

ASBESTOS SAFETY POLICY

May 2025

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1 Introduction

The health and safety of our tenants, leaseholders, visitors, staff and contractors is of paramount importance to Haringey Council.

We take our legal obligations and the responsibilities we have to our tenants, leaseholders, staff and contractors who live in or use our council housing to protect against asbestos hazards very seriously.

This policy outlines the Council's commitment for achieving suitable and sufficient measures for asbestos safety in our council housing, in accordance with current legislation.

This policy applies to the Council's housing stock in our role as landlord and to all employees involved with the management and maintenance of housing services including contractors or visitors to buildings for the purpose of carrying out their work duties.

When we use the terms 'we', 'our', and 'us' in this policy we mean Haringey Council.

Any building material which historically used asbestos fibres within its makeup will be referred to as Asbestos Containing Materials (ACMs) in this policy. As Asbestos is the technical term for the fibres used, we use the terms ACM and Asbestos separately as and when appropriate.

The delivery of this policy forms an integral part of our wider council corporate commitment to create and maintain a health and safety culture amongst our staff and contractors as outlined in our Corporate Health, Safety and Wellbeing Statement and Policy.

2 Definitions

Asbestos is a product which was widely used up until 1999.

Whilst it was used because of its excellent heat resistance and thermal properties, it has been identified as a hazardous substance that can cause significant health issues.

Homes or buildings built or refurbished before the year 2000 may contain asbestos, in a variety of forms and uses, including (but not limited to) asbestos cement, artex ceilings, soffits and fascia boards and pipe lagging, and comes in several different types. When these ACMs are damaged, fibres can be released and the inhalation of these fibres can lead to several fatal diseases of the lung. Workers who carry out repairs and maintenance work are at particular risk, however, building occupants could also be put at risk.

The general approach for duty holders or owners of buildings constructed after the year 2000 is to presume that there will be no asbestos located on the premises. However, despite HSE guidelines stating that no ACM's should be present within buildings after the year 2000, studies and surveys have shown an ongoing low risk that ACMs can still be present.

Key Regulations

Control of Asbestos Regulations 2012 (CAR 2012)

Regulation 4 places on organisations the duty to manage asbestos in all non-domestic premises. This requirement includes communal areas of flats and detached garages (where not an integral part of a dwelling).

Regulation 5 places on the organisation the duty to identify the presence of asbestos and its type and condition, before any work is carried out which is likely to disturb asbestos.

Regulation 10 places on the organisation the duty to provide training for anyone liable to disturb asbestos during work and any employees for them to carry out work safely without any risk to themselves and others.

Regulation 11 places on organisations the requirement to prevent or reduce exposure to asbestos fibres.

Regulation 15 places on the organisation the duty to prepare procedures in the event of an emergency and the steps taken when such an event occurs.

Regulation 16 places on organisations the duty to prevent or reduce the spread of asbestos.

The following Guidance should also be referenced:

- HSG 210 Asbestos Essentials (A task manual for building, maintenance and allied trades of non-licensed asbestos work)
- HSG 227 Asbestos: A Comprehensive Guide to Managing Asbestos in Premises
- HSG 264 Asbestos: The Survey Guide
- INDG 223 (rev 5) 2012 Managing Asbestos in Buildings
- L143 (Second Edition) Managing and Working with Asbestos (CAR 2012)
- L153 Managing Health and Safety in Construction (CDM 2015)

The above lists are not exhaustive. Other guidance related to specific asbestos tasks are available. (<https://www.hse.gov.uk/asbestos/essentials/index.htm>)

3 Aim of the policy

This policy aims to ensure that we have relevant measures in place to comply with our legal and regulatory asbestos safety obligations including but not limited to CAR 2012

This policy sets out how we will:

- Effectively manage all ACMs across our council housing and reduce the asbestos related risks to as low a level as is reasonably practicable
- Ensure as far as is reasonably practicable, that that no one living in or visiting our council housing is exposed to risks to their health due to exposure to any ACMs that may be present in our council housing
- Ensure that we comply with appropriate legislation and regulations.
- Prepare an Asbestos Management Plan that details procedures to be taken when ACMs are encountered within premises which the Council owns, occupies or has a legal obligation to maintain.

