

# Electrical Safety Policy



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| <b>Name</b>                        | Electrical Safety Policy                   |
| <b>Owner</b>                       | Chief Executive Officer                    |
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| <b>Next Review</b>                 | June 2023                                  |
| <b>Consultation Residents</b>      | TBC  |
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| <b>Approval</b>                    | Resident Services and Well-being Committee |

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## 1.0 Introduction and Policy Objectives

- 1.1 The key objective of this policy is to ensure our Councillors, Corporate Management Team, employees, partners and we are clear on how we propose to comply with our legal and regulatory electrical safety obligations. This policy provides a practical framework within which to meet these obligations
- 1.2 The policy is to be used to implement the obligations placed upon Arun to maintain a safe environment for residents and employees, within the home of each resident, and within all communal areas of buildings and other properties we own and/or manage.
- 1.3 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

## 2.0 Scope

- 2.1 This policy is relevant to all our Councillors employees, residents, contractors, stakeholders and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services.
- 2.2 The policy should be used by all to ensure they understand the obligations placed upon Arun to maintain a safe environment for residents and employees, within the home of each resident, and within all communal areas of buildings and other properties we own and/or manage. Adherence to this policy is mandatory.

## 3.0 Regulatory Standards, Legislation, and Codes of Practice

- 3.1 **Regulatory standards** - We must ensure that we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England; the Home Standard is the primary one applicable to this policy.
- 3.2 **Legislation** - The principal legislation applicable to this policy is as follows:
  - Landlord and Tenant Act 1985.
  - The Electricity at Work Regulations 1989.
  - The Electrical Equipment (Safety) Regulations 2016.
  - The Homes (Fitness for Human Habitation) Act 2018.
  - The Management of Houses in Multiple Occupation (England) Regulations 2006.
- 3.3 **Guidance and codes of practice** - The principal guidance and codes of practice applicable to this policy are:
  - IET Wiring Regulations British Standard 7671: 2018 (18th edition).

- The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (ISITEE) 2012 (4th edition).
- HSE INDG236: 'Maintaining portable electrical equipment in low risk environments' (as amended 2013).
- Electrical Safety Council: 'Landlords' Guide to Electrical Safety 2009'.
- Code of Practice for the Management of Electrotechnical Care in Social Housing (January 2019).

3.4 **Sanctions** - Failure to discharge our responsibilities and obligations properly could lead to sanctions, including: prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution under any of the principal legislation listed in 3.2; and via a regulatory notice from the Regulator of Social Housing.

## 4.0 Additional Legislation

4.1 This policy also operates within the context of the following legislation:

- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Workplace (Health Safety and Welfare) Regulations 1992
- Regulatory Reform (Fire Safety) Order 2005
- The Building Regulations for England and Wales (Part P)
- The Housing Act 2004
- The Occupiers' Liability Act 1984
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Provision and Use of Work Equipment Regulations 1998
- Construction, Design and Management Regulations 2015
- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

## 5.0 Obligations

5.1 The Landlord and Tenant Act 1985 and the Homes (Fitness for Human Habitation) Act 2018 place duties on landlords to ensure that electrical installations in rented properties are:

- Safe when a tenancy begins.
- Maintained in a safe condition throughout the tenancy so the property is fit for habitation.

5.2 To comply with these duties, electrical installations are required to be periodically inspected and tested. There is no legal requirement setting out how frequently we must carry out inspections and tests in domestic properties.

- 5.3 However, best practice guidance from the Electrical Safety Council and from BS7671:2018 recommends that electrical installations are tested at intervals of no longer than five years from the previous inspection. This guidance also states that any deviation from a five year interval should be at the recommendation of a competent NICEIC qualified (or equivalent) person, and should be backed up by sound evidence to support the recommendation.
- 5.4 All electrical installations will be inspected and tested prior to the commencement of any new tenancies. This means that tests should be carried out whilst properties are void and when mutual exchanges take place, and a satisfactory Electrical Installation Condition Report (EICR) must be issued to the resident upon moving in.
- 5.5 The Electricity at Work Regulations 1989 places duties on employers that all electrical installations and appliances within the workplace are safe and that only competent persons work on the electrical installations, systems and equipment.
- 5.6 The Electrical Equipment (Safety) Regulations 2016 requires landlords to ensure that any electrical appliances provided as part of a tenancy are safe when first supplied.
- 5.7 The Management of Houses in Multiple Occupation (England) Regulations 2006 require that every electrical installation in an HMO is inspected and tested at least every five years by a suitably qualified person.

