

Cheshire West & Chester Council

# Council Housing

## Asbestos Management Policy

Issue date: July 2025

Review date: July 2028



Cheshire West  
and Chester

## 1. Management Information

Approval Date:	July 2025
Next Review Date:	July 2027
Policy Owner:	Janet Lawton, Head of Housing Delivery
Responsible Service Area:	Council Housing Management Board
Responsible Director:	Director of Economy and Housing

## 2. Introduction

This policy outlines the Councils approach to managing asbestos in its housing stock and communal areas, ensuring compliance with legal duties and the protection of tenants, leaseholders, staff, contractors and visitors. The policy underlines the commitment to ensuring that asbestos is managed in a safe, consistent and transparent way whilst ensuring compliance with statutory obligations

## 3. Aim of Policy

The aim of this policy is to provide a framework for asbestos management, including assurance that measures are in place to identify, manage and mitigate the risks associated with asbestos, in respect of tenant's and leaseholder's homes, and communal spaces.

This policy supports us in ensuring that we meet our obligations as a landlord, as part of our duties under the 'Control of Asbestos Regulations 2012'. The Council will fulfil these duties by eliminating or reducing, as far as is reasonably practicable, the risk of exposure to asbestos fibres. It also seeks to provide assurance that asbestos safety is appropriately managed. We aim to ensure, so far as reasonably practicable, that council tenants, staff, contractors and the general public are not exposed to any risks to their health, safety and wellbeing from asbestos.

The policy is relevant to all staff, tenants, contractors and other persons or stakeholders who may work on, occupy, visit or use our premises, or who may be affected by our activities or services.

When we use the terms 'we', 'our' and 'us' within this policy, we mean the Council unless otherwise stated.

The policy objectives are to:

- Provide clear lines of responsibility for the management of asbestos in all of our owned or managed premises.
- Specify individual responsibilities in the management of asbestos within the organisation
- Clarify the Councils approach to its duties under 'Control of Asbestos Regulations 2012'.

- Clarify the method of reviewing and monitoring asbestos compliance within the organisation.
- Specify our procedure on the process of asbestos abatement works within the Council's properties.
- Outline the Council's processes in the event of an asbestos emergency or unauthorised breaches.
- Clarify the asbestos reinspection programme and how we meet our duties under regulation 4 of 'Control of Asbestos Regulations 2012'.
- Outline the Council's procedure for asbestos surveying and sampling within our properties.
- Clarify the asbestos training, awareness and competency requirements for staff and contractors who work with or could potentially come in to contact with asbestos.

#### **4. Strategic context**

This policy helps the Council to meet the following local and national strategic aims.

Social Housing Regulations Act 2023 – Consumer Standards

- Quality and Safety Standard
- Tenancy Standard

[CWAC Borough Plan 2024 – 2028](#) - sets out how the Council will work with all its residents to build a stronger future where the Council and residents all play their part in creating thriving, caring and sustainable communities.

The Borough Plan has six missions as follows:

- Starting well - The best start for the borough's children and young people, with improved opportunity, a healthier start, greater resilience in families and the best possible support and care when it is needed.
- Tackling hardship and poverty - More people feel more financially secure as the causes and impact of hardship and poverty are addressed by working alongside residents.
- Resilient people living their best lives - Local people are enabled to flourish, be healthy, happy and independent for longer in supportive communities.
- Opportunity in a fair local economy - Local people and businesses contribute to and benefit from a strong and fair local economy.
- Neighbourhood pride - Residents live in well maintained, connected and safe places with good and affordable homes.
- Greener communities - Individuals, public services and businesses take action to move to tackle the climate emergency, achieve net zero, protect the natural environment and adapt to the impact of climate change.

[Together with Tenants Charter | Cheshire West and Chester Council Council-housing-asset-management-strategy-final](#)

## 5. Definitions and legislation

Asbestos is a natural mineral that is resistant to heat and corrosion. It was widely used in insulation, automotive parts like brake pads, and building materials like roof and floor tiles.