- State the Council's policy that ACMs will not be removed where, following detailed assessment, it is proved to not:
 - be in a hazardous condition and
 - be damaged or otherwise exposed
 - affect future maintenance plans or activities
- Aim where reasonably practicable, to ensure best practice and continual improvement.

4 Key roles and responsibilities

4.1 The Cabinet

Has overall responsibility for ensuring:

- The asbestos safety policy is delivered to ensure full and continuing compliance with the regulatory standards, legislation and approved codes of practice.
- Suitable arrangements for gas & heating safety are communicated, maintained, and reviewed whenever legislative changes, lessons learnt from incidents, changes in technology, changes in guidance's or other circumstances deem it necessary.
- Sufficient numbers of competent staff are employed to meet the Council's statutory responsibilities.

4.2 Chief Executive

The statutory role of the Responsible Person (Duty Holder) as outlined within CAR 2012 is Haringey Council led by the Chief Executive.

The Chief Executive will ensure that suitable arrangements and adequate resources are in place for their management team to deliver asbestos safety measures.

4.3 Directors and Assistant Directors

Will assist the Chief Executive in the following:

- Ensuring continuous improvement through reviewing the safety performance and the safety management system within their directorate.
- Ensuring asbestos safety issues are given a high priority and are adequately resourced.
- Ensuring statutory provisions are complied with and best practice is adopted in all work activities where possible.
- Reporting safety performance to our Corporate Leadership Team.
- Promoting a culture of asbestos safety risk awareness and responsibility at all levels across the organisation
- Ensuring sufficient, suitable, and appropriate skills, qualifications and training are in place through recruitment, retention and procurement policies and processes.

4.4 Heads of Services

Have been delegated duties and responsibilities for the management of asbestos safety.

4.5 Managers and Team leaders

Must ensure that the asbestos safety policy and all agreed asbestos safety processes and procedures are implemented as they have been planned to be. They must ensure t

that staff under their control are familiar with the impact of asbestos safety in their day-to-day roles.

4.6 All employees

Are responsible for ensuring that they are familiar with and act in accordance with this policy and all agreed asbestos safety processes and procedures ensuring that they are implemented as they have been planned to be in their job and task descriptions.

4.7 Contractors

Are required to report any asbestos safety concerns when instructed to work on our managed premises. They are also required to ensure that the asbestos safety of buildings is maintained during, and as a result of, all works for which they are engaged.

5 Our approach to managing asbestos safety

5.1 General asbestos precautions

We will aim as far as reasonably practicable to:

- prevent the exposure to ACMs of any tenant, leaseholder, employee, visitor or contractors in or on our council housing
- ensure through suitable and sufficient asbestos surveys and risk assessments, the safety of any of our employees

Where it is not reasonably practicable to prevent exposure to asbestos, we will take appropriate measures to reduce its exposure to anyone in or on our council housing to the lowest level possible. Tenants or leaseholders can report concerns about asbestos through registering for 'My Account' on our website at the following address: myaccount.haringey.gov.uk/ or by contacting our customer services centre at Wood Green Library.

The meaning of "general asbestos safety precautions" includes:

- Our default presumption is that all our council housing and temporary accommodation and their communal areas contain ACMs
- This is unless we have strong evidence that an Asbestos Management Survey or an Asbestos Refurbishment/ Demolition Survey has been conducted and confirmed that the materials noted do not contain ACM's
- Or if the site was built after the year 2000 since ACM's should not have been used in its construction
- Any samples taken for surveys will only be analysed by UKAS-accredited laboratories.
- It is not always necessary to remove asbestos where it can be or is already sealed and poses no significant risk to health or safety due to its condition and location.
- Any ACM that is found in or on our council housing where we are carrying out works will be removed where necessary.
- Any air monitoring works required will only be carried out by UKAS-accredited contractors.
- As an ultimate control measure, the Control of Asbestos at Works Regulations require all employees who encounter a material whose make-up is unknown to presume that it does contain asbestos and not disturb it.

