

Asbestos Management Policy

Version Number: 6.0

Effective From: September 2025

Applicable To: This policy applies to all properties Bernicia owns and manages.

Equality, Diversity & Inclusion: An ED&I Assessment was completed in September 2024. Please contact the Governance team if you require a copy.

Approved By: Executive Director, Assets and Growth

Policy Author: Head of Compliance

Policy Owner: Director of Assets and Growth

Next Review: September 2026

Reference Number: POL-0106

1. Policy Scope

Bernicia owns and manages around 14,000 homes, including flats with communal areas, as well as offices, depots, shops, and garage blocks. We are responsible for identifying and managing asbestos-containing materials (ACMs) in these buildings to reduce the risk of exposure to asbestos fibres.

This policy explains how Bernicia complies with the Control of Asbestos Regulations 2012 (CAR 2012) and other legal duties. It sets out how we identify, assess, manage, and monitor asbestos across all relevant properties, and how the Board meets its role as the Duty Holder under Regulation 4 of CAR 2012.

This policy applies to all domestic and non-domestic properties where Bernicia has repair, maintenance, or management responsibilities, including shared spaces, offices, and any structure built before 2000 where asbestos may be present.

Our approach aligns with relevant legislation and HSE guidance, including:

- Control of Asbestos Regulations 2012 (CAR 2012) – statutory requirements for identifying, assessing, and managing asbestos risks, including the Duty to Manage asbestos in non-domestic premises (Regulation 4).
- HSG264: Asbestos: The Survey Guide – sets out the requirements for asbestos management, refurbishment, and demolition surveys.
- HSG227: A Comprehensive Guide to Managing Asbestos in Premises – guidance on developing and implementing an asbestos management strategy and plan.
- INDG223: Managing Asbestos in Buildings – simplified guidance on Duty Holder responsibilities.
- Health and Safety at Work etc. Act 1974 (HASAWA) – overarching duty to protect employees, contractors, and others from harm.
- Management of Health and Safety at Work Regulations 1999 – requires asbestos-related risk assessments, arrangements for safe systems of work, and monitoring of control measures and contractors.

We will assess each property for asbestos risks and take appropriate steps to prevent or reduce exposure for tenants, staff, contractors, and visitors.

We also comply with broader housing and building regulations, including:

- Housing Act 2004 – includes the Housing Health and Safety Rating System (HHSRS), which identifies hazards in residential properties, including asbestos, and requires landlords to take appropriate action to minimise risks.
- Awaab's Law (guidance) 2025 – while primarily focused on damp and mould, landlords must also ensure timely action on all safety-related hazards, including asbestos where relevant.

- Landlord and Tenant Act 1985 – places duties on landlords to keep properties safe and in good repair, which includes managing asbestos risks within the structure and common parts.
- Housing Health and Safety Rating System (HHSRS) – requires landlords to assess and manage category 1 and category 2 hazards, including asbestos-related risks.
- Regulator of Social Housing (RSH) – Home Standard – requires providers to meet all health and safety requirements, including compliance with the Control of Asbestos Regulations 2012.

It is essential to ensure that tenants, residents, employees, and visitors remain safe in Bernicia' premises (both individual homes and offices). Failure to properly discharge our legal or regulatory responsibilities may also result in:

- Prosecution by the Health and Safety Executive under Health and Safety at Work Act 1974
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007
- RSH's intervention judgement
- Reputational damage
- Loss of confidence by stakeholders in the organisation

To comply with all relevant regulatory standards and legal obligations, and to safeguard the health and safety of its tenants, staff, contractors, and visitors, Bernicia is committed to ensuring that the standards set out in this policy are fully implemented and maintained.

2. Policy Standards

Standard 1: Process

Bernicia maintains clear and defined responsibilities for managing asbestos safety, supported by written procedures and guidance in the Asbestos Management Plan. These processes ensure asbestos risks are identified, assessed, and controlled consistently across the organisation.

A structured and consistent access process is in place to support asbestos surveys and any required remedial works. This includes early engagement with tenants, clear communication, and appropriate enforcement measures. Where several reasonable attempts to gain access are unsuccessful, legal action may be taken to ensure essential safety checks and works can be carried out.

Bernicia proactively reviews available customer information—such as disability, vulnerability, communication needs, or local support networks—to help plan access sensitively and effectively.

A comprehensive framework is maintained to prevent or minimise exposure to asbestos fibres to the lowest level reasonably practicable, protecting tenants, colleagues, contractors, and visitors across all Bernicia properties.

