



# Electrical Safety Policy

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## 1.0 Introduction

- 1.1 This policy sets out our responsibilities in complying with all relevant legislation and guidance relating to electrical safety to ensure we keep our customers safe within their homes.
- 1.2 The main changes within the policy are the additional responsibilities identified in the:
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022.
  - Social Housing (Regulation) Act 2023.
  - Consumer Standards 2024 (Annex 3) The Safety and Quality Standard.
  - For new build, void and mutual exchange properties a copy of the Electrical Installation Condition report (EICR) will be issued to the new customer via the Customer Onboarding CX process.
- 1.3 The policy has been reviewed by an Independent Third Party to ensure that it covers all our responsibilities under current relevant legislation.

## 2.0 Purpose

- 2.1 The purpose of this policy is to ensure:
- Our homes and other buildings comply with health & safety legislation.
  - Customers are safe in their homes.
  - Customers affected by this policy are treated with respect and empathy.

## 3.0 Principles

- 3.1 This policy is underpinned by the following principles:
- Trust – being open and honest with customers by publishing our targets and performance.
  - Respect – ensuring all customers are treated with respect, recognising the diverse views and needs of customers and accommodating these views and needs whenever possible.
  - Innovate – continuous improvement to enhance the delivery of the electrical safety procedure.
  - Working together – embracing customer feedback to further develop the electrical safety procedure.

## 4.0 Definitions

4.1 The key terms used in this policy are defined below.

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.
Customer	Customers are defined as tenant and residents, living in our homes, that are eligible to access and receive services associated with electrical safety.
Complaint	Any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, our own employees, or those acting on our behalf, affecting a customer or group of customers.

## 5.0 Scope

- 5.1 This policy applies to all social housing rental accommodation, low-cost home ownership homes (ret-to buy), other intermediate rent homes, non-domestic properties (communal lounges and operational and non-operational buildings).
- 5.2 This policy does not apply to shared ownership, leasehold properties or commercial properties.
- 5.3 This policy is relevant to all our employees, customers, 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.
- 5.4 The policy should be used by all to ensure they understand the obligations placed upon us to maintain a safe environment for customers and employees, within the home of each customer, and within all communal areas of buildings and other properties we own and/or manage. Adherence to this policy is mandatory.

- 5.5 The Housing Act 2004 requires that properties are free from Category 1 HHSRS hazards; this includes electrical hazards.
- 5.6 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.
- 5.7 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, however the government is consulting on introducing mandatory checks on electrical installations for social housing at least every 5 years.
- 5.8 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.
- 5.9 All electrical installations should 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 and transfers take place.
- 5.10 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.
- 5.11 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.
- 5.12 The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, which come into effect from 1 October 2022, requires social landlords to:
- Install smoke alarm on every storey with living accommodation.

- Install carbon monoxide alarms in any rooms used as living accommodation with a fixed combustion appliance (excluding gas cookers).
- Repair or replace faulty alarms as soon as reasonably practicable.

## 6.0 Contribution to Plan A

6.1 This policy supports our 'Providing Quality Sustainable Homes' strategy and its strategic vision of 'Tenants living in warm, safe, high quality, sustainable homes in a place they are proud to live' and specifically:

- Objective 21: 'Providing homes that are safe, exceed the needs and meet the aspirations of our tenants'. by ensuring we meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas

## 7.0 Legislative and regulatory framework

7.1 The key statutory and regulatory legislation applicable to this policy is:

- Housing Act 2004.
- Landlord and Tenant Act 1985.
- Homes (Fitness for Human Habitation) Act 2018.
- Electricity at Work Regulations 1989.
- Electrical Equipment (Safety) Regulations 2016.
- The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022.

This policy also operates within the context of additional legislation (see Appendix 1).

7.2 **Guidance and codes of practice** – The principal guidance and codes of practice applicable to this policy are:

- INDG236 - Maintaining portable electrical equipment in low-risk environments (as amended 2013).
- IET Wiring Regulations British Standard 7671:2018 (18th edition).
- Code of Practice for the Management of Electrotechnical Care in Social Housing (Electrical Safety Roundtable) January 2019.
- The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (IET) 2020 (5th edition).

7.3 **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 Section 4.1; and via a regulatory notice from the Regulator of Social Housing.

#### 7.4 **Regulatory Standards - Consumer Standards 2024**

Safety and Quality Standard.

- o Health and safety.
- o 1.3.1 When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.

Transparency, Influence and Accountability Standard.

- o Information about landlord services.
- o 1.4.1 Registered providers must communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account.

7.5 **The Social Housing (Regulation) Act 2023** - came into force on 20th of July 2023.

