Asbestos Policy

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1.0 Introduction

1.1 This policy sets out our responsibilities in complying with our legal obligations under Part 2, Section 4 'Duty to manage asbestos in non domestic properties' as stated in The Control of Asbestos Regulations 2012 (CAR 2012). With the exception of the requirement to regularly reinspect asbestos containing materials the policy is also applied to domestic properties.

1.2 This policy has been reviewed by an external Third Party to ensure that it covers all our responsibilities under current relevant legislation.

2.0 Purpose

2.1 The purpose of this policy is to ensure:

- Our homes and other buildings comply with health & safety legislation.
- Customers are safe in their homes.
- Customers affected by this policy are treated with respect and empathy.

3.0 Principles

3.1 This policy is underpinned by the following values:

- Trust – being open and honest with customers by publishing our targets and performance.
- Respect – ensuring all customers are treated with respect, recognising the diverse views and needs of customers and accommodating these views and needs whenever possible.
- Innovate – continuous improvement to enhance the delivery of the electrical safety procedure.
- Work together – embracing customer feedback to further develop the electrical safety procedure.
- Own it – we will take ownership of our decisions and responsibilities, ensuring works are carried out professionally, ethically and in line with our standards.

4.0 Definitions

4.1 The key terms used in this policy are defined below.

Duty Holder	The owner of the non-domestic premises or the person or organisation that has clear responsibility for the maintenance or repair of non-domestic premises, for example through an explicit agreement such as a tenancy agreement or contract.
Management Survey	A survey to enable the management of asbestos containing materials during the normal occupation and use of premises.
Refurbishment/demolition Survey	A refurbishment/demolition survey is a survey which is necessary prior to any works which may affect the fabric of a building, and which is used to locate (as far as reasonably practicable) asbestos-containing materials. The survey may be within a localised area or cover the whole building.
UKAS	The appointed national accreditation body for asbestos surveyors. Accreditation is a means of assessing, in the public interest, the technical competence and integrity of organisations offering evaluation services.
Tenant	Tenants are defined as customers and residents, living in our homes, that are eligible to access and receive services associated with asbestos safety.
Complaint	Any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, our own employees, or those acting on our behalf, affecting a customer or group of customers.
Operational Building	This refers to offices or buildings that are actively used but are not commercial building.
Non-operational Building	This refers to buildings where there is a communal area or shared space eg communal lounges or communal areas of flat blocks.

5.0 Scope

5.1 Under The Control of Asbestos Regulations 2012 (CAR 2012) we have a legal obligation under Part 2, Section 4 'Duty to manage asbestos in non domestic properties' and Livin is the 'Duty Holder' for the purposes of the legislation. We are required to:

- Find out if asbestos containing materials (ACMs) are present, where we have an obligation to do so, presuming that materials contain asbestos unless we have strong evidence that they do not.
- Identify the location and condition of any ACMs.
- Assume asbestos is present if the property was built prior to the year 2000.
- Keep an up-to-date record (an asbestos register) of the location and condition of ACMs or presumed ACMs.
- Assess the risk from any ACMs found.
- Prepare an Asbestos Management Plan that sets out how we will manage the risk from ACMs, and review and monitor its implementation.
- Set up a system to provide information on the location and condition of ACMs to anyone who is liable to work on or disturb them.
- Assess the reliability of information we receive relating to asbestos within the properties we own and manage. Anyone who has information on the whereabouts of asbestos within these properties is required to make this available to us.

6.0 Contribution to Plan A

6.1 This policy supports our 'Providing Quality Sustainable Homes' strategy and its strategic vision of 'Tenants living in warm, safe, high quality, sustainable homes in a place they are proud to live'.