5.2 Asbestos Surveys (General)

Asbestos surveys will only be carried out by competent persons suitably qualified to do so safely. Competence here is understood to mean that they have the skills, knowledge, training and experience to allow them to carry out their tasks suitably and sufficiently.

Only competent contractors (as outlined in HSE HSG264 asbestos guidance) will carry out asbestos management, refurbishment/hybrid, demolition and bulk sample surveys, laboratory analysis and analytical works. Contractors must be accredited to UKAS ISO 17020 and ISO 17025.

Only competent Licensed Asbestos Removal Contractors will carry out work on asbestos, including non-notifiable non-licensed work, notifiable non-licensed work or licensed works. Removal contractors will hold a valid Health and Safety Executive (HSE) issued three year asbestos license.

We will ensure wherever possible that the surveyors are provided with any important and relevant information that we may have to allow an informed survey for each property to be carried out. This will include for example details of key reports and previous survey on the materials contained within our buildings.

Surveys will be carried out on an ongoing basis to different property types in our council housing stock and an entry will be made in our asbestos register of all known locations of asbestos.

5.3 Asbestos Surveys (Site-Specific)

There are two specific areas where legislation and best practice applies in non-domestic and domestic dwellings, these are the communal areas and within individual dwellings in our council housing.

Non-Domestic Properties (Communal)

Communal areas in our council housing (including foyers, corridors, lifts and lift shafts, staircases, roof spaces, gardens, yards, outhouses and garages) are referred to as common parts.

To manage the risk, we will conduct a programme of inspections to safeguard everyone who uses these areas.

We will prioritise communal areas that have manageable ACMs as part of a 1 – 3 year re-inspection programme based on the findings of a risk assessment.

Our response to the identification of ACMs will be based on the findings of the site's asbestos survey with a decision on the appropriate control measure taken based on the following risk assessment:

- High Risk ACMs – Immediate removal
- Medium Risk ACMs - Review and action determined by LBH asbestos management team.
- Low Risk ACMs – Three yearly inspections
- Very low risk ACMs – Three yearly inspections

Domestic Properties

We will review our asbestos register and any existing asbestos survey information prior to carrying out any responsive, void, or planned maintenance works which may involve working on or adjacent to any ACMs within a domestic property.

This is to ensure that any ACMs likely to pose a risk are identified prior to works commencing and are managed and dealt with appropriately. Where intrusive works are to be undertaken a Refurbishment and Demolition survey (R&D) will be undertaken.

Our approach to managing asbestos in our domestic properties includes:

- Identifying asbestos within domestic properties that become empty (defined as void)
- Managing known or assumed ACMs causing an immediate risk by removing or encapsulating damaged materials (including those highly likely to be disturbed) when identified.
- Providing new tenants with a floor plan identifying where the asbestos is present and explaining it poses no risk if left undamaged and asking them to report any damage to us immediately.
- Labelling is not mandatory and may not be appropriate in some settings i.e. in open view within residential properties or publicly accessible areas. Labelling of ACMs should not be relied upon as a stand-alone control measure.
- Providing information to operatives and contractors before they attend site and begin works to advise and warn them of any ACMs present
- Requiring contractors and sub-contractors to implement and provide us with evidence to our satisfaction of suitable and sufficient asbestos management procedures when working in or on our council housing.

Leaseholders are responsible for the cost of any asbestos surveys and related works. We do issue historic surveys upon request, however we will make leaseholders aware that any works will be at their cost as per their leasehold agreement.

5.4 Asbestos Risk Assessment

Our completed asbestos survey reports will include material risk assessments based on the HSE HSG264 asbestos guidance.

We will store the results in an asbestos register for our council housing and use the report findings to decide what action we take to suitably manage any ACMs found.

5.5 The Asbestos Register

Our asbestos register is always kept up to date by our appointed asbestos team with any changes on the presence of asbestos in or on our council housing. This includes updates when additional ACM's are identified and where ACM's are removed. The register is shared with relevant officers, teams and external contractors as needed.

We will check the asbestos register where there is concern about the presence of ACMs in or on any of our council housing before works take place. Our operatives and contractors have a responsibility for the notification of any changes they become aware of.