Breathing in or swallowing asbestos can lead to trapped fibres in the body. Over time, these asbestos fibres can cause inflammation and scarring, leading to severe health conditions, including mesothelioma and lung cancer.

### Legislation

The application of this policy will ensure compliance with the regulatory framework and the new consumer standards (safety and quality) for social housing in England, which was introduced on the 1st April 2024 and is now applied by the Regulator of Social Housing.

However, the principal legislation applicable to this policy is the 'Control of Asbestos Regulations 2012'. These place a duty on the 'duty holder' to manage all asbestos containing materials in non-domestic properties that they own or manage and to protect anyone using or working in the premises from the risks to health that exposure to asbestos causes. The duty holder in this instance shall be named as the Council's Head of Housing who will delegate their responsibilities to the position to the Compliance Manager to ensure council duties are met.

The Control of Asbestos Regulations 2012, as amended, regulates all work with asbestos containing materials. The prime objective of these regulations, which are made under the Health and Safety at Work Act 1974, is to prevent exposure to asbestos and where this is not reasonably practicable to reduce exposure as far as is reasonably practicable. Regulation 4 of the Control of Asbestos Regulations 2012 places a duty to manage on the Council for all of its non-domestic premises and areas. Legal precedent has established that the common parts of blocks of flats or schemes are classed as a non-domestic premise.

Although there is no duty to manage asbestos in domestic properties as covered in the 'Control of Asbestos Regulation 2012', this is covered in wider health and safety legislation to ensure a safe workplace for staff and contractors and to ensure tenants are safe from risks in their homes.

In accordance with the 'Control of Asbestos Regulations 2012', the prohibition section has been removed from the regulations. The prohibition of the supply and use of asbestos are now covered by 'REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals Regulations 2006)'. The reuse and installation of asbestos containing materials (ACMs) is prohibited in all buildings owned, leased or managed by the Council.

This policy also operates in the context of the following legislation:

- Housing Act 2004
- Health and Safety at Work Act 1974

- The Management of Health and Safety at Work Regulations 1999
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- The Health and Safety (Safety Signs and Signals) Regulations 1996
- The Construction, (Design and Management) Regulations 2015
- The Construction (Health, Safety and Welfare) Regulations 1996
- Corporate Manslaughter and Corporate Homicide Act 2007
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- The Social Housing Regulation Act (2023)

The following guidance documents can assist with the implementation of the policy:

- HSG264 – The survey guide
- HSG248 – Asbestos – The analysts’ guide sampling, analysis and clearance procedures
- HSG227 – A comprehensive guide to managing asbestos
- HSG210 – Asbestos essentials
- HSG248 – Asbestos – The licensed contractors guide

The Council accepts its responsibilities under health and safety legislation to protect employees and any other persons in buildings it owns, leases and/or manages. The Council will fulfil these duties by reducing, as far as is reasonably practicable, the risks associated with asbestos.

## **6. How the policy will be delivered**

We will take all reasonably practicable steps to prevent and control the risk of asbestos safety in the properties that we own, lease, or manage.

We are committed to keeping tenants, staff, contractors, and visitors to our properties safe from the risks associated with asbestos and meeting our obligations as a responsible Landlord under all current and relevant legislation, whilst also following best practice in relation to asbestos safety.

We will meet our asbestos safety obligations and protect our tenants, staff, contractors and visitors from risks to their health, safety and wellbeing from asbestos by:

- Understanding and complying with legislative requirements and best practice
- Using competent, skilled and well-trained staff and accredited and licensed contractors
- Providing staff with training at a level appropriate to their roles and responsibilities
- Briefing staff and contractors about asbestos safety related policies and procedures and if required, tenants
- Knowing our properties and our activities, and maintaining accurate asset information
- Maintaining an operational risk management approach
- Providing suitable, sufficient and risk proportionate measures and precautions

