monitor and maintain ACMs in good condition where it is assessed as being safe to leave them in situ.
- Respond to and manage any emergencies involving ACMs.
- Procedures when undertaking operation and maintenance work.
- Procedures when undertaking planned and reactive project work.
- Maintain effective asbestos management administration and an Asbestos Management Plan
- A robust process for the management of immediately dangerous situations identified from any asbestos-related works undertaken on Housing 21 properties.

## 1.4 Implementation

To ensure effective management of asbestos, Housing 21 will:

- Take reasonable steps to determine the location of materials likely to contain asbestos.
- Following the management and reinspection surveys, assess the risk of exposure from ACMs and presumed ACMs in a centrally maintained management plan.
- Review the plan every twelve months and update if circumstances change or because of any significant procedural or legislative changes.
- Presume materials to contain asbestos, unless there are good reasons not to do so, accepting that asbestos is likely to be present in most properties built prior to 2000.

- Keep and maintain an up-to-date record of the location, condition, maintenance and removal of all ACMs and presumed ACMs on the Asbestos Register.
- Share the above information as required with contractor and partner agencies.
- Assess, monitor, and maintain the condition of ACMs and presumed ACMs.
- Have arrangements and procedures in place, so that work which may disturb the materials complies with the Control of Asbestos Regulations 2012 (CAR).
- Develop and maintain a managed programme of asbestos surveys in all our schemes.
- Minimise exposure to the uncontrolled disturbance of ACMs using appropriate control measures and working methods, as far as is reasonably practical.
- Where possible and risks of airborne asbestos fibres are negligible, Housing 21 will deal with ACMs in situ through effective management and control measures as a preference to whole-scale removal and disposal.
- Make available to residents the Asbestos Management Survey and Asbestos Reinspection Survey, as provided by the service contractor.

### 1.5 Scope of buildings

Where Housing 21 owns/controls or maintains the communal areas, they are the duty holder for ensuring compliance with CAR 2012.

Buildings outside the scope for the organisation as the Duty Holder include leasehold/tenanted buildings where the organisation does not have maintenance or repair obligations for the communal areas or building engineering services/infrastructure under the lease agreement.

A comprehensive list of buildings where the organisation is the Duty Holder can be obtained from the Property Compliance Team.

### 1.6 Contractors

Housing 21 will employ competent external contractors (in line with HSG264) to undertake asbestos management surveys and re-inspections. Licensed asbestos removal operatives and/or contractors will be employed to undertake licensed remediation works (where necessary) to non-domestic (communal blocks/'other' properties) and domestic properties.

### 1.7 Quality Assurance

Quality assurance is implemented in line with Housing 21's Board Assurance Framework.

#### 1.7.1 First line of defence:

- An Asbestos Management Policy is in place, updated within agreed timescales and approved by Housing 21's Board
- Asbestos Management Plan is in place and regularly reviewed
- Role-appropriate asbestos training is provided where required and training compliance levels are monitored
- Asbestos risks are well understood and managed at an operational and corporate level

- Performance against defined KPIs are regularly reported to Housing 21's Executive Management Team, Safety Forum and Board

**1.7.2 Second line of defence:**

- Management oversight is provided as per the roles and responsibilities defined in the Asbestos Management Policy and Asbestos Management Plan
- Reporting provides assurance to management and is aligned to regulatory requirements where necessary (e.g. Tenant Satisfaction Measures)

**1.7.3 Third line of defence:**

- Housing 21 will only appoint UKAS accredited asbestos contractors.
- Additional independent assurance of Housing 21's approach to managing asbestos will be arranged via external audits as per Housing 21's audit schedule.

**1.8 Data Management and Performance**

Property Compliance data is managed in line with the Asset Management and Property Compliance Data Framework, which identifies key data, its source, reporting requirements, accuracy checks and owners. The framework is reviewed annually by the Head of Data and Governance, Head of Group Property Compliance and National Compliance Manager to ensure it still meets requirements.

Performance against the following KPIs will be regularly reported to the Board, Safety Forum, Investment Development Committee and on Housing 21's quarterly scorecard:

- % of courts built before the year 2000 with a management survey no more than 5 years old (calculated to end of relevant month)
- % of courts built before the year 2000 with a reinspection survey no more than 12 months old (calculated to end of relevant month)
- Number of high [material] risks identified in management surveys

**1.9 Resident Engagement**

General information about asbestos, Housing 21's approach to managing it and residents' responsibilities is available via Housing 21's Building and Fire Safety Guide online and in booklet format. Further asbestos communications will be provided as and when required.

**1.10 Significant Non-compliance and Escalation**

Housing 21's definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety. All significant non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a Housing 21 employee being made/becoming aware of it.

Any incidents identified at an operational level should be formally reported via the ERICA accident/incident reporting system and the process followed which will include investigating the incident and preventing recurrence.

In cases of serious non-compliance, EMT and the Board will review the issue in line with regulatory frameworks and decide if it warrants disclosure to the Regulator of Social Housing, Health and Safety Executive and/or any other relevant organisation.

## 2. ROLES AND RESPONSIBILITIES

All Housing 21 employees must follow the Asbestos Management Plan/Policy and take responsibility for the management of asbestos. A full list of operational roles and responsibilities is detailed within the Asbestos Management Plan.

### 2.1 The Board

Responsible for:

- Overall governance for ensuring the Asbestos Management Policy is fully implemented to ensure full compliance with regulatory standards, legislation, and approved codes of practice.
- Formally approve this policy and review it every three years (or sooner if there is a change in regulation, legislation, or codes of practice).