7.0 Legislative and regulatory framework

7.1 The key statutory and regulatory legislation applicable to this policy is:

- The Control of Asbestos Regulations 2012
- Defective Premises Act 1972
- Health and Safety at Work Act 1974

- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Occupiers' Liability Act 1984
- The Workplace (Health Safety and Welfare) Regulations 1992
- Personal Protective Equipment at Work Regulations 1992
- The Asbestos (Licensing) (Amendment) Regulations 1998
- The Management of Health and Safety at Work Regulations 1999
- Control of Substances Hazardous to Health Regulations (as amended) 2002 (COSHH)
- Hazardous Waste (England and Wales) Regulations 2005 (Amendment 2009)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Social Housing (Regulation) Act 2023
- Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025 (Awaab's Law)

7.2 Approved Code of Practice (ACoP) - The principal ACoP applicable to this policy is:

- ACoP L143 - Managing and working with Asbestos (Second edition, 2013).

7.3 Guidance – The principal guidance documents applicable to this policy are:

- HSG227 - A comprehensive guide to managing asbestos in premises (First edition, 2002).
- HSG247 - Asbestos: The licensed contractors' guide (First edition, 2006).
- HSG264 - Asbestos: The survey guide (Second edition, 2012).
- INDG223 - Managing asbestos in buildings: a brief guide (Revision 5, April 2012).
- HSG210 - Asbestos Essentials: A task manual for building, maintenance and allied trades and non-licensed asbestos work (Fourth edition, 2018).
- HSG248 – Asbestos: The Analysts' Guide (Second edition, 2021).

7.4 Regulatory Standards:

- Consumer standards 2024 Annex 3
- The Safety and Quality standard
- The Social Housing (Regulation) Act 2023

7.5 Sanctions – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including: prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution under any of the principal legislation listed in Section 4.1; and via a regulatory notice from the Regulator of Social Housing.

8.0 Policy Statements

8.1 We acknowledge and accept our responsibilities under CAR 2012 as outlined in Section 7, and we recognise that the main hazard in relation to asbestos is the non-identification of ACMs. As such, we will protect those persons potentially exposed to asbestos as far as is reasonably practical, using appropriate control measures and working methods.

8.2 To fully comply with CAR 2012, we will have a Board approved Asbestos Policy, an Asbestos Management Plan and we will maintain an Asbestos Register.

8.3 We will carry out an intrusive refurbishment/demolition survey to domestic and non-domestic properties as and when required, as per HSG264.

8.4 We will ensure that information about ACMs (known or presumed) is provided to every person liable to disturb it, accidentally or during the course of their work. This includes employees, contractors and customers.

8.5 We will generally not use asbestos labelling in domestic premises, non domestic premises and common areas of domestic blocks.

8.6 We will ensure that there is a robust process in place to manage immediately dangerous situations identified during asbestos related works.

8.7 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.

8.8 We will use the legal remedies available within the terms of the tenancy and lease agreement should any customer, leaseholder or shared owner refuse access to carry out essential asbestos related inspection and remediation works. Where customer vulnerability issues are known or identified we will ensure we safeguard the wellbeing of the customer.

8.9 We will establish and maintain a risk assessment for asbestos management and operations, setting out our key risks from asbestos and appropriate mitigations.

8.10 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be in place in respect of all component replacement works and refurbishment projects to void and properties with customers (at the start of the contract and reviewed annually thereafter). This plan will detail what is required to ensure the safety of customers and operatives during the works if asbestos is affected by the works and to continue to comply with relevant legislation.

8.11 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to asbestos safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

Programmes

8.12 Non-domestic properties – communal blocks/supported schemes/offices/depots that we own or manage, built prior to the year 2000, have an asbestos management survey that is compliant with CAR 2012 (dated after 6 April 2012 when this legislation came into effect). We will maintain a programme of

asbestos re-inspections for all properties that contain ACMs (known or presumed). Re-inspections will either be annual or in accordance with the risk level as identified by the previous survey. We will not re-inspect any properties where the initial asbestos management survey confirms that there are no ACMs. However, we will conduct a new survey if the previous survey is not suitable for intrusive works being carried out.