- Conducting ongoing and continuous asbestos surveys and re-inspections
- Addressing any actions resulting from asbestos surveys and re-inspections within appropriate timescales or if emergencies dictate
- Delivering remedial works on any damaged asbestos containing materials (ACMs) or asbestos that could potentially be damaged during refurbishment or demolition works
- Regularly reporting on our asbestos safety compliance and performance
- Engaging openly and proactively with regulators and other stakeholders
- Responding appropriately to the needs of tenants who may have concerns over any asbestos containing materials (ACMs)

## **Resident Engagement**

We will, where applicable and relevant, engage and communicate with our tenants to support them in their understanding of Compliance and Building Safety. This will be in several ways whether that is through the website, social media channels, focus groups, Council Housing Management Board or any other communication channels we choose to utilise.

## **Roles and Responsibilities**

The Compliance Manager is responsible for, either directly or through delegation:

- Operational implementation and delivery of this policy whilst ensuring that it is regularly reviewed and kept up to date.
- Ensuring that any associated procedures are implemented and kept up to date.
- Ensuring that asbestos survey figures and performance of the asbestos reinspection programme is monitored, measured and reviewed, and asbestos performance is reported to the Council.
- Monitoring and reviewing the effectiveness of asbestos awareness training and policy development.
- Ensuring any remedial works that are carried out are prioritised by either reference to the asbestos register and the risks associated with particular ACMs or off the back of material and priority risk assessments from asbestos surveys carried out.
- Ensuring that there is a reinspection programme on a 12 monthly basis on all non-domestic properties-built pre-2000 that still currently contain asbestos containing materials (ACMs). The programme will ensure that it meets all relevant asbestos related standards, legislation and best practices.
- Ensuring that periodic audits are carried out on licensed removal projects as carried out by approved licensed asbestos removal contractors.
- Ensuring staff, under their management, are trained and competent in asbestos to a level appropriate to their roles and responsibilities.
- Ensuring that information is provided to tenants, staff, contractors and other relevant stakeholders on the potential risks associated with asbestos as well as its location and condition if known.
- Ensuring that there are formal embedded arrangements for reporting serious incidents related to asbestos safety, as defined in relevant procedures.

- Ensure that there is an appropriate Asbestos Management Plan, to comply with the 'Control of Asbestos Regulations 2012', is developed and implemented.
- A programme of planned asbestos surveys are carried out by appropriately qualified and suitably experienced surveyors on the council-built assets to control and minimise the risk of potential exposure to ACMs.
- Asbestos surveys are undertaken as part of scheme refurbishment works, by appropriately qualified and suitably experienced surveyors, to identify ACMs
- The risk from ACMs identified in council housing stock and other buildings it owns, leases or manages, and those of similar archetypes, is assessed.
- A register of all identified ACMs within council housing stock and other relevant buildings owned, leased or managed is maintained.
- The retention of records relating to the removal of ACMs, as necessary to comply with legal requirements and this policy.
- The quality and integrity of the asbestos data within the register is maintained to meet legislative requirements.
- Compliance with Section 33 and 34 of the 'Environmental Protection Act 1990' for the handling transportation and disposal of asbestos waste.
- That where a survey has not been carried out or an area has not been accessed, the Council's contractor will assume that these areas contain asbestos and will take appropriate action in these circumstances informed by archetype surveys or access will be arranged to survey these areas.
- Any incidents relating to ACMs are reported to the Asbestos Compliance Lead and reported on the appropriate H&S reporting in accordance with the Health and Safety Policy for accident – incident reporting and non-compliance with this policy.

The Compliance Manager will

- Exercise overall control within their functional area of responsibility to ensure compliance with asbestos legislation and this policy.
- Provide sufficient resources to fulfil their functional areas asbestos safety responsibilities if applicable, and to report any non-compliances or inadequately controlled asbestos risks that require further resources.
- Promote the participation of staff and managers in improving asbestos safety e.g. by facilitating discussion of asbestos safety issues in the wider topic of health and safety at team meetings.
- Approve or recommend approval of functional area improvement plans with targets for improving asbestos safety performance, where appropriate.
- Receive any exceptional reports on any urgent asbestos safety issues requiring a Cabinet decision at functional area level.

