



**WEST OXFORDSHIRE
DISTRICT COUNCIL**

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	EXECUTIVE - 17 DECEMBER 2025
Subject	ASBESTOS MANAGEMENT POLICY
Wards affected	All
Accountable member	Andy Graham – Leader of Council, Policy Framework Email: andy.graham@westoxon.gov.uk
Accountable officer	Claire Locke – Executive Director Email: claire.locke@publicagroup.uk
Report author	Amy Kemmett, Health and Safety Business Partner Email: amy.kemmett@publicagroup.uk
Summary/Purpose	Submit the Asbestos Management Policy to the Executive for approval.
Annexes	Annex A – W-HSP-03 Asbestos Management Policy Annex B – Sustainability Impact Report (SIAT)
Recommendation(s)	That the Executive resolves to: I. Approve the implementation of the attached Asbestos Management Policy
Corporate priorities	<ul style="list-style-type: none">• A Good Quality of Life for All• A Better Environment for People and Wildlife
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Consultation not required, this policy addresses a legal obligation that the West Oxfordshire District Council holds as an employer and property owner.

1. EXECUTIVE SUMMARY

- 1.1** To support delivery of the Health and Safety Team Work Plan and ensure the Council's compliance with statutory requirements, a review has identified that the current asbestos guidance lacks sufficient clarity and detail regarding the allocation of responsibilities for managing asbestos and asbestos-containing materials. To eliminate any risk of misinterpretation of regulatory obligations, the Council will replace the existing guidance with a comprehensive policy. This policy will clearly set out the Council's duties—both as an employer and as a property owner—in controlling and mitigating the risks associated with asbestos and asbestos-containing materials.

2. BACKGROUND

- 2.1** The Health and Safety (H&S) Team has identified that some existing documentation within the H&S Management System does not provide sufficient clarity to ensure effective compliance. To address this, a new Health and Safety Management Plan is being developed, comprising a comprehensive suite of documents. This plan will strengthen compliance with the Council's legal obligations under health and safety legislation and ensure that employees, councillors, contractors, and members of the public remain safe when on Council premises, working on its behalf, or engaging with its services. It also promotes consistent and effective safety measures across all activities
- 2.2** The Health and Safety Management Plan will consist of 52 different areas of consideration, supported by policy and guidance documents, templates and advice for managers and employees of the Council.
- 2.3** The Corporate Health and Safety Team have begun this piece of work by reviewing existing documentation relating to building compliance, with the preparation of policy and guidance documents to support relevant stakeholders and managers to fulfil their legal duties and obligations.
- 2.4** The previous guidance document lacked the clarity and detail necessary to meet legal requirements. In contrast, a policy establishes mandatory standards that must be followed, clearly defining roles, responsibilities, and arrangements to ensure consistency and accountability. While guidance is generally advisory in nature, a policy is a formal statement of intent and commitment. It demonstrates that the organisation is fulfilling its legal duties under the Health and Safety at Work etc. Act 1974 and associated legislation.
- 2.5** Health and Safety legislation requires organisations to have suitable and sufficient policies in place. These include, but are not limited to, a Health and Safety Policy, Fire Safety Policy, Accident and Incident Reporting Policy, Lifting Operations Policy, Electrical Safety Policy, Asbestos Policy, and Water Hygiene Policy.
- 2.6** As a result of this, over the coming months, several policy documents will be proposed to the Executive for approval.

3. ASBESTOS MANAGEMENT POLICY

- 3.1 This document lays out the Council's legal obligation under the Control of Asbestos Regulations 2012 to manage and control Asbestos-Containing Materials, throughout the properties and premises owned and/or managed by the Council, where the legal responsibility lies with the Council.
- 3.2 This policy outlines the risks presented by asbestos, the legal and regulatory framework, roles and responsibilities of key individuals within the Council, what should be included in asbestos monitoring and management documentation, and training needs to ensure that necessary competencies are present within relevant Facilities and Assets teams. The policy also provides information regarding the emergency procedures should there be a suspected release of asbestos fibre where persons may become exposed.
- 3.3 The policy includes templates for monitoring and management documentation, based upon the Health and Safety Executive's Approved Code of Practice, as appendices.

4. ALTERNATIVE OPTIONS

- 4.1 Compliance with the Control of Asbestos Regulations is a legal requirement and as such, it would not be appropriate to base our legal duty and responsibilities to comply solely with guidance, that could be open to interpretation, rather than a robust policy, which is auditable and includes mandatory standards

5. FINANCIAL IMPLICATIONS

- 5.1 Most of the measures covered by this policy should already be in place and therefore adequate resources should have been allocated to compliance with the Control of Asbestos Regulations 2012.
- 5.2 Some resource may be required to satisfy the training provision for Designated Asbestos Control Representatives; with either P402 or P405 qualification being a necessity for designated representatives. A full course is approximately £1000 and a refresher approximately £280. It is expected that this resource could be allocated from existing Continued Professional Development funds through relevant budget holders within the Council. It is expected that the Duty Holder undertakes a 'Duty to Manage Course', with the iHasco Asbestos Awareness Course being made available for those who indicated in the Policy Document.
- 5.3 Failure to comply with the Control of Asbestos Regulations 2012 can carry unlimited fines and up to 2 years imprisonment. In cases where death from workplace exposure to asbestos fibre is attributable through negligence, Corporate Manslaughter charges can also be brought.

6. LEGAL IMPLICATIONS

- 6.1 This policy facilitates compliance with legislation, there are clear legal, both criminal and civil, implications should the Control of Asbestos Regulations 2012 not be complied with.

7. RISK ASSESSMENT

- 7.1** Previously, broad guidance was issued regarding the management of asbestos within premises under the control of West Oxfordshire District Council. However, this guidance is now considered insufficiently detailed to enable risks to be properly assessed. This guidance has not specified the roles and responsibilities of individuals within the Council, set out the legal and regulatory frameworks of compliance or given the property and asset teams a structure by which to ensure appropriate management of this significant premises compliance risk.
- 7.2** The proposed policy will provide the Property, Assets and Estates Team improved understanding of the risks and sets out clear structure and direction, as to what needs to be implemented by relevant responsible persons to ensure compliance with legislation, in turn this will significantly reduce the risk of an incident associated with accidental release of asbestos fibres as a result of the Council's negligence.

8. EQUALITIES IMPACT

- 8.1** This policy protects everyone equally, regardless of whether they hold a protected characteristic or not. Asbestos and asbestos-containing materials present a real risk to all those who use or visit Council controlled premises and a properly implemented asbestos management plan mitigates this risk to its lowest possible level

9. SUSTAINABILITY IMPLICATIONS

The implementation of this policy will not have any sustainability implications, please see Annex B for Sustainability Impact Report.

10. BACKGROUND PAPERS

None