8.13 Domestic properties – We currently hold asbestos survey data on approximately 99.90% of our domestic properties. Within the lifecycle of this policy, we aim to complete all domestic properties

8.14 Garages – We own or manage approximately 2370 garages, these are included as part of our overarching asbestos inspection programme

8.15 Repairs / planned maintenance - We will review existing asbestos survey information prior to carrying out any intrusive void work, day-to-day repairs, planned maintenance or refurbishment work. Where there is no asbestos information prior to the work taking place, we will commission a refurbishment/demolition survey to the areas of the property that are likely to be disturbed as part of the proposed works. We will also undertake a management survey to the remainder of the property as part of the same refurbishment/demolition survey. Once completed, survey details will be provided to the relevant operatives or contractors

8.16 Properties managed by others – Where we own but do not manage properties and there is a requirement on the leaseholder to keep an up to-date asbestos survey, we will request a copy of the survey from them. Where this applies and an asbestos management survey cannot be evidenced, we will commission the inspection and recharge the cost back to the leaseholder

Follow-up Work

8.17 Where asbestos is positively identified and removal, sealing or encapsulation is recommended by the competent person, this will be carried out as follows:

- Non-licensed works (as defined in regulation 2 of CAR 2012) – by specifically trained contractors with appropriate equipment and working procedures in place which are sufficient to comply with the CAR 2012.
- Notifiable non-licensed works (as defined in regulation 2 of the CAR 2012) – by a licensed asbestos removal contractor (LARC) licensed by the Health and Safety Executive in compliance with the CAR 2012.
- Licensed works (as defined in regulation 2 of CAR 2012) – will be undertaken by a LARC, licensed by the Health and Safety Executive.

Data and Records

8.18 We will maintain a core asset register of all properties we own or manage, setting out which properties are and are not required to be included on the asbestos re-inspection programme.

8.19 We will utilise data held within our CX system to ensure we consider tenant vulnerabilities, access requests and any other arrangements as part of our required compliance visits.

8.20 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from asbestos programmes and the programme remains up to date.

8.21 We will keep an asbestos register within MRI Asset system. The asbestos register will include details of ACMs in the properties we own or manage, with information on the type, address, location and condition. We will hold inspection dates, asbestos surveys, details of remediation works and evidence of completion of these works in the MRI Asset system.

8.22 We will keep all these records for the duration that we own and manage the property. This is in line with our document retention policy and have robust processes and controls in place to maintain appropriate levels of security for all asbestos related data.

8.23 We will keep air monitoring and health surveillance records for at least 40 years.

Diverse needs

8.24 We will make reasonable adjustments in how we deliver the service to customers' homes where a vulnerability would prohibit the works being carried out without adjusting the service. We will also make reasonable adjustments to how we communicate with customers based on their vulnerabilities.

Customer data and voice

8.25 This policy has been developed following consultation with our customers to ensure their voice is heard.

Communication

8.26 We consider good communication essential in the effective delivery of asbestos safety; therefore, we will establish a customer engagement and communication programme. This will support customers in their understanding of asbestos, advise them of how they can manage any risk if there is asbestos within their property, and encourage them to report any asbestos safety concerns.

8.27 We will share information clearly and transparently and will ensure that information is available to customers via regular publications and information on our website.

8.28 We will provide customers with a copy of the most recent asbestos survey upon the commencement of a new tenancy via the customer onboarding CX process. We will also provide asbestos survey information to existing customers upon request.

8.29 We are committed to the provision of seamless, responsive and convenient services and as such are a digital first organisation. We advocate encourage and support our tenants to engage with us via the most efficient and effective method, suitable to their needs, and will assist tenants or their advocates to engage with us digitally. Digital copies of this policy and related guidance are available on our website and hardcopies are available to any tenants who may not be able to access services digitally, on request.

Feedback and complaints

8.30 In line with the Complaints, Compliments and Feedback Policy, we will work with customers who have specific needs and vulnerabilities to make sure they can access the service, have their views listened to and receive their complaint response in a way that meets their needs.

8.31 Customers can provide feedback about the services they have received in respect of this policy. If a customer is dissatisfied with the service they have received from us, they can make a complaint to us in line with our Complaints, Compliments and Feedback Policy.