The Compliance Manager will, with assistance from their staff:

- Be held accountable for the asbestos awareness performance of their staff and activities under their control and will ensure that the requirements of this policy are complied with.
- Demonstrate leadership by example in monitoring staff for good control of asbestos safety risks and acting in accordance with safe systems of work and good safety practice.

- Undertake and review, as appropriate, suitable and sufficient risk assessments and ensure that adequate measures are taken to minimise the asbestos safety risks to staff under their control and to any other persons who may be affected by their work.
- Take action to resolve any situations that may adversely affect the safety of staff or other persons and rectify any problems within their control or escalate to an appropriate manager, as soon as practicable.
- Give all staff under their control adequate information, instruction, training and supervision to carry out their duties safely and competently, paying particular attention to new/inexperienced staff and trainees.
- Manage the asbestos safety performance and training of their direct reports through one-to-ones, appraisals, direct supervision, briefings, etc. if applicable to their roles.
- Seek competent advice where necessary and act appropriately on the advice and recommendations given.

All Staff and contractors will:

- Ensure that they comply with this policy to ensure that the aims, objectives and intent of the policy are achieved.
- Take reasonable care for the asbestos safety of themselves and other persons who may be affected by their acts or omissions.
- Report accidents, incidents and near misses with the potential for injury or damage to their line manager or supervisor.
- Co-operate with their managers, colleagues and other relevant persons in matters relating to this policy.

### **Other Relevant Roles and Responsibilities**

The Council's Executive Cabinet has ultimate responsibility for asbestos safety across all owned, leased and managed properties, and will:

- Resource and allocate appropriately qualified and suitably experienced persons to assist in discharging our duty for asbestos safety, and the implementation of this policy.
- Ensure that an effective asbestos safety strategy is in place, and responsibilities have been delegated to other Directors to support the implementation of this policy.

The Council Housing Management Board has strategic oversight for the management of asbestos safety and ensuring compliance is achieved and maintained.

The Head of Landlord Service will ensure that the Compliance Manager discharges their duties outlined within this policy.

The Compliance Manager will utilise the reconciliation dashboard and provide monthly updates on property lists across all systems ensuring stock lists match and reporting any discrepancies to the Asbestos Compliance Lead for further investigation

The Compliance Manager will ensure through regular checks and audits, that compliance with this policy, and health and safety legislation in general, is maintained with respect to the implementation of this policy across the organisation.

The Compliance Manager will be responsible for supporting the position to be determined by the council in the delivery of the Asbestos Reinspection Programme, carrying out detailed and concise asbestos surveys and reports to provide to various stakeholders and to maintain and keep up to date Council Asbestos Management Plans and registers for all properties.

Within the Council there are also other operational roles with responsibility for property and tenancy management whose titles vary. These staff members need to ensure that they are consulting the In-house asset management database if their actions are likely to disturb any asbestos containing materials.

### **The Asbestos Register**

All asbestos registers relating to council properties are currently contained within the asset management system in-house asset management database. It holds, manages and provides information about asbestos to share with tenants, staff and contractors, including any ACMs in homes owned by the Council. The register underpins this policy as a reference source for the location, susceptibility to damage, surface treatment, and type of asbestos fibre and nature of material of any known ACMs found following an asbestos survey.

The registers comprise of a complete list of blocks of flats, sheltered accommodation schemes, individual domestic dwellings, connected premises and non-residential buildings. Each building or dwelling is identified by a unique property or block reference number (UPRN or UBRN the council may have different reference unit), address and variant property type.

The data contained in the asbestos register will form an essential part of the information CW&C needs to provide to comply with the Control of Asbestos Regulations 2012 (CAR 2012) and the 'Construction (Design and Management) Regulations 2015'. It enables programmes of ACM removal to be prepared, re-inspections to be scheduled and identification of built assets where procedures for managing ACMs in situ must be introduced.