## **6.0 Statement of Intent**

- 6.1 We acknowledge and accept our responsibilities with regards to electrical safety under the legislation and regulations, as outlined in Section 5.
- 6.2 We will deliver an electrical inspection and testing programme as set out in Section 7.
- 6.3 We will ensure that all electrical installations are in a satisfactory condition following the completion of an electrical installation condition report (EICR).
- 6.4 We will ensure that a full electrical installation condition report (EICR) is undertaken in the case of a change of occupancy (void properties and mutual exchanges).
- 6.5 We will test battery operated and/or hard-wired smoke alarms and carbon monoxide detectors as part of the annual gas safety check (or at void stage) - any requiring replacement will be raised as repairs for remediation. Any properties without a carbon monoxide detector will have one fitted at the time of the gas service.
- 6.6 We will ensure that all properties have a hard-wired smoke alarm system within a period of no longer than five years following the approval of this policy.
- 6.7 We will operate a process if there is difficulty gaining access to a property to carry out the electrical safety check or remediation works. We will use the legal remedies available within the terms of the tenancy agreement or lease, provided the appropriate procedures have been followed and approval given by a Head of Service (or more senior role). Where resident vulnerability issues are known or identified, we will ensure that we safeguard the wellbeing of the resident.
- 6.8 We will ensure that there is a process in place for the management of immediately dangerous situations identified from the electrical safety check.

- 6.9 We will operate contract management arrangements with the contractors responsible for delivering the service, including; ensuring contracts/service level agreements are in place, conducting client-led performance meetings and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.10 We will operate measures to identify, manage and/or mitigate risks related to portable electrical appliances in the properties we are responsible for.
- 6.11 We will establish and maintain a risk assessment for electrical safety management and operations, setting out our key electrical safety risks and appropriate mitigations.
- 6.12 We will ensure there is a process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to electrical safety.

## 7.0 Inspection Programmes

- 7.1 We will carry out a programme of five yearly electrical installation inspections and tests to all domestic properties, communal blocks and other properties (unless the competent person recommends an earlier next test date), and this will include the issuing of a new satisfactory EICR. The inspection and test is driven from the anniversary date of the most recent EICR.
- 7.2 **New builds and rewires** - All new builds, and all properties which have had a rewire, will receive their first electrical installation inspection and test five years after the date of installation, and every five years thereafter.
- 7.3 **Properties managed by others** - We will obtain EICRs where our properties are managed by a third party. If the third party does not provide the EICR, we will carry out the inspection and re-charge them for the cost of this work.

## 8.0 Follow-up Work

- 8.1 We will endeavour to repair all Code 1 (C1) and Code 2 (C2) further investigation (FI) defects identified by an electrical installation condition report (EICR) at the time of the check, to produce a satisfactory EICR. Where this is not possible, we will make the installation safe and return to complete the required remediation works within ten working days to ensure a satisfactory EICR is produced.
- 8.2 Where any C1 and C2 further investigation (FI) defects have been repaired, they will be recorded on the satisfactory EICR to provide an audit of the work completed.
- 8.3 We will review all Code 3 (C3) observations and determine the most appropriate course of action.

## 9.0 Data and Record Keeping

- 9.1 We will maintain a core asset register of all properties we own or manage, with component/attribute data against each property to show electrical safety servicing requirements.
- 9.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from the electrical safety programme and the programme remains up-to-date.
- 9.3 We will maintain accurate records, against each property we own and/or manage, of the following:
- Inspection dates;
  - EICRs;
  - Minor Electrical Works Certificates and Building Regulation Part P notifications associated with remedial works; and
  - Electrical Installation Certificates.
- 9.4 We will hold these in the Geometra system.
- 9.5 We will keep all records for at least ten years, and have robust processes and controls in place to maintain appropriate levels of security for all electrical safety related data.

## **10.0 Resident Involvement and Engagement**

- 10.1 We consider good communication essential in the effective delivery of electrical safety programmes, therefore we will establish a resident engagement strategy and communication programme to support residents in their understanding of electrical safety.
- 10.2 This will assist us in maximising access to carry out electrical inspections, encourage and support residents to report any concerns about electrical safety, and help us to engage with vulnerable and hard to reach residents.
- 10.3 We will share information clearly and transparently and will ensure that information is available to residents via regular publications and information on our website.