The Board will receive regular updates on the implementation of this policy and asbestos compliance performance, together with notification of any non-compliance issues identified.

### 2.2 Executive Management Team/Safety Forum

The Executive Management Team (EMT) will receive regular reports on the asbestos management plan/performance and ensure compliance is being achieved, together with notification of any non-compliance issues identified.

### 2.3 Responsible Person – Deputy Chief Executive

Responsible for:

- Ensuring compliance with the Asbestos Management Plan and Policy.
- Delegating specific responsibility to the Deputy Responsible Person (s) for the upkeep and review of the Asbestos Management Plan, Policy and its effective implementation.
- Implementing and monitoring the overall strategy for the safe execution of asbestos related issues.
- Allocating appropriate resources to ensure appropriate management of asbestos related issues.

### 2.4 Deputy Responsible Person – Compliance

Housing 21	Head of Group Property Compliance
Oldham PFI	Head of Oldham

Responsible for:

- Executing the principal functions of Asbestos Management Policy.
- Regularly review strategic asbestos management issues and progress against asbestos related actions.

- Ensuring relevant employees have received suitable and sufficient training in asbestos management.
- Ensuring continued compliance with relevant legislation concerning asbestos.
- Coordinating actions required in an asbestos related emergency.

## 2.5 Deputy Responsible Person – Asset Management

Housing 21      Director of Strategic Asset Management  
 Oldham PFI      Property Services Manager

Responsible for:

- Ensuring relevant employees (Building Surveyors and Property Services Managers) have received suitable and sufficient training in asbestos management.
- Ensuring continued compliance with relevant legislation concerning asbestos, especially in relation to CDM regulations.

## 2.6 The National Health and Safety Manager

Is responsible for:

- Ensuring policies, procedures and the management plan are written and remain up to date.
- Ensuring staff awareness and training in relation to asbestos safety is provided within the organisation.
- Ensuring legislative changes and advice relating to changes are communicated to the Executive Team and ultimately the Board.

## 2.7 Housing 21: National Property Compliance Manager and Contracts Manager(s) Oldham PFI: Property Services Manager

Are responsible for:

- Procuring competent UKAS accredited contractors, capable of completing asbestos management surveys and reinspection surveys.
- Organising, managing, and monitoring the maintenance and servicing contracts which include the service programme.
- Dealing with contractor related complaints and escalations where necessary.
- Updating servicing programmes to include/remove any additional properties following any acquisitions, major sip works or disposals.
- Reviewing ACMs identified through Asbestos Management and Reinspection Surveys to determine priority scoring and updating the risk register accordingly.

## 2.8 Building Surveyors

Building Surveyors have responsibility for the management of asbestos affecting stock investment works, to include:

- Co-ordinating project information with relevant contractors to allow sufficient time for asbestos Refurbishment and Development (R&D) surveys to be undertaken, if required, at the planning stage.
- Reviewing the completed asbestos R&D surveys and ensuring any works required are managed, monitored, and completed by an asbestos removal accredited contractor as appropriate.
- Ensuring that any completed R&D asbestos surveys, removal records and results of air monitoring are filed, and that the Property Compliance team are provided with copies of the records and fully informed of any changes so that the risk register can be updated.

## 2.9 Housing Operations

Housing Operational teams are responsible for:

- Managing contractor's access (once survey dates have been provided) to ensure that all inspections can be completed on time.
- Ensuring that the Asbestos Management Plan is followed.
- Ensuring that a pre-2000 building has an Asbestos Management Survey on site, is displayed and made available to contractors prior to any works (including repairs) taking place.
- Preventing any work or activity which could result in the damage or disturbance of a known or suspected ACM and ensuring all contractors have signed the contractor's declaration sheet prior to undertaking any work.
- Ensuring that Asbestos Emergency Procedures are understood by operational teams.
- Ensuring that all ACM remedials brought to their attention are actioned.
- Reporting any damage/deterioration to ACMs immediately to their Building Surveyor.
- Informing residents of any essential information related to ACM, including where there is a possibility of exposure.

## 2.10 Contractors

All contractors appointed by Housing 21 must be able to demonstrate their competency with regards to working with ACM, to include asbestos removal, testing, surveying, and air clearance.

On all projects, contractors are responsible for:

- Ensuring their employee and public liability insurances are up to date.
- Planning, managing, and monitoring their own work.
- Ensuring the competence of their employees, workers, and contractors.
- Training their own employees.

Where works are notifiable under the Construction (Design and Management) Regs (CDM) Contractors must be aware of their duties, ensuring appropriate appointments have been made and where appropriate the HSE notified.

**2.9 Training**

Housing 21 will provide asbestos awareness training in accordance with the Health and Safety Executive’s approved code of practice to all employees, commensurate with their role – operations, technical and construction whose work might bring them into contact with ACMs.

Training requirements are detailed within the Asbestos Management Plan.

**CONSULTATION**

Housing 21’s Health and Safety Forum and Policy Steering Group have been consulted about the development of this Policy.

Specific input of technical advice has been sought from Housing 21 employees with operational knowledge of asbestos management.

Housing 21’s Primary Authority, South Cambridgeshire District Council, Environmental Health have been consulted on the development of this policy.

**ASSOCIATED DOCUMENTS AND GUIDANCE**

Asbestos Management Plan