### **Maintaining the Asbestos Register**

The register will be maintained by carrying out a programme of sample surveys including management, refurbishment and demolition surveys of the housing stock, archetypes and of non-domestic dwelling assets. Surveys will establish the location, type and condition of the ACMs present or re-inspect existing known ACMs within the Council's-built assets. The register will be updated with further data on completed repairs of refurbishment works and where removal of ACMs is undertaken.

## **Access to the Asbestos Register**

The Compliance Team will be responsible for uploading or amending asbestos data onto the in-house asset management database. Where access is granted to the in-house asset management database to view the registers is provided, this will be available on a web enabled 'read only' basis through the Council's ICT network.

## **Audit Regime**

In addition to the pre-works checks of contractors' asbestos management arrangements through the procurement process, the Council will ensure internal audits are carried out by the Compliance Manager or Asbestos Surveyor on asbestos removal contractors on at least a quarterly basis. This will involve:

- Checking the contractor's licenses, insurances, plans of works, operatives' medical certificates, respiratory protective equipment face fit certificates, training certificates and other relevant credentials.
- Ensuring that the removal and disposal of asbestos waste satisfies regulations.
- Monitoring of the asbestos removal works in progress.
- Ensuring that following the removal of the ACMs, the Council's asbestos register is updated by a member of the Asbestos Compliance Team.

Audits ensure compliance with asbestos statutory requirements, procedures and specifications, as well as contractor management arrangements and they also assess operative competencies. The Compliance Manager will collect and interrogate audit information as a management mechanism to challenge contractors and their operatives and to identify actions to improve service delivery associated with asbestos.

## **Third Party External Auditing**

This will be carried out by an external provider and will be a document audit only carried out against the asbestos inspection programme and will be a percentage of no greater than 5% of valid certificates that will provide assurance to the Council.

## **Programme of Works**

We will undertake an annual re-inspection programme in all our communal buildings to meet our statutory requirements.

## **Training & Competence**

All staff are supported by a range of training across the organisation, which as a minimum, shall include general information, on the job training, instructions, briefings and e-learning relevant to their roles and responsibilities.

## **Notifications and Advice**

When a tenant signs up for a new Council property, the tenant will be provided with any asbestos information for their new home. Access to the in-house asset management database will be available to relevant lettings staff to access and share

this information with tenants/leaseholders. The Council will also provide accompanying advice in the form of a tenant leaflet which will be given to any new tenants within their sign-up packs. The Council through its housing management will, upon request, produce information in a range of formats or use interpretation services to support the tenant to access the information they want and/or need. In addition, we will put in place provision for tenants and leaseholders so they can request their compliance documentation should they wish to.

### **Escalation and Difficult to Access Properties**

Where the Council encounter access problems they will utilise all available means to access properties, which may include breach of the tenancy agreement or breach of any lease or license. Where legal channels are utilised to obtain warrants of access through the magistrate's courts this will be progressed by the Council. Should there be a need to utilise the legal process these decisions will be made in conjunction with, and support from our legal team.

### **Non-Compliance**

Any non-compliance with this policy that is identified at a functional level will be formally reported to the Compliance Manager in the first instance.

The Compliance Manager will agree an appropriate course of corrective action with the functional team to address any such non-compliance and, where appropriate, report details of the non-compliance to the Council's Head of Landlord Service.

The Council's Head of Landlord Service will ensure, where appropriate, the Executive Cabinet and Council Housing Management Board are made aware of any non-compliance so they can consider the implications of this and act as appropriate.

In cases of serious non-compliance with this policy, the Council's Director of Economy and Housing, Head of Landlord Service, Cabinet Member for Homes and Planning, and Council Housing Management Board will consider whether it is necessary to disclose such non-compliance with any relevant regulatory bodies in the spirit of positive self-and co-regulation.

### **Implementation and Communication**

The Compliance Manager or staff deputising in their absence will put in place monitoring arrangements to ensure that the systems and procedures outlined in this policy are carried out. Where shortfalls in performance are found, the necessary corrective action(s) will be taken at the appropriate management level.

