

Temporary Accommodation - Asbestos Management Plan

August 2025

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1. Purpose and scope

This policy defines the Councils approach to ensure that any asbestos within its temporary accommodation properties is effectively inspected, maintained, managed, and remains safe.

The Council will also ensure compliance with the respective legislation, guidance, best practice and standards.

This policy applies to all customers who occupy accommodation under a licence agreement.

2. Background

The Council is a non-stock holding authority but is responsible for several properties which are used to meet their legal duty to provide homeless households temporary accommodation whilst permanent move on accommodation is secured.

There is an obligation on the Council to ensure that the temporary accommodation they provide is free from serious hazards, including how to manage asbestos, and that homes are fit for habitation. The Council must treat any incident relating to asbestos management with the utmost seriousness and act promptly to protect residents.

3. Property inspections and surveys

Asbestos surveys are required on all council owned or managed temporary accommodation properties. The surveys will have the following main aims:

- It must as far as reasonably practicable locate and record the location, extent, and product type of any presumed or known asbestos containing materials.
- It must inspect and record information on the accessibility, condition, and surface treatment of any presumed or known asbestos containing materials.
- It should determine and record the asbestos type, either by collecting representative samples of suspect materials for laboratory identification, or by making a presumption based on the product type and its appearance.
- Within each room description it should identify non asbestos materials to avoid any potential missed asbestos containing materials.

The Council will ensure there are no occupants or other people within the property when the survey takes place so reducing any potential risk.

Accommodation built after 2000 does not contain asbestos materials and therefore any temporary accommodation owned or managed by the Council built after this date will not require an asbestos survey.

Sampling

This is NOT a survey but can be undertaken by an asbestos surveyor when there is a query as to whether a material is asbestos containing. For example, where there is a damaged ceiling with a suspect textured coating which needs removal then we can request samples to be taken just to determine the presence of asbestos within that

product. Samples will not be taken of materials which are deemed by the asbestos surveyor NOT to be asbestos.

All sampling will be undertaken by asbestos surveying contractors commissioned by the Council. Licensees and/or their family members must not undertake their own sampling.

4. Legal Standards

This plan enables the Council to meet its obligations as a landlord and employer under the following legislation:

- The Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations
- The Control of Asbestos Regulations and the Approved Code of Practice and guidance L143
- Control of Substances Hazardous to Health (COSHH) Regulations (as amended)
- The Construction, Design and Management Regulations (CDM)
- The Housing Act which introduced the Housing Health and Safety Rating System (HHSRS) and the Housing Health and Safety Rating System Regulations
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)
- The Defective Premises Act
- The Environmental Protection Act
- HSE advisory note – guidance for social landlords on the refurbishment of housing stock likely to contain asbestos - 26 MAY 2009
- HSG 264 – Asbestos: The survey guide
- HSG 227 – A Comprehensive guide to managing asbestos in premises
- HSG 247 – The Licensed Contractors Guide

The Health and Safety Act at Work 1974

Under the Health and Safety at Work Act 1974, the Council has a legal responsibility to ensure its properties are safe and that residents are not exposed to health hazards like asbestos. This includes identifying asbestos, assessing the risk, and implementing a management plan to minimize risks. The Council must also inform tenants about the presence of asbestos and any precautions they need to take.

The Council must ensure their employees receive the necessary asbestos training, and that workers and contractors are aware of the location or potential presence of asbestos in the properties they are working in.

The Management of Health and Safety at Work Regulations

The Management of Health and Safety at Work Regulations places a general duty on the Council to ensure the health, safety, and welfare of its employees, including those working with or potentially exposed to asbestos. This duty extends to protecting others who may be affected by their work activities, such as contractors.

The Control of Asbestos Regulations and the Approved Code of Practice and guidance L143

The Control of Asbestos Regulations 2012 places a duty on the Council to assess and manage the risks from asbestos in common areas of multi-occupancy domestic premises. The duty to manage asbestos applies to common areas in multi-occupancy domestic premises, such as foyers, corridors, lift shafts, staircases, and roof spaces. This means the Council must identify the presence of asbestos, assess the risk it poses, and develop a written plan to manage that risk

Control of Substances Hazardous to Health (COSHH) Regulations (as amended)

The Council has a duty to manage asbestos in properties built before 2000 under the Control of Asbestos Regulations 2012 and the Control of Substances Hazardous to Health (COSHH) Regulations (as amended). This includes identifying, assessing, and managing asbestos risks, informing tenants, and potentially removing or sealing asbestos materials.

The Construction, Design and Management Regulations (CDM)

The Council is affected by the Construction (Design and Management) Regulations (CDM) as it can be considered a "client" under the regulations, meaning it has specific health and safety duties when construction work is done on their temporary accommodation property.

The Construction, Design and Management Regulations apply to all construction work, regardless of size or complexity. This means that even seemingly small jobs like installing a new heating system can fall under the regulations.

The Housing Act which introduced the Housing Health and Safety Rating System (HHSRS) and the Housing Health and Safety Rating System Regulations

The Housing Act of 2004, through the Housing Health and Safety Rating System (HHSRS), places a legal obligation on the Council to ensure their temporary accommodation properties are safe and habitable, including addressing asbestos hazards. The Council must assess asbestos risks, develop management plans, and take action to address any identified problems

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)

The Council has a legal duty to manage asbestos in its temporary accommodation properties, including a duty to report dangerous occurrences under RIDDOR. This includes reporting incidents where asbestos is disturbed, damaged, or deteriorated, particularly if it causes harm or puts individuals at risk

The Council must keep an up-to-date asbestos register detailing the location and condition of asbestos containing materials (ACM's)

The Defective Premises Act 1972

The Council has a responsibility to ensure properties are safe from hazards, including asbestos, under the Defective Premises Act 1972. If asbestos is present and not managed properly, the Council could face legal action from residents, including compensation claims and court orders to rectify the issue.

