



Property and Housing Services
Asbestos Control Policy (2025)

CONTENTS

- 1. Introduction**
 - 1.1 - Purpose of this policy
 - 1.2 - Aim of this policy
 - 1.3 - Legal context of this policy
- 2. Background**
- 3. Principles**
 - 3.1 - General
 - 3.2 - HRA Properties
 - 3.3 - PSL Properties
 - 3.4 - Hostels
 - 3.5 - Works
- 4. Responsibilities**
- 5. Explicit Duties**
- 6. Stakeholders**
 - 5.1 - Residents and Leaseholders
 - 5.2 - Regulator of Social Housing
 - 5.3 - Councillors
- 7. Surveys**
- 8. Data Storage & Sharing**
- 9. Staff training**
- 10. Equal Opportunities statement**
 - 10.1 - Public Sector Equality Duty (PSED)
 - 10.2 - EqHIA
 - 10.3 - Our Commitment
- 11. Data Protection statement**
- 12. Dissemination and communication of this policy**
- 13. Implementation of this policy**
- 14. Monitoring and review of this policy**
- 15. Delegated authority to make minor changes to this policy**

1. Introduction

1.1 Purpose of this policy

This policy sets the Council's (LBH) core principles for dealing with asbestos in its properties.

It sets out the key process in managing asbestos; including providing an appropriate matrix to assess risk, and relevant processes to manage surveys, re-surveys and incidents.

1.2 Aim of this policy

Keeping residents safe from harm is paramount and this extends to managing any risk associated with asbestos to employees, residents, visitors, contractors and members of the public as far as reasonably practicable.

LBH acknowledges and accepts responsibility under the Health and Safety at Work Act 1974, and the Control of Asbestos Regulations (CAR) 2012 to identify and to safely manage Asbestos Containing Materials on our premises.

Approved codes of practice and guidance information published by the Health and Safety Executive will be taken as the adopted standard.

Accordingly, LBH will comply with all relevant legislation and regulations to help keep residents safe.

1.3 Legal context of this policy

This policy operates in the context of the following legislation and Codes of Practice:

- The Landlord and Tenant Act 1985
- Health and Safety at Work Act 1974
- Control of Asbestos Regulations 2012
- Hazardous Waste (England and Wales) Regulations 2005
- The Management of Health and Safety Regulations 1999
- The Workplace (Health Safety and Welfare) Regulations 1992
- The Housing Act 2004
- The Defective Premises Act 1972
- Construction Design and Management Regulations 2015
- Reporting of Injuries, Disease and Dangerous Occurrences Regulations 2013
- L143 Managing and working with asbestos (2013)
- HSG 264 Asbestos: The Survey Guide (2012)
- HSG 247 Asbestos: The licensed asbestos contractor's guide (2006)
- HSG 227 A comprehensive guide to managing asbestos in premises.

2. Background

Asbestos is a product which was widely used in construction up until the 1990s, noted for its excellent heat resistance and thermal properties. Asbestos can be found in a variety of forms and uses, including, but not limited to, asbestos cement, Artex ceilings, soffits and fascia boards and pipe lagging.

Asbestos has been identified as a substance that can pose a significant risk to health, and is classified as a human carcinogen. When asbestos containing materials are damaged or disturbed, fibres can be released into the air and surrounding environment. The inhalation of these fibres can lead to a number of chronic and potentially fatal diseases of the lung, with those exposed to high concentrations of these fibres for a long period of time (for example, due to occupational exposure) being at greatest risk.

3. Principles

3.1 General

- All materials within LBH properties must be presumed to contain asbestos and treated accordingly unless, or until, appropriate evidence is provided to the contrary, except;
- Properties built after 2001 can be reasonably expected to not contain any asbestos containing materials.