## 8.0 **Policy statements**

### 8.1 **Statement of Intent**

8.1.1 We acknowledge and accept our responsibilities with regards to electrical safety under the legislation and regulations, as outlined in Section 7.

8.1.2 We will deliver an electrical inspection and testing programme as set out in 8.2.

8.1.3 We will ensure that all electrical installations are in a satisfactory condition following the completion of an electrical installation inspection and test. The contractor will provide us with a condition report or other certificate which confirms that the installation is safe.

8.1.4 We will ensure that a full electrical installation inspection and test is undertaken in the case of a change of occupancy (void properties, mutual exchanges and transfers), and when completing planned works within domestic properties; this will be evidenced through a

satisfactory EICR or other report. A satisfactory Electrical Installation Condition Report (EICR) will be issued to the customer upon moving in via the Tenant Onboarding CX Process

- 8.1.5 We will install, test and replace (as required) battery/hard-wired smoke and carbon monoxide alarms as part of the annual gas safety check visit (or at void stage). We will ensure where possible that all properties have a hard-wired smoke alarm system before the expiry date of the existing battery-operated alarm. This will be implemented through the installation of hardwired smoke alarms following a service where the existing will expire before the next service date, where an existing alarm develops a fault and during any planned programme or void work investment.
- 8.1.6 We will operate a robust 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, lease or license. Where customer vulnerability issues are known or identified, we will ensure that we safeguard the wellbeing of the customer, whilst also ensuring the organisation can gain timely access to any property to be compliant with this policy. We will make reasonable adjustments in how we deliver the service to customers homes where a vulnerability would prohibit the works being carried out without adjusting the service. We will also make reasonable adjustments to how we communicate with customers based on their vulnerabilities.
- 8.1.7 We will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the electrical safety check.
- 8.1.8 We will operate effective 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.
- 8.1.9 We will operate measures to identify, manage and/or mitigate risks related to portable electrical appliances in the properties we are responsible for.
- 8.1.10 We will establish and maintain a risk assessment for electrical safety management and operations, setting out our key electrical safety risks and appropriate mitigations.
- 8.1.11 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan



will be in place in respect of all component replacement works and refurbishment projects to void and tenanted properties (at the start of the contract and reviewed annually thereafter). This plan will detail what is required to safely isolate and reinstate electrics affected by the works to ensure the safety of operatives and customers during and after the works and to continue to comply with relevant legislation.

8.1.12 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to electrical safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

## 8.2 Programmes

8.2.1 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, or an unsatisfactory certificate with the relevant minor works certification of remedial works undertaken. The date of the inspection and test is driven from the anniversary date of the most recent EICR. As Livin is a registered provider, we will only provide EICR's to customers upon request. We will hold the EICR within our records.

8.2.2 **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.

8.2.3 **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 obtain the EICR, and re-charge them for the cost of this work.

## 8.3 Follow-up Work

8.3.1 We will endeavour to repair all Code 1 (C1) and Code 2 (C2) defects identified by an electrical installation inspection and test 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 28 days, dependent upon the defect, availability of materials and access to the property.

- 8.3.2 Where any C1 and C2 defects have been repaired, they will be recorded on the satisfactory EICR to provide an audit of the work completed.
- 8.3.3 We will review all Code 3 (C3) and Further Investigation observations and determine the most appropriate course of action.

## 8.4 Data and Records

- 8.4.1 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 testing and inspection requirements.
- 8.4.2 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.
- 8.4.3 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.
  - Electrical Installation Certificates.
- 8.4.4 We will hold these details within Orchard Housing our housing management system.
- 8.4.5 We will keep all records and data for a minimum of ten years and for the duration that we own and manage the property and in line with our document retention policy. We will keep at least the two most recent EICR records or certificates outlined within section 8.4.3.

We will have robust processes and controls in place to maintain appropriate levels of security for all electrical safety related data.

- 8.4.1 We consider good communication essential in the effective delivery of the electrical safety program, therefore we will ensure our customer engagement and communication programme supports customers in their understanding of electrical safety and its importance.
- 8.4.2 This will assist us in maximising access to carry out electrical inspections, encourage and support customers to report any concerns about electrical safety, and help us to engage with vulnerable customers.

8.4.3 We will share information clearly and transparently and will ensure that information is available to customers via regular publications and information on our website.

## 8.5 Competent Persons

Competent Person	Qualification/Accreditation Required
Operational Lead	Level 4 VRQ in Electrical Safety Management or Level 4 VRQ Diploma in Asset and Building Management).
Contractor's Electrical Manager	Approved Electrical Contractor Accreditation with NICEIC (or equivalent).
Electrical Contractors and Operatives	Suitably competent and qualified with NECEIC (or equivalent).
Operatives working on electrical heating systems	Suitably competent and qualified with NECEIC (or equivalent).
3rd party technical auditor	Suitably competent and qualified with NECEIC (or equivalent).

