

Health & safety update

Winter 2025

Welcome to this quarter's health & safety update.

As we head into the latter part of the year, there's no shortage of change and challenge across our industry — from ongoing safety concerns in agriculture to new legislation affecting landlords and property managers. In this edition, we take a look at the rise in farming fatalities, the forthcoming Awaab's Law, and why asbestos management remains as important as ever across both commercial and residential property.



Fatalities in farming

Sadly, the farming industry has seen a sharp rise in the number of fatalities in the first part of the reporting year. The HSE has notified 19 fatalities, including two children, since April 2025 — indicating a concerning trend that this figure may well exceed the previous year's total of 27 by year end.

There are undoubtedly many root causes for this spike — including behavioural and cultural aspects, financial pressures and more. These are not issues that can be addressed easily or quickly, and certainly not within a few paragraphs here.

What is clear is that the primary causes remain familiar: falls from height, contact with moving machinery, and incidents involving quad bikes, similar vehicles, and livestock.

Raising awareness among those doing and managing the work, and tackling complacency, plays a key part in addressing the problem — and hopefully reversing this trend.

Health and safety doesn't have to be expensive or time-consuming; often, simply pausing before acting can be a simple but powerful step towards doing things the right way.

The National Association of Agricultural Contractors has launched a [farm safety campaign](#) which includes practical guidance, posters and stickers to display around the farm — a simple reminder of your value to UK agriculture, and your ability to control outcomes.



Damp and mould in rental property

Exposure to damp and mould can present a serious health risk for people living in affected homes. Awaab's Law, which requires landlords to investigate and address damp and mould within strict timescales, has now been introduced in the social housing sector. Government has indicated that similar requirements will be extended to the private rented sector *in due course*. For rural estates, where housing stock is often older and traditionally constructed, damp and mould can be a recurring challenge. Regardless of the pace of legislation, dealing promptly and properly with serious disrepair in a tenant's home is not just a matter of best practice — it is the right thing to do, particularly where health and wellbeing may be affected.

Strutt & Parker therefore advise landlords to establish a clear, robust and demonstrable system for receiving reports, recording key dates, and arranging timely inspections and remedial works for any issue that could impact tenant health and safety, including damp and mould.

What landlords can do now

Landlords and estate managers can take a number of sensible, proportionate steps now to manage damp and mould risks effectively:

- **Encourage early reporting**
Make it clear to tenants how and when to report damp, mould or condensation issues, and reassure them that early reporting is encouraged.
- **Inspect promptly and keep records**
Arrange timely inspections once an issue is reported, and keep clear records of findings, decisions and actions taken.
- **Understand the cause**
Distinguish between condensation-related issues and those arising from building defects, such as leaks, poor ventilation or historic construction methods common in older rural properties.
- **Take practical remedial action**
Address underlying defects where identified and consider proportionate improvements, such as repairs to roofs or gutters, improved ventilation, or heating controls.
- **Review higher-risk properties**
Older, solid-wall or traditionally built cottages may warrant more regular inspection, particularly during colder, wetter months.
- **Demonstrate a reasonable approach**
Even ahead of any new legal duties, being able to show a clear, reasonable and timely response will place landlords in a strong position should concerns escalate.

Strutt & Parker can advise landlords and estate managers on their legal duties, help review existing processes, and provide practical and technical guidance on managing damp and mould risks in a proportionate and defensible way.



Asbestos – Landlord’s duties

Asbestos was widely used in buildings throughout much of the 20th century until its health risks became clear and its use was finally banned in 1999.

Although awareness and regulation have improved significantly, asbestos exposure is still estimated to cause around 5,000 deaths each year in the UK — mainly from legacy materials.

When in good condition and undisturbed, asbestos poses minimal risk. However, this does not remove the need for landlords and property owners to identify and manage it properly.

Asbestos in non-residential property

For all applicable (built pre-2000) non-domestic premises, the Control of Asbestos Regulations 2012 (CAR) requires the duty holder — typically the owner or landlord — to identify asbestos-containing materials (ACMs), assess their condition, and manage the risk — known as the duty to manage.

In practice, this means arranging for a competent Management Survey to inform an asbestos management plan and ongoing inspections as required. Where works are planned that might disturb the fabric of a building, a more intrusive Refurbishment and Demolition (R&D) Survey is required to ensure nobody is exposed.

Asbestos in residential property

Although the duty to manage asbestos under Regulation 4 of the Control of Asbestos Regulations 2012 (CAR) formally applies only to non-domestic premises, the wider duties within CAR and the Health and Safety at Work etc. Act 1974 mean that landlords and managing agents still have clear responsibilities to protect tenants, contractors, and others from exposure to asbestos risks.

So as for non-residential property, carrying out Management Surveys across all pre-2000 residential properties — and refurbishment & demolition (R&D) surveys where intrusive work is planned — is a reasonable, practical, and cost-effective control measure.

This proactive approach not only helps landlords demonstrate compliance, but more importantly, safeguards those who live in, visit, or work on their properties.



Seasonal risk spotlight – Autumn/Winter

With shorter days and wetter weather, now is a good time to check:

- Tree safety inspections before winter storms.
- Chainsaw use – training, PPE, and maintenance.
- Slurry storage and handling – confined space risks are still claiming lives.
- Lone working procedures for workers.
- Gritting and access around estate properties.



Construction & building works – duties under CDM and Building Regulations

If you're planning estate or farm building projects, even modest ones, you must consider both CDM regulations and Building Regulations changes:

- CDM 2015: Estates acting as "Clients" must ensure Principal Designer (PD) and Principal Contractor (PC) roles are appointed where required.
- Building Regulations amendment - any project involving Building Regulations now also requires formal appointment of a Building Regulations PD and PC.

Failure to appoint correctly could leave clients exposed to enforcement or liability. We can advise on when these duties apply and help with the right appointments.



How we can help

Our role is to make compliance practical, proportionate, and effective for rural businesses. Whether it's:

- Annual safety reviews
- Farm or estate audits
- Training and toolbox talks
- Construction compliance (CDM/Building Regs)
- Housing and landlord obligations

...we're here to support you.

Get in touch



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