## **11.0 Key Roles and Responsibilities**

- 11.1 The Chief Executive has overall governance responsibility for ensuring this policy is fully implemented in order to ensure full compliance with legislation and regulatory standards. The Chief Executive will recommend this policy to the Residential and Wellbeing Committee for formal approval and adoption. This policy will be reviewed every two years (or sooner if there is a change in legislation or regulation).
- 11.2 For assurance that this policy is operating effectively in practice, the the Residential and Wellbeing Committee will receive regular updates on its implementation, electrical safety performance and non-compliance.
- 11.3 The Director of Services will receive monthly performance reports in respect of electrical safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.

- 11.4 The Group Head of Residential Services has strategic responsibility for the management of electrical safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 11.5 The Interim Asset Manager has operational responsibility for the management of electrical safety, and will be responsible for overseeing the delivery of these programmes.
- 11.6 Neighbourhood Housing Services will provide support where gaining access to properties is difficult and will assist and facilitate any legal processes as necessary.

## 12.0 Competent Persons

- 12.1 The operational lead responsible for the delivery of electrical safety will hold a relevant managerial qualification. Examples include the Level 4 VRQ in Electrical Safety Management or the Level 4 VRQ Diploma in Asset and Building Management Compliance. If they do not have this already, they will obtain it within 12 months of the approval of this policy.
- 12.2 The lead who has responsibility for operational delivery, will maintain Approved Electrical Contractor Accreditation with the National Inspection Council for Electrical Inspection Contracting (NICEIC), or equivalent, for all areas of electrical inspection, testing, installation and repair works that they undertake.
- 12.3 Only suitably competent NICEIC (or equivalent) electrical contractors and operatives will undertake electrical works on our behalf.
- 12.4 Only suitably competent NICEIC (or equivalent) third party technical auditors will undertake quality assurance checks.
- 12.5 All contractor checks will be undertaken during procurement and then on an annual basis and evidenced appropriately.

## 13.0 Training

- 13.1 We will deliver training on this policy and the procedures that support it, including: team briefings; basic electrical safety awareness training; and on the job training for those delivering the electrical safety programme, planned maintenance and repair works as part of their daily job. All training undertaken by staff will be formally recorded.

## 14.0 Performance Reporting

- 14.1 We will report robust key performance indicator (KPI) measures for electrical safety. These will be provided to Director of Services on a monthly basis and to the Residential Services and Well Being Committee on a quarterly basis. As a minimum, we will report:

**Data - the total number of:**

- Properties - split by category (domestic, communal and others);

- Properties on the electrical inspection and testing programme;
- Properties not on the electrical inspection and testing programme;
- Properties with a satisfactory and in date EICR;
- Properties without a satisfactory and in date EICR;
- Properties due to be inspected and tested within the next 30 days; and
- Completed, in-time and overdue follow-up works/actions arising from the inspection programme.

**Narrative - an explanation of the:**

- Current position;
- Corrective action required;
- Anticipated impact of corrective action; and
- Progress with completion of follow-up works.

**In addition:**

- The number of RIDDOR notifications to the HSE with regards to electrical safety.

## 15.0 Quality Assurance

- 15.1 We will ensure there is programme of third party quality assurance audits of electrical safety checks. This will be:
- 20 per cent desk-top review of all certificates
- 15.2 We will carry out an independent audit of electrical safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify non-compliance issues for correction.

## 16.0 Non-Compliance/Escalation Process

- 16.1 Our definition of non-compliance is: any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety. All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or becoming aware of it.
- 16.2 Any non-compliance issue identified at an operational level will be formally reported to the Group Head of Residential Services in the first instance, who will agree an appropriate course of corrective action with the Director of Services and report details of the same to the Chief Executive .
- 16.3 In cases of serious non-compliance, Chief Executive will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.

## 17.0 Glossary

17.1 This glossary defines key terms used throughout this policy:

- **EICR:** Electrical Installation Condition Report - a formal document that is produced following an assessment of the electrical installation within a property (domestic or communal). It must be carried out by an experienced qualified electrician or approved contractor.
- **NICEIC:** National Inspection Council for Electrical Installation Contracting - an organisation which regulates the training and work of electrical contractors in the UK. The NICEIC is one of several providers given Government approval to offer Competent Person Schemes to oversee electrical work within the electrical industry.