3.2 HRA Properties

- A full asbestos risk register will be kept for all HRA assets.
- As per Regulation 4 of the Asbestos Regulations all communal areas will require a Management Level Survey.
- As per the Health & Safety at Work Act, which requires all workplaces to be safe for employees, all domestic properties will require a management level survey.
- All garages, stores, outbuilding and sheds will have a management level survey.
- For domestic properties, garages, sheds and outhouses which are of a similar archetype, age and condition cloned data can be used ahead of obtaining a full survey.
- All non-dwelling properties where asbestos is present will be re-inspected, as per the risk assessment but as a minimum every three years.

3.3 PSL Properties

- LBH will ensure the landlord provides a management level asbestos survey prior to LBH taking the property.

3.4 Hostels

- We will ensure management-level surveys are undertaken for all hostels owned and managed by LBH.

3.5 Works

- No works which may disturb asbestos will be undertaken until a review of the management survey has taken place and where necessary a refurbishment and demolition survey completed and appropriate measure put in place.

4. Responsibilities

Duty Holder:

Appointed Person:

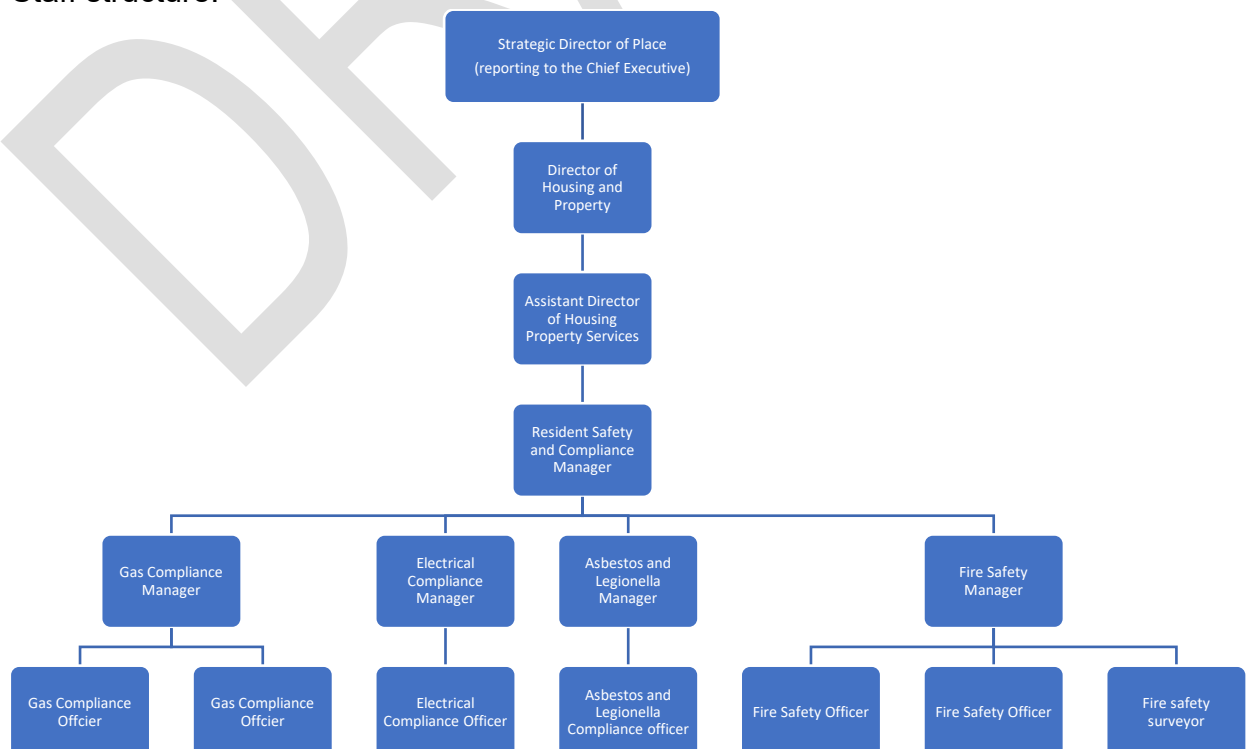
Responsible Person:

Chief Executive, London Borough of Havering

Assistant Director – Property Housing and Assets

Asbestos and Legionella Compliance Manager

Staff structure:



5. Explicit Duties

Regulation 4 of The Control of Asbestos Regulations identifies the duty to manage asbestos in the common areas of our properties. It requires the duty holder (directly or delegated) to:

- Take reasonable steps to find out if there are materials containing asbestos in non-domestic premises, and if so, its amount, where it is and what condition it is in.