Bernicia prepares and implements an Asbestos Management Plan that sets out the processes for risk identification, control measures, monitoring activities, and routine management arrangements. The plan also includes the organisation's emergency procedures.

Clear emergency arrangements are in place for unplanned asbestos incidents, including accidental damage to ACMs or uncontrolled fibre release. These procedures ensure a prompt, coordinated, and safe response, as detailed within the Asbestos Safety Management Plan.

Standard 2: Safety Checks

Bernicia will take reasonable and proportionate steps to identify, assess, and manage asbestos-containing materials (ACMs) across its property portfolio. We will maintain accurate, up-to-date information and ensure that asbestos risks are controlled and monitored in line with legislation and Health and Safety Executive (HSE) guidance.

To achieve this, Bernicia maintains a current asbestos register for all non-domestic and domestic properties constructed before 2000. We are committed to achieving full up to date asbestos information for all stock, including updating older surveys that do not meet current standards. Over time, outdated or partial surveys will be replaced through a planned programme of management surveys for the remaining domestic properties.

Before any planned, reactive, or maintenance activity that may disturb ACMs, Bernicia will undertake appropriate asbestos refurbishment surveying. This includes localised refurbishment and demolition surveys for the specific area of work and, where necessary, a management survey if the remainder of the property has not been surveyed to current standards. ACMs within non-domestic properties will be re-inspected annually or at a frequency recommended by a competent person.

Bernicia manages asbestos risks by presuming materials contain asbestos unless confirmed otherwise. Managers and staff who may disturb ACMs are trained in accordance with this policy and the Asbestos Management Plan, with wider asbestos awareness training provided to colleagues who manage or visit tenant homes. All individuals undertaking work on ACMs must be competent, and where required, notifiable works will be reported to the HSE.

The organisation provides clear, site-specific asbestos information to anyone undertaking work that may disturb ACMs, including confirmation of whether materials are known, presumed, or un-surveyed. Material Risk Assessments (MRAs) are completed to determine the risks associated with identified ACMs, taking account of product type, condition, location, accessibility, and likelihood of disturbance, from which

a risk score is calculated. Re-inspection surveys in communal areas are undertaken annually or at a frequency determined by risk and professional guidance.

Where risks are identified, Bernicia undertakes remedial action in accordance with the Asbestos Management Plan and based on the overall risk assessment, with recommendations overseen by the Head of Compliance. This approach ensures that asbestos risks are proactively identified, robustly assessed, and managed in a consistent, legally compliant, and risk-based manner across all Bernicia properties.

Standard 3: Additional Safety Measures

Bernicia requires that any tenant alterations, including Aids & Adaptations works, that may impact asbestos safety are subject to prior approval before the work is undertaken. Approval will not be unreasonably withheld and will be granted on the basis that specific requirements are met. This includes ensuring Bernicia is appropriately involved where asbestos remedial works are necessary, and that only Bernicia-approved asbestos consultants and licensed removal contractors are engaged when required.

Any tenant-initiated work found to be unsafe or non-compliant will be rectified at the tenant's expense, using Bernicia's appointed contractors, to ensure safety standards are maintained and asbestos risks are correctly managed.

Standard 4: Competency

Bernicia ensures that all contractors undertaking asbestos-related work are competent and accredited in line with statutory and organisational requirements. All asbestos management, refurbishment, and demolition surveys are carried out by UKAS-accredited consultants to ISO 17020 in accordance with HSG264. Fibre monitoring is undertaken by ISO 17025 accredited specialists, and all ACM samples are tested by UKAS-accredited laboratories.

All non-licensed asbestos work must follow approved method statements, insurance requirements, and safe systems of work, including compliant waste disposal. Maintenance, remedial, and removal works are undertaken only by contractors listed on Bernicia's Approved Contractors register or those procured under approved partnership arrangements. Contractors undertaking licensed asbestos removal must hold a valid HSE licence and be members of recognised trade bodies such as ARCA or TICA.

Contractor competency is reviewed annually and whenever a contract or contractor changes, as detailed in the Asbestos Safety Management Plan.

Bernicia also ensures that internal staff involved in asbestos management are trained and competent. A skills and training matrix is maintained, supported by a competency framework and regular appraisals. Staff responsible for delivering this policy will hold appropriate qualifications such as BOHS P405, or an equivalent recognised competency, to ensure safe and compliant asbestos management practices.

Standard 5: Data Management

Bernicia maintains a comprehensive and accurate Master Database of all properties, clearly identifying where asbestos survey requirements exist and specifying the associated management responsibilities. In circumstances where no reliable data is available, asbestos is presumed in accordance with statutory guidance and organisational policy.