Competent Persons

8.32 The competency of the persons delivering this policy are outlined below.

Competent Person	Qualification/Accreditation Required
Operational Lead	P402 or P405 or P407 or W504 (or equivalent) or Level 4 VRQ Diploma in Asset and Building Management.
Operatives carrying out management or refurbishment / demolition surveys	Qualifications as per HSG264
Asbestos Removal Contractors	Registered with Asbestos Licensing Unit
Operatives carrying out air clearance tests	P404
3 rd Party technical quality assurance checks	Suitably competent and qualified

9.0 Roles and responsibilities

9.1 Roles and responsibilities under this policy are outlined below.

Board	The Board has overall governance responsibility for this policy. As such, the Board will formally approve this policy and review it every two years, or earlier if there is a change in legislation or regulation. Board will receive quarterly performance reports containing high-level performance metrics measuring the effectiveness of this policy.
Audit and Risk Committee	The Audit and Risk Committee have a specific focus on Awaab's Law, compliance and disrepair, ensuring repair activity is supported by robust internal controls and risk management arrangements. The Committee provides independent oversight and assurance ensuring compliance with legislative and regulatory requirements. Any significant issues, risks outside of tolerance, or matters requiring strategic direction will be escalated to the Board for consideration and decision.
Executive Management Team	EMT will be notified of any significant, continued, non compliance with this policy. EMT will receive at least quarterly performance reports containing high-level performance metrics measuring the effectiveness of this policy.
Executive Director of Finance and Investment	The Executive Director of Finance and Investment has strategic responsibility for the management of asbestos and ensuring compliance is achieved and maintained. The Executive Director of Finance and Investment will receive monthly performance reports containing high-level performance metrics measuring the effectiveness of this policy.
Executive Director of Corporate Services	The Executive Director of Corporate Services is designated as the health and safety lead as defined by the Social Housing (Regulation) Act 2023.
Director of Property Services	The Director of Property Services is responsible for overseeing the operational delivery of the policy, monitoring compliance performance, and providing assurance that effective arrangements are in place to

	manage radon risks and maintain compliance with legislative and regulatory requirements.
Head of Property Services	The Head of Property Services has operational responsibility for the implementation and oversight of this policy.
Compliance and Cyclical Works Manager	The Compliance and Cyclical Works Manager has operational responsibility for the management of asbestos safety and will be responsible for overseeing the delivery of these programmes.

9.2 This policy will be communicated to employees via our intranet and communicated to customers via our website and in other forms where needed. Those responsible for implementing the policy will, where required, receive appropriate training, advice, and/or guidance.

10.0 Related Policies and procedures

10.1 This policy should be read in conjunction with the following document:

Asbestos Management Procedure (July 2026)	The Asbestos procedure sets out the process we will follow to gain access to properties to carry out asbestos surveys and re inspections.

11.0 Monitoring and review arrangements

11.1 Assurance on compliance with this policy will be gained by the following methods and timescales:

Types of Assurance	Key Source	Frequency
Management Assurance	Perfromance CX report Contract perfromance meetings Pentana perfromance dashboards	Weekly Monthly Monthly
Corporate Oversight	Perfromance report	Monthly to Executive Director of Finance and Investment

	Landlord health and safety report	Quarterly to Board Quarterly to Audit and Risk Committee
TSM – dwelling units owned within properties that require an asbestos management survey or re-inspection	Performance report	Anually
Independent Assurance	Internal Audit	Every 2 years

11.2 The following information will be included in the landlord health and safety compliance report to Audit and Risk Committee: Data – the total number of:

- Properties – communal blocks and other properties.
- Properties on the asbestos management programme.
- Properties with a valid and in date survey.
- Properties without a valid and in date survey.
- Properties due to be surveyed/re-inspected within the next 30 days; and

Narrative - an explanation of the:

- Current position
- Corrective action required.

11.3 This policy will be reviewed every two years, unless there is significant development that would require a more urgent review e.g. new legislation or regulation.