If staff become aware of problems with the effective operation of the policy or the associated procedures, they should report this to the Compliance Manager. This feedback will be incorporated into the policy and procedural review process.

## 7. Equality and reasonable adjustment statement

We value diversity and work to create an inclusive environment for customers and staff, where everyone has access to the same opportunities. We welcome our responsibility to comply with equalities legislation and regulatory requirements that relate to equity, diversity and inclusion and aim to do more. Through our activities we aim to remove systemic barriers to equal opportunities and eliminate all forms of discrimination, harassment, and victimisation within our organisation.

We are committed to providing excellent customer services, which are fair, equitable and inclusive. As such, we will endeavour to understand and make any reasonable adjustments required for customers in line with our Reasonable Adjustment Statement and the Equality Act 2010. Any reasonable adjustment provided will be recorded and kept under active review.

## 8. Related Documents

Arrangements should be considered in conjunction with appropriate Council health and safety policies, relevant regulations and the guidance produced by the 'Health and Safety Executive Approved Codes of Practice (ACoP)'

- Health and safety policy
- Construction Design and Management Procedure
- Accident and incident reporting procedure
- Asbestos procedure documents

## 9. Equality Analysis

Results of EA / Actions taken forward to mitigate any potential negative impacts	Inform that this policy can be provided in alternative formats.  Inform about the ongoing equality and diversity training for staff in the delivery of this policy.
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## 10. Consultation and Business Intelligence

The policy was created in consultation with the Council's tenants leaseholders and staff.

## 11. Monitoring and review

The Council Housing Management Board has responsibility for the monitoring and review of this policy. This policy will be reviewed every three years starting from the date it is approached and adopted.

Robust Key Performance Indicators (KPIs) will be established and maintained to ensure we are able to report on our Asbestos safety performance in relation to this policy.

The following KPIs will be monitored and reviewed periodically, as a minimum, and will be reported to the Councils Management Board, Executive Cabinet and Council Housing Management Board on a monthly and quarterly basis:

- Percentage of properties with domestic information held
- Percentage of blocks with communal information held
- Percentage of annual in date block re-inspections

We define a property that needs a reinspection as built pre-2000 and has previously identified asbestos containing materials in the communal areas identified via an asbestos management/refurbishment and demolition survey or communal areas were access has not been gained therefore must be presumed to contain asbestos until it can be confirmed that no asbestos is present.

Commentary will be provided for any significant changes affecting the Asbestos Reinspection Programme, overdue re-inspections and actions, including period or days overdue, and the action proposed to bring them back into compliance.

Re-inspections will be carried out by an Asbestos Surveyor or an approved, accredited external asbestos consultancy and will be made available on the Councils in-house asset management database management software.

Our asbestos safety performance will also be subject to independent audit at least every two years and the data will be reconciled monthly.

The Compliance Manager will be responsible for keeping all necessary records in relation to the management of asbestos including risk assessments, asbestos removal works, asset information and audit records for a period no less than 40 years.

The effectiveness of, and compliance against, this policy will be monitored through:

- Health & Safety Assurance System
- Management reviews
- Internal/external auditing data
- Asbestos register data stored in the in-house asset management system
- Compliance reports
- Tenant feedback
- Legislative changes
- Management reports as part of the quarterly Council Housing Management Board.

## **12. Approval and Review History**

The approval route for all policies and procedures is via the Cabinet Member for Homes and Planning who has delegated powers for policy approval from the Council's Executive Cabinet.

<b>Date</b>	<b>Version</b>	<b>Approved by</b>
30/07/2025	V1	Cabinet Member for Homes and Planning
26/09/2025	V1.2	Cabinet Member for Homes and Planning

### 13. Document Revision History

<b>Date amended</b>	<b>Version</b>	<b>Key Changes</b>
24/09/2025	V1.2	Revised version to take into account the insourcing of the housing management service from ForHousing.