The Environmental Protection Act

The presence of asbestos in a property can be classified as a statutory nuisance under the Environmental Protection Act 1990, If an environmental health inspector deems the asbestos harmful, they can issue an abatement order.

HSE advisory note – guidance for social landlords on the refurbishment of housing stock likely to contain asbestos - 26 MAY 2009

The Health and Safety Executive's (HSE) advisory note and guidance from the [HSE on asbestos management](#) affect landlords, including the Council, by outlining its duty to manage asbestos in buildings such as its temporary accommodation property, especially during refurbishment projects. This includes identifying asbestos, assessing the risk, and developing a management plan. The Council must also ensure safe asbestos removal, provide information to workers and emergency services, and periodically review their management plan.

HSG 264 – Asbestos: The survey guide

This guidance has been prepared by the Health and Safety Executive to help those carrying out asbestos surveys and those with specific responsibilities for managing the risks from asbestos. It is also designed to provide guidance in situations where surveys may be carried out for 'managing' asbestos in domestic premises under wider health and safety legislation and for meeting the requirements of the Construction (Design and Management) Regulations 2007 (CDM). It complements and supports other guidance on managing asbestos.

HSG 227 – A Comprehensive guide to managing asbestos in premises

HSG227 is a comprehensive guide to managing asbestos in premises. It outlines the Councils legal duty to manage asbestos in its temporary accommodation, especially in common areas of multi-occupancy properties. This includes conducting surveys to identify asbestos, assessing the risk, and implementing a management plan.

HSG 247 – The Licensed Contractors Guide

HSG247 - "Asbestos: The Licensed Contractors' Guide," provides guidance on how to safely manage and work with asbestos. This means landlords need to ensure asbestos is identified, assessed, and managed responsibly, potentially involving licensed contractors for certain types of work.

5. Complying with the standards

The Council must ensure that its temporary accommodation has all the measures in place to ensure that asbestos is managed and maintained safely.

The Council will ensure each property has an asbestos survey undertaken. All asbestos surveys are completed by the appointed UKAS accredited asbestos surveying contractor.

The Council will immediately implement any remedial action required to resolve any high-risk results highlighted from the asbestos surveyor's report.

The Council will inform all new licensees of the risk of asbestos and how to manage it.

The Council will maintain an up-to-date asbestos register on all its temporary accommodation properties.

The Council will inform any contractors of the whereabouts of known asbestos materials before any works are undertaken.

The Council has the right to enter temporary accommodation properties, with reasonable notice, but only in specific circumstances which may include:

- To inspect the conditions of the premises
- To perform repairs
- Access to provide services

Licensees are required to report any asbestos concerns or issues to the Council immediately.

The Council should always respond promptly and address issues as a matter of urgency when there is a significant concern for the resident's safety.

For more complex cases particularly where there is a serious health risk to the customer or member of their household, the Council may require them to move out of the property. Where this occurs, the Council will be required to provide the household with alternative temporary accommodation.

The Council will ensure all records, inspections, surveys, and documentation are kept up to date and readily available.

6. Council inspection procedure

An inspection regime is in place and the Council will ensure that all temporary accommodation properties are inspected by a qualified asbestos surveyor.

7. Contractors

All contractors carrying out specific asbestos responsibilities within this management plan will be appropriately procured, managed and monitored.

8. Licensees

As part of the tenancy welcome pack all residents are provided with information on Asbestos

9. Asbestos removal and treatment

Removal of asbestos when identified to “remove” through an asbestos survey or when other works to the property require the removal of asbestos in order to facilitate the works will be carried out by a licensed asbestos removal contractor.

Contractors involved in the removal or disturbance of an asbestos containing material must certify the areas to be safe for reoccupation.

Following the completion of removal works relevant documentation will be provided by the contractor to the Council which will include:

- Statement of cleanliness (non-licensed work).
- Air reassurance certification (NNLW) completed by a trained and competent analyst appointed through the UKAS accredited asbestos surveying contractor.
- 4 Stage clearance certificate (licensed work) completed by a trained and competent analyst appointed through the UKAS accredited asbestos surveying contractor.
- Waste consignment notice (all works).

10. Addressing asbestos issues

Anyone who believes they have disturbed or identified any asbestos including contractors, employees and Licensees must report these issues immediately.

The Council provides a variety of ways for a licensee to report incidents, and these are:

- By telephone on 0115 9013901, or
- For any emergency repair issues, outside of the above office working hours, by calling the out of hours helpline on 0800 096 0306, or
- By emailing: housingneeds@gedling.gov.uk, or
- In person at the Council Offices located at the Civic Centre, Arnot Hill Park, Arnold, Nottingham, NG5 6LU

Or by making an appointment at one of our advice hub sites located at either: -

- Carlton Hub – 88 Carlton Hill, Carlton, Nottingham, NG4 1EE.
- Calverton Core Centre – 17 St Wilfred's Square, Calverton, Nottingham, NG14 6FP.
- Bestwood Outreach Hub – St Marks Church, School Walk, Bestwood Village, Nottingham, NG6 8UU.

Where the Council discovers an asbestos safety issue within the property, or a licensee reports an incident, the following action takes place:

- Identify the severity of the incident
- Any asbestos incident involving potential or actual exposure must be reported
- Consider if property is suitable for occupation
- If the property is occupied and unsafe, make arrangements to move the household into alternative temporary accommodation.
- The Council will enlist a qualified contractor to attend the property, having agreed a suitable date and time. The licensee should not attempt to resolve the issue themselves.
- The Council should provide support and advise to the licensee to help manage asbestos safely.