Our asbestos register will also show all unsampled properties that are presumed to have ACMs in the same or similar locations as sampled properties.

We require tenants and leaseholders to inform us of any changes to identified ACMs

within their properties that they became aware of. Our Asbestos management team will work with the resident to plan the next steps. Tenants or leaseholders can report concerns about asbestos through registering for 'My Account' on our website at the following address: myaccount.haringey.gov.uk/or by contacting our customer services centre at Wood Green Library.

5.6 Plans of Work

We will not undertake any work with ACMs or allow a contractor to do so, without one or the other as "the employer" having prepared a suitable written plan of work detailing how that work is to be carried out.

The employer will keep a copy of the plan of work at those premises to which the plan relates to and is being carried out, for such time as that work continues.

In cases of final demolition or major refurbishment of premises, the plan of work must, so far as is reasonably practicable, specify that asbestos must be removed before any other major works begin. This is unless removing the asbestos would cause a greater risk to employees than if it had been left in place.

The plan of work must include details of:

- The nature and probable duration of the work.
- The location of the place where the work is to be carried out.
- The methods to be applied where the work involves the handling of asbestos or ACM's
- The characteristics of the equipment to be used for:
 - protection and decontamination of those carrying out the work, and
 - protection of other persons on or near the worksite
- The measures which the employer intends to take to prevent or reduce the exposure to ACMs and to ensure the cleanliness of premises and plant.
- The employer must ensure, so far as is reasonably practicable, that the work to which the plan of work relates to is carried out in accordance with that plan and any subsequent written changes to it.

5.7 Access

When access to a tenant or leaseholder's home is required, we will make all reasonable attempts to contact them first, including contacting their family and other people they know who may or may not live with them in line with our access for emergencies, safety or welfare policy.

The tenancy and lease agreement set out reasons why we may need to enter properties. It also gives us a contractual right to access the property and explains when access must be provided.

Tenants must allow access to their homes for asbestos safety purposes in line with their tenancy agreement and our access policy.

If tenants refuse access after reasonable requests, we:

- may ask the court for an injunction to allow us access into the property and the tenant to pay our legal fees.

- may serve a Notice of Seeking Possession letting you know of our intention to seek possession of your home.
- may obtain a warrant of entry from the Magistrates Court

We will only enter a tenant or leaseholder's home or other property e.g. garages without their permission or a pre-arranged appointment in exceptional circumstances where there is an emergency.

5.8 Communication

We will help residents stay safe in their homes through our messaging of ACMs (known or presumed) to every person liable to disturb it and make efforts to communicate ACM safety messages to tenants, leaseholders and their tenants. We will also support tenants to report to us any concerns about asbestos safety.

We will use the following methods of communication:

- Providing advice through our Homes Zones magazine and e-bulletin
- At sign up new tenants are provided with a link to an online tenants handbook (hard copy on request) which includes asbestos safety advice
- Information on our [safety for council tenants webpages](#)
- Speaking to residents about asbestos safety during site visits, on our building safety patrols and through our dedicated building safety management team
- We will provide information in plain English with a simple, accessible and jargon-free style and ensure that translation and interpretation is provided where possible/when necessary
- Communications should asbestos safety incidents occur.

5.9 Alterations and improvements

Secure tenants have rights to make certain home alterations or improvements to their property, with written consent from us in line with our responsive repairs policy.

Before a tenant or leaseholder starts any works in their council home which will interfere with the fabric and/or services in our council homes built or refurbished before the year 2000, they will need to:

- contact us for asbestos advice, or to arrange a survey, before undertaking any alterations, repairs or improvements to their homes.
- report any damaged ACMs identified that they observe and report this to us.

Before issuing our decision, we will review our asbestos register, where ACM's are identified within the proposed zone of works and engage with the tenant to ensure all appropriate actions are taken.

Where the asbestos data is inconclusive (e.g. where a Refurbishment Survey has not been carried out), we will review the request and decide whether to refuse permission or to arrange for a Refurbishment Survey to be carried out.

If tenants' are planning works to their council home that are likely to disturb ACM's, we will decide on the appropriate course of action, ensuring that all asbestos works are subject to our normal asbestos work procedures.