## 8.6 Quality Assurance

8.6.1 Internally we will undertake 100 per cent desktop audits of all EICRs and other records and certificates outlined in 8.4.3.

8.6.2 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.

## 8.7 Complaints and Feedback

8.7.1 In line with the Customer Complaints, Compliments and Feedback Policy, we will work with customers who have specific needs and vulnerabilities to make sure they can access the service, have their views listened to and receive their complaint response in a way that meets their needs.

8.7.2 Customers can provide feedback about the services they have received in respect of this policy. If a customer is dissatisfied with the service they have received from us, they can make a complaint to us in line with our Complaints, Compliments and Feedback Policy.

## 9.0 Roles and responsibilities

9.1 Roles and responsibilities under this policy are outlined below.

<b>Board</b>	<p>The Board has overall governance responsibility for this policy. As such, the Board will formally approve this policy and review it every two years, or earlier if there is a change in legislation or regulation.</p> <p>Board will receive quarterly performance reports containing high-level performance metrics measuring the effectiveness of this policy.</p>
<b>Executive Management Team</b>	<p>EMT will be notified of any significant, continued, non-compliance with this policy. EMT will receive at least quarterly performance reports containing high-level performance metrics measuring the effectiveness of this policy.</p>
<b>Executive Director of Finance and Investment</b>	<p>The Executive Director of Finance and Investment has strategic responsibility for the management of gas and heating safety and ensuring compliance is achieved and maintained. The Executive Director of Finance and Investment will receive monthly performance reports containing high-level performance metrics measuring the effectiveness of this policy.</p>
<b>Executive Director of Corporate Services</b>	<p>The Executive Director of Corporate Services is designated as the health and safety lead as defined by the Social Housing (Regulation) Act 2023.</p>
<b>Head of Property Services</b>	<p>The Head of Property Services has operational responsibility for the implementation and oversight of this policy.</p>
<b>Compliance and Cyclical Works Manager</b>	<p>The Compliance and Cyclical Works Manager is the operational lead and has operational responsibility for the management of electrical safety and will be responsible for overseeing the delivery of these programmes.</p>
<b>Housing Teams</b>	<p>Housing teams will provide support where gaining access to properties is difficult and will assist and facilitate any legal access processes as necessary.</p>

9.2 This policy will be communicated to employees via our intranet and communicated to customers via our website and in other forms where needed. Those responsible for implementing the policy will, where required, receive appropriate training, advice, and/or guidance.

## 10.0 Related policies and procedures

10.1 This policy should be read in conjunction with the following documents:

<b>Electrical Safety Procedure</b>	The Electrical Safety procedure sets out the process we will follow to gain access to properties to carry out electrical safety checks.
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## 11.0 Monitoring and review arrangements

11.1 Assurance on compliance with this policy will be gained by the following methods and timescales:

Type of assurance	Key source	Frequency
Management Assurance	Performance CX report. Contract performance meetings. Pentana performance dashboards.	Weekly Monthly Monthly
Corporate Oversight	Performance report.	Monthly to Executive Director of Finance and Investment Quarterly to Board
Independent Assurance	External Audit	Every 2 years

11.2 The requirements set out in the Tenant Satisfaction Measures (TSMs) are not applicable within the scope of this policy as electrical safety is not specifically covered by these measures.

11.3 The following information will be included in the performance reports:

**Data – the total number of:**

- Properties – split by category (domestic, communal and others).
- Properties on the gas/heating servicing programme.
- Properties with a valid and in date LGSR/certificate.
- Properties without a valid and in date LGSR/certificate.
- Properties due to be serviced within the next 30 days.

**Narrative - an explanation of the:**

- Current position.
- Corrective action required.

11.4 This policy will be reviewed every 2 years, unless there is significant development that would require a more urgent review e.g. new legislation or regulation.

## Appendix 1 - Additional Legislation

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

- The Defective Premises Act 1972
- Health and Safety at Work Act 1974
- The Occupiers' Liability Act 1984
- Workplace (Health Safety and Welfare) Regulations 1992
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Provision and Use of Work Equipment Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Regulatory Reform (Fire Safety) Order 2005
- Corporate Manslaughter and Homicide Act 2007
- Building Regulations 2010 (England and Wales) - Part P
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction, Design and Management Regulations 2015
- Data Protection Act 2018
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022
- The Social Housing (Regulation) Act 2023