Up-to-date electronic records of the type, location, and condition of asbestos-containing materials (ACMs), or presumed ACMs, are retained within MRI. These records form the asbestos register and are integrated with QL to ensure consistent access to current information across systems.

Detailed information relating to re-inspection frequencies and required remedial actions is captured and maintained. These activities are prioritised based on risk, as assessed by the Head of Compliance, and include due dates and status. All entries in the Master Database are supported by appropriate evidence to confirm their accuracy and validity.

Bernicia provides clear guidance on how asbestos data and information are accessed, with full details set out in the Asbestos Management Plan to ensure that all relevant personnel can obtain accurate and current information when required.

Standard 6: Assurance

Bernicia ensures that all individuals involved in asbestos management are appropriately trained, competent, and accredited in line with the requirements of this policy. Only those who have demonstrated the necessary professional capability are permitted to undertake asbestos-related duties.

We carry out a structured programme of works-based assurance activity to verify that asbestos management tasks have been completed correctly and safely. This includes quality checks on asbestos surveys, post-inspection of onsite works, and validation of certification to the levels defined within the Asbestos Management Plan. Where appropriate, an independent party will undertake a proportion of these assurance checks to strengthen oversight and objectivity.

Bernicia maintains a clear timetable for the periodic review of the Asbestos Management Policy and the associated Asbestos Management Plan. These reviews ensure that our approach remains current, compliant, and aligned with best practice, with updates actioned promptly to support continuous improvement in asbestos safety and management.

Standard 7: Communication

Bernicia is committed to providing clear and straightforward information to help tenants understand the importance of safety checks and encourage their cooperation in allowing access for these essential visits.

We ensure that staff, contractors, and tenants can easily communicate with one another, to share important safety information.

We have established simple and accessible ways for tenants to provide feedback or raise concerns. These routes are designed to be user-friendly, and feedback is taken seriously, with all issues addressed promptly and appropriately.

Standard 8: Monitoring

Bernicia maintains a detailed performance management suite, as defined in the Asbestos Management Plan, to regularly monitor how well we are meeting our statutory and regulatory asbestos safety responsibilities. We track key performance indicators (KPIs), including how often we gain access to homes for asbestos surveys, reinspection's, and essential remediation activities. When access is not obtained, we record this and monitor the actions taken to resolve the issue.

For any properties with overdue asbestos surveys, reinspection's, or follow-up actions, we provide comprehensive commentary that includes the date the task became overdue, the number of days outstanding, and the property's current position within our access and enforcement process to restore compliance. We also highlight any overdue remedial actions that remain outstanding.

Our reporting includes information on the proportion of asbestos-related activities completed before and after their due dates within the reporting period, providing insight into overall performance and operational effectiveness.

To ensure compliance and quality, we undertake a range of assurance activities, including internal audits, non-negotiable compliance checks, targeted reviews, and third-party assurance inspections. Spot checks and audits verify that asbestos records are accurate, the asbestos register is correctly maintained, and that contractors and surveyors are performing their duties to the required standard.

Findings from these assurance activities are regularly shared with senior management, the Board, and relevant committees. Where areas for improvement are identified, we take prompt action and closely monitor progress until resolved.

Insights gained through these monitoring and assurance processes are used to continuously strengthen our Asbestos Management Plan and ensure the highest standards of asbestos safety and compliance across our housing portfolio.

3. Definitions

Word/Phrase	Definition
Asbestos	A naturally occurring material once used in building products. It is dangerous when fibres are released and breathed in.
Asbestos-Containing Material (ACM)	Any material that contains asbestos.
Asbestos Register	A live record listing all known or presumed asbestos in our properties.
Management Survey	A standard survey to locate ACMs during normal occupation or maintenance.
Refurbishment & Demolition Survey	An intrusive survey completed before refurbishment or demolition works.

4. Change Control

Version Number	Effective Date	Amendment made by	Version approved by	Description of changes
1.0	September 2020	Head of Compliance	Executive Director, Assets and Growth	Scheduled review
2.0	September 2021	Head of Compliance	Executive Director, Assets and Growth	Scheduled review
3.0	September 2022	Head of Compliance	Executive Director, Assets and Growth	Scheduled review, role profile changes
4.0	September 2023	Head of Compliance	Executive Director, Assets and Growth	Scheduled review, role profile changes
5.0	September 2024	Head of Compliance	Executive Director, Assets and Growth	Scheduled review, role profile changes
6.0	September 2025	Head of Compliance	Executive Director, Assets and Growth	Scheduled review, transferred to new policy template, additional legislation added, policy statement changed to standards.