In order to manage the risk from asbestos in non-domestic premises, the dutyholder must ensure that a suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present in the premises.

In making the assessment, the duty holder will:

- Take into account any steps as are reasonable in the circumstances;
- Consider the condition of any asbestos which is, or has been assumed to be, present in the premises;
- Take into account any building plans or other relevant information and the age of the premises, and
- Inspect those parts of the premises that are reasonably accessible.

The duty holder will ensure that the assessment is reviewed without delay if:

- There is reason to suspect that the assessment is no longer valid, or
- There has been a significant change in the premises to which the assessment relates.

The duty holder will ensure that the conclusions of every assessment is recorded, and:

- Presume materials contain asbestos unless there is appropriate 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 that are presumed to contain asbestos.
- Assess the risk of anyone being exposed to fibres from the materials identified.

Where the assessment shows that asbestos is or is liable to be present in any part of the premises, the duty holder will ensure that:

- A determination of the risk from that asbestos is made;
- A written plan identifying those parts of the premises concerned is prepared; and
- The measures that are to be taken for managing the risk are specified in a written plan.

The measures to be specified in the plan for managing the risk must include adequate measures for:

- Monitoring the condition of any asbestos or any substance containing or suspected of containing asbestos;
- Ensuring any asbestos or any such substance is properly maintained or where necessary safely removed.

Information about the location and condition of any asbestos or any such substance will be provided to every person liable to disturb it and made available to the emergency services, that is:

- 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.
- Provide information on the location and condition of the materials to anyone who is liable to work on or disturb them.

The Health and Safety at Work Act states the general duties of every employer to their employees:

- It shall be the duty of every employer to ensure, as far as is reasonably practicable, the health, safety and welfare at work of all his employees;
- Without prejudice to the generality of an employer's duty under the preceding subsection, the matters to which that duty extends include in particular;
 - the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health;

- the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees;
- insofar as is reasonably practicable as regards any place of work under the employer's control, the maintenance of it in a condition that is safe and without risks to health and the provision and maintenance of means of access to and egress from it that are safe and without such risks;
- the provision and maintenance of a working environment for their employees that is, so far as is reasonably practicable, safe, within regulations.

6. Stakeholders

6.1 Residents and Leaseholders

The White paper highlighted the need to engage residents in the safety of buildings and treat them as partners, both to seek their views and opinions but also to ensure they understand their duties.

Therefore, LBH will:

- Make compliance data available to residents on request;
- Ensure engagement is embedded in our core service offer both during works programmes and under normal circumstances;
- Ensure residents are involved in decisions around health and safety works to their homes;
- Ensure complaints are dealt with fairly and transparently;
- Ensure all residents are made aware of relevant strategies, LBH responsibilities and residents responsibilities at the time of sign up, and
- Ensure residents are aware of how to raise concerns or issue with health and safety within their buildings.

6.2 Regulator of Social Housing

As a provider of Social Housing LBH is accountable to the Regulator for Social Housing who take a co-regulation approach to ensuring providers meet economic and consumer standards, explicitly that contained in the home standard.

Registered providers shall meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.

The Director of Housing & Property will be responsible for managing a proactive relationship with the Regulator and to ensure all standards are met.

6.3 Councillors

The Regulator for Social Housing stated in its review of the Consumer standards in 2019 that;

- Boards and Councillors are responsible for ensuring registered providers meet the consumer standards; this is a fundamental part of the registered providers commitment to co-regulation.
- Registered providers should have the systems and processes in place to provide assurance to their Boards and/or the Council that the standards are being met.
- Actions plans for achieving compliance will be shared with the Council, as appropriate.

