Asbestos in the Workplace: Understanding Your Duty to Manage It

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Why Asbestos Still Matters

Asbestos was used extensively in British construction until the last types were finally banned in 1999. It turns up in a huge range of materials including pipe lagging, boiler insulation, ceiling tiles,

textured coatings, floor tiles, roofing sheets, soffits, and fire doors. Any building constructed or refurbished before 2000 may still contain asbestos-containing materials (ACMs), and in practice a great deal of the East Midlands housing stock, schools, factories and places of worship fall into that category.

The danger is not asbestos sitting quietly in a wall or ceiling void. It is what happens when that material is damaged, drilled, sanded or disturbed, releasing fine fibres into the air. Once inhaled, those fibres can cause mesothelioma, asbestos-related lung cancer and asbestosis. These diseases typically take decades to appear after exposure, which is precisely why asbestos remains a live legal and moral issue today rather than a historical one. People are still falling ill now because of exposures that happened many years ago, often during maintenance or refurbishment work rather than from the material simply existing in a building.

Who Actually Holds the Duty to Manage

The Control of Asbestos Regulations 2012 place a specific legal duty, known as the duty to manage asbestos, on whoever is responsible for the maintenance or repair of non-domestic premises, whether through a contract, a lease or simply by controlling the building. It also covers the shared areas of multi-occupied residential buildings such as blocks of flats. This is a broader group than people often assume. It can include the freeholder, a managing agent, a tenant with repairing obligations under their lease, or an employer who in practice controls maintenance of the building they occupy.

Where responsibility is unclear, for example in a multi-let commercial building or a church hall shared between several user groups, it is worth establishing in writing who the duty holder actually is. Disputes over who was supposed to be managing asbestos are common and tend to surface only after something has gone wrong, such as a contractor unknowingly drilling into an ACM. Housing associations and almshouse providers managing older stock, and schools occupying buildings dating from the 1960s to 1990s, are two sectors where this duty is particularly significant given the scale and age of their estates. You can read more about how we support housing associations and almshouses and schools and education settings with their wider compliance obligations.

What the Duty to Manage Actually Requires

The duty to manage is not a one-off exercise. It is an ongoing management system, and a compliant arrangement in practice includes the following elements:

- Taking reasonable steps to find out whether asbestos is present, and if so, its amount, location and condition
- Presuming materials contain asbestos unless there is strong evidence they do not
- Keeping an up to date written record of the location and condition of ACMs
- Assessing the risk of anyone being exposed to fibres from the material identified
- Preparing a written plan setting out how the risk will be managed
- Reviewing and updating that plan and the risk assessment regularly, and whenever circumstances change

- Providing information on the location and condition of ACMs to anyone who could disturb them, including contractors, maintenance staff and emergency services

A genuinely compliant system is one that a new facilities manager, a visiting electrician or a fire service incident commander could pick up and immediately understand. If the register is out of date, buried in a filing cabinet, or simply does not exist, the duty is not being met regardless of good intentions.

Surveys and the Asbestos Register

To find out whether asbestos is present, you need a proper asbestos survey carried out by a competent surveying organisation, ideally UKAS-accredited. We do not carry out asbestos surveys, so if you do not already have survey data for your building, commission one from an accredited asbestos surveyor rather than guessing or relying on assumptions.

There are two main types of survey. A management survey is the standard approach for ongoing building use. It identifies ACMs that could reasonably be disturbed during normal occupancy and routine maintenance, without being so intrusive that it damages the fabric of the building. A refurbishment and demolition survey is required before any significant building work and is far more invasive, since it aims to identify ACMs hidden in voids, behind panelling or within structural elements that would otherwise only be found once work has started.

Survey findings should feed directly into your asbestos register, a living document recording the location, type, extent and condition of every ACM identified, along with the risk assessment for each. This register needs to be readily accessible, not just to you but to anyone who might need it before carrying out work, and it should be reviewed regularly, and sooner if a material's condition changes, work is carried out near it, or new areas of the building are surveyed.

Managing Asbestos Left in Place

Asbestos in good condition, properly sealed and unlikely to be disturbed, is very often safer left in place than removed. Removal itself creates risk by disturbing fibres that were previously contained. Where a decision is made to manage material in situ rather than remove it, you should label it where appropriate, restrict access or disturbance where practical, and carry out periodic condition inspections, recording each one with a date and the inspector's findings.

This is where many organisations fall down. A survey gets commissioned, a register gets produced, and then nothing happens for years. Condition monitoring needs to be built into a routine inspection cycle, and the frequency should reflect the condition and accessibility of the material, with damaged or easily disturbed materials checked more often. An independent audit of your premises and paperwork is often the quickest way to establish whether your arrangements have drifted from what the register says should be happening.

When Removal Is Necessary

Most asbestos removal work must be carried out by a licensed asbestos removal contractor, and

this work is notifiable in advance. Only certain lower-risk tasks fall outside licensing requirements, and even then, specific controls, training and notification rules may still apply. Never attempt to remove, drill, cut or disturb suspected ACMs yourself unless you are trained, licensed and equipped to do so safely. The consequences of getting this wrong, for the people doing the work and for anyone nearby, can be fatal and will not show up for many years.

Training and Record Keeping

Anyone whose work could foreseeably expose them to asbestos, including maintenance staff, caretakers, electricians and anyone managing contractors, needs appropriate asbestos awareness training from a specialist asbestos training provider. Integral Safety, as an IOSH approved training provider, delivers COSHH Awareness training covering other hazardous substances in the workplace. Asbestos has its own regulations, so this sits alongside, rather than replaces, dedicated asbestos awareness training for anyone at genuine risk of disturbing ACMs.

Good records are the backbone of the whole system. You should be able to produce, on request, your current asbestos register, survey reports, the written management plan, condition inspection records, evidence of training for relevant staff, and correspondence with any contractor who has worked near identified ACMs. These records should be kept for the life of the building, not just a few years, since the latency of asbestos-related disease means historic records can matter decades later.

If you are unsure whether your current arrangements would stand up to scrutiny, our health and safety consultancy team can review your asbestos management plan, help you understand where responsibility sits, and put a realistic review cycle in place. Contact Integral Safety for practical, straightforward support with your duty to manage asbestos.

Talk to Integral Safety Ltd

We are health and safety consultants based in Coalville, Leicestershire, working with businesses across the East Midlands. If anything in this guide applies to your workplace, we can help.

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This guide is general information about UK health and safety law and practice, correct as at 11 November 2026. It is not advice on your particular circumstances. The latest version is at https://integralsafetyltd.co.uk/blog/asbestos-in-the-workplace-know-your-legal-duties.