5.10 Vulnerable Council tenants and leaseholders

When we need to carry out work affecting ACMs in the home of a vulnerable resident, we provide our officers or external contractors with clear instructions about any specific requirements for how that visit should be carried out. This is in line with our vulnerable tenants and leaseholders policy.

This might include but is not limited to:

- instructions about the time of the visit
- the length of time it is likely to take somebody to open the door, the amount of notice required
- the number of staff required for a visit
- the means of communication required
- or instructions about how to behave in the resident's home.

In some cases, the tenant may require an alternative place to stay during work.

The focus of our instructions is to outline our clear expectations about the behaviour of our officers or contractors carrying out work on our behalf.

Concern Cards are used to notify colleagues in housing management that a resident may be vulnerable and might need additional help or adaptations to access services or sustain their tenancy; or that there are safeguarding concerns.

We actively encourage contractors and officers from services across the Council to raise concerns about vulnerable tenants and leaseholders by using Concern Cards.

For Leaseholders in accordance with their agreement, we do not pay for any asbestos-related works within their property. This will be at the arrangement and cost of the leaseholder.

We will however cover the costs of any works in communal areas or services within the leaseholder's property (e.g. riser cupboards where services are managed by us or loft spaces with a hatch within the Leaseholders property).

5.11 Training

Asbestos awareness training is a minimum legal requirement for those who could potentially disturb ACMs during their works, such as maintenance operative staff or those who supervise or influence the work. Asbestos awareness training does not allow the person to work on asbestos.

Accredited companies provide Asbestos awareness on the job training for those delivering our asbestos programme, planned maintenance and repair works as part of their daily job.

All users of our asbestos register will be sufficiently trained in how to use the document and understand its contents.

All training undertaken by staff will be formally recorded.

6 Working with our Construction partners

If required, we will pass responsibility to the Construction Partners, supervised by our Asset Management Team and its partner consultants and contractors.

The Construction Partners are responsible for the engagement of their own suitably qualified asbestos surveyors and licensed asbestos removal contractors for this purpose. They must keep the Asbestos team informed of any changes, and all asbestos related paperwork issued to the Asbestos team so that the asbestos register is continuously updated.

They will be responsible for identifying, sampling/testing and any necessary removal or encapsulation of ACM's. An emergency asbestos plan must be in place throughout the duration of the contract. In addition, those working in the proximity of suspected ACM must have the required asbestos awareness training suitable for the task that they will be undertaking.

7 Tenant and leaseholder responsibilities

We will provide tenants with a copy of the properties asbestos report at the start of a new tenancy or upon request from existing tenants. This will ensure that they are aware of any ACMs present within the property. All tenants have a responsibility to inform us of any visible changes or deterioration to these materials.

If any changes are identified or ACMs are unintentionally disturbed a request for an inspection must be made via the call centre which will be instructed to our asbestos management team.

Under all our leasehold agreements all asbestos related surveys or works within the property are to be carried out at the arranging and cost of the leaseholder. However, some works may fall within areas such as service risers, or communal cupboards which will fall under the remit of Haringey repairs. It is always recommended to check with the asbestos management team first and we can provide an update on which remit the works will fall under.

All leaseholders of Council owned properties are required to obtain permission from us as their landlord before carrying out any alteration or improvement that will affect the internal or external structure of their properties at their own expense. This is in accordance with the terms of their lease agreement and in line with the alterations policy for leaseholders.

Tenants should also follow the advice on asbestos safety on this webpage:

<https://www.haringey.gov.uk/housing/council-tenants/safety/asbestos>

Leaseholders should also follow any advice given on asbestos safety on this webpage:

<https://www.haringey.gov.uk/housing/housing-emergencies/asbestos-homes-and-garages>

8 Legislation, regulations and guidance

8.1 Legislation

As the landlord, we will ensure that we carry out this policy in accordance with legal and statutory requirements. The principal legislation and regulations applicable to this policy are as follows:

- The Asbestos (Licensing) Regulations 1983
- The Asbestos Prohibition Regulations 1999
- The Construction (Design and Management) Regulations 2015
- The Control of Asbestos Regulations 2012 (CAR)
- The Defective Premises Act 1972
- The Environmental Protection Act (EPA) 1990
- The Health and Safety at Work etc. Act 1974
- The Landlord and Tenant Act 1985
- The Management of Health and Safety at Work Regulations 1992

Approved Code of Practice

HSE Approved Code of Practice L143: "Managing and working with asbestos"

8.2 Guidance

- HSE INDG 223: "A Short Guide to Managing Asbestos in Premises"
- HSE HSG264: "Asbestos: The survey guide"
- HSE Approved Code of Practice L143: "Managing and working with asbestos"
- HSE HSG248: "Asbestos: The analysts guide for sampling, analysis and clearance procedures."

9 Performance monitoring

9.1 Audit

Annual internal audits of the management team are carried out by our Health & Safety team against safety management systems, risk assessments and workplace safety.

Audit will as a minimum test for compliance with the regulation, legislation and codes of practice and delivery of this policy through associated procedures. It may also include or separately test for data accuracy in our programming and reporting systems.

The audits will identify any non-compliance issues and make suitable recommendations for improvement.

All agreed recommendations will be implemented within reasonable and, where possible, recommended timescales.

9.2 Quality Control and Assurance

We will put in place quality assurance inspections of all management activities to ensure they are being fully and robustly implemented and completed safely.

Where issues of poor performance are identified, we may increase targeted inspections to establish the root cause and required improvement actions.

9.3 Monitoring

We will monitor adherence to and effectiveness of this policy and procedures by our staff, contractors, tenants and leaseholders.

We will ensure that such monitoring is sufficient to ensure policies and procedures are effective.

- Through regular reporting to our Building Safety and Compliance Board
- Through monthly contractor meetings.
- Following recommendations from on-site monitoring, audits and/or investigations.
- Resident engagement and analysis of tenant satisfaction data.
- Analysis of quality inspection results.

We will closely monitor the performance of our contractors, with specific focus upon:

- Compliance with communal inspection KPI's.
- Safe working practice, incidents.
- Timeliness of appointments.
- Customer satisfaction and complaints.

10 Links to other policies, strategies and plans

This policy links to and should be read together with the following Haringey Council policies and strategies:

Access for Emergencies, Safety or Welfare Policy

[Alterations Policy for leaseholders](#)

Asbestos Management Plan

[Building Safety Strategy 2024 - 2028](#)

[Corporate Health, Safety and Wellbeing Statement and Policy](#)

Electrical Safety Policy

Fire and Structural Safety Policy

Lift Safety Policy

[Responsive Repairs Policy](#)

[Vulnerable tenants and leaseholders policy](#)

[Safeguarding council tenants and leaseholders policy](#)

Water Hygiene Policy

11 Resident co-design and engagement

When did you discuss development of this policy with residents?

At meetings of the Resident Voice Board in September 2024 and February 2025.

What did they tell you?

They asked how people report concerns about people disturbing asbestos and how would leaseholders know about location of asbestos.

How has what residents told us informed development of this policy?

Section 5.3 notes that Leaseholders are responsible for any asbestos surveys and related works. This confirms that we do issue historic surveys upon request, however we will make leaseholders aware that any works will be at their cost as per their leasehold agreement.

12 Equalities

The Council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advance equality of opportunity between people who share protected characteristics and people who do not.
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, we treat socioeconomic status as a local protected characteristic.

This policy makes no changes to operational practices. They are being updated to reflect the insourcing of the council housing function. There are no known equality issues with current provision, and it is not anticipated that there will be disproportionate impacts on any protected characteristics, disadvantaged communities or vulnerable residents.

This policy has a section (section 5.10) which details the support provided to vulnerable tenants and leaseholders across housing management and building safety. This summarises and links to the approach outlined in the Council's Vulnerable Tenants and Leaseholders Policy. A comprehensive EQIA was conducted for the Vulnerable Tenants and Leaseholders Policy as part of its approval by Cabinet in July 2024.

13 Reviewing the policy

We will review this policy every three years with the next review due in May 2028 unless earlier events or legislation require an earlier update to this policy.