7. Surveys

All surveys will be conducted in accordance with HSE guidance 264 Asbestos: The Survey Guide and will be undertaken by qualified UKAS-accredited asbestos surveyors.

Surveys fall into three principle types;

- Managements surveys** that locate, as far as is reasonably practical, the presence and extent of asbestos containing materials in a property which could be damaged or disturbed by normal occupancy and to assess their condition. This is the principle survey used to populate the asbestos register.
- Refurbishment and Demolition surveys**, which are required before any work is carried out which cannot be undertaken using controlled measures and is used to determine the extent and scope of any asbestos removal or remediation works required before works.
- Re-inspection surveys** which re-inspect management surveys and monitor the condition of any identified asbestos containing materials.

When a resident requests a copy of the asbestos information held on their homes, LBH will provide this within 28 days. This may be for general information, or to support an application for landlord consent to undertake works.

At each void property. LBH will leave a copy of the asbestos management survey as part of the welcome pack, this will include appropriate advice on managing asbestos and what to do in the event of an incident.

8. Data Storage & Sharing

All asbestos information will be held on a centrally available asbestos register, which clearly identifies the property, the asbestos information held, the risk rating for that property and links to the full asbestos survey. This information will be shared with staff, operatives and contractors who are likely to visit and/or undertake any works to those properties.

Information will be shared with tenants when applying for landlord's consent to undertake works to their properties, should LBH hold relevant information. Where practicable contractors should be given direct access into the database and be allowed to access the information themselves.

All new surveys or asbestos information will be uploaded onto the database and the risk rating amended accordingly.

An audit trail of changes to the database will be available.

9. Staff training

Recognising that well-trained staff are key to the successful delivery of this policy, it will be covered in inductions for new officers and "refreshers" will be mandatory for current staff.

10. Equal Opportunities Statement

10.1 Public Sector Equality Duty (PSED)

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires all councils, when exercising its functions, to have 'due regard' to:

- i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- iii) Foster good relations between those who have protected characteristic and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

LBH is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, LBH is committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

10.2 EqHIA

An EqHIA (Equality and Health Impact Assessment) has been carried out and accompanies this policy.

LBH seeks to ensure equality, inclusion, and dignity for all in all situations. It will seek to ensure that this policy is, at all times, implemented in a manner that is fair to all sections of the local community.

All applicants for housing or re-housing will be invited to indicate if they wish to make use of the Council's translation and interpretation services, or if they require additional services to enable them to access and understand the policy to ensure that they are not disadvantaged in any way.

They also will be invited to provide details of ethnic origin, sexuality, disability and other equalities information. Provision of this information is not obligatory or a requirement for acceptance of an application.

However, such information will help monitor the number and types of protected characteristics requiring hostel support, and will help ensure that service improvement evolves in line with any changing local needs.

10.3 Our Commitment

This policy will be regularly reviewed ensure it is not operated in any way that could discriminate or disadvantage against any particular group of people.

All information provided will be kept confidential and treated with respect at all times.

11. Data Protection Statement

LBH takes personal privacy matters very seriously and will never share the individual's personal data without their prior knowledge, unless required to do so by law.

For full details about how LBH protects personal data, please visit [Havering Council Data Protection policy](#).

12. Dissemination and communication of this policy

Housing Services will consult with all affected stakeholders, directly or indirectly, to ensure this policy fulfils its purpose to be clear and transparent.

This policy will be made available internally and externally in hard copy and electronic versions, as well as various formats – such as easy read, multi-lingual, braille and audio - upon request.

13. Implementation of this strategy

This policy will take effect from September, 2025.

Responsibility for the successful implementation of this policy will be with Havering Council's Assistant Director of Property and Housing Services.

14. Monitoring and review of this policy

This policy will be reviewed every year, or when any significant change in relevant legislation or best practice guidelines take place.

15. Delegated authority to make minor changes to this policy

The Assistant Director of Property Housing and Assets, in consultation with the Director of Housing and Property, will be able to approve minor amendments; i.e. amendments that do not significantly change this policy or associated procedures.