



# Electrical Safety Policy Housing

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If you require this policy in another format or language, please contact Policy and Projects by emailing [policy@winchester.gov.uk](mailto:policy@winchester.gov.uk) or calling 01962 848400.

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## **1.0 Introduction and Objectives**

- 1.1 As a landlord, Winchester City Council is responsible for repairs and maintenance to our homes, communal blocks and other properties we own and manage, all of which will contain electrical installations, equipment and portable appliances.
- 1.2 The key objective of this policy is to ensure our Strategic Director, Senior Management Team, employees, partners and residents are clear on our legal and regulatory electrical safety obligations. This policy provides the framework our staff and partners will operate within to meet these obligations.
- 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 applies to the following property types only:
  - Domestic properties (houses, flats bungalows, and so on).
  - Communal blocks, scheme offices and communal spaces
  - Sheltered / independent living schemes.
  - Temporary accommodation.
- 2.2 This policy is relevant to all our 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. Adherence to this policy is mandatory.

## **3.0 Roles and Responsibilities**

- 3.1 The Strategic Director has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Strategic Director will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 3.2 The Senior Management Team (SMT) 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.
- 3.3 The Strategic Director has strategic responsibility for the management of electrical safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.

- 3.4 The Repairs, Compliance and Voids Manager has operational responsibility for the management of electrical safety and will be responsible for overseeing the delivery of these programmes.
- 3.5 Housing teams will provide support where gaining access to properties is difficult and will assist and facilitate any legal processes, as necessary.
- 3.6 Under the requirements of the Social Housing (Regulation) Act 2023 we have appointed the Corporate Health and Safety Lead as our Health and Safety Lead.

## 4.0 Legislation, Guidance and Regulatory Standards

### 4.1 Legislation – Principal 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 government consultation into electrical safety within social housing closed on 31 August 2022 and we are awaiting the outcome to be published, which will likely result in future changes to this policy.

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

### 4.2 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).

### 4.3 Regulatory standards – We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard is the primary one applicable to this policy.

The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

### 4.4 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 Section 4.1; and via a regulatory judgement from the Regulator of Social Housing.

## **5.0 Obligations**

- 5.1 The Housing Act 2004 requires that properties are free from Category 1 housing health and safety rating system (HHSRS) hazards; this includes electrical hazards.
- 5.2 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.
- 5.3 To comply with these duties, electrical installations should be periodically inspected and tested. Although there is no legal requirement setting out the frequency, best practice guidance from the Electrical Safety Council and from BS7671:2018 recommends intervals of no longer than five years from the previous inspection.
- 5.4 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, 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.

## **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 Sections 4 and 5.
- 6.2 Following the data validation and catch-up programme, 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 inspection and test and will require the production of a condition report or other certificate which confirms that the installation is safe.

- 6.4 We will ensure that a full electrical installation inspection and test is undertaken at 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.
- 6.5 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 that all properties have a hard-wired smoke alarm system within a period of no longer than one year following the approval of this policy.
- 6.6 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, 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.
- 6.7 We will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the electrical safety check.
- 6.8 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.
- 6.9 We will operate measures to identify, manage and/or mitigate risks related to portable electrical appliances in the properties we are responsible for.
- 6.10 We will establish and maintain a risk assessment for electrical safety management and operations, setting out our key electrical safety risks and appropriate mitigations.
- 6.11 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement and refurbishment works.

## **7.0 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 date of the inspection and test is driven by programming 3 months prior to 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 ten 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 obtain the EICR, 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) 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 to ensure a satisfactory EICR is produced.
- 8.2 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 We will review all Code 3 (C3) and Further Investigation observations and determine and take the most appropriate course of action.

## 9.0 Data and Records

- 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 testing and inspection 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.
  - Electrical Installation Certificates.
- 9.4 We will hold these in our compliance monitoring system.
- 9.5 We will keep all records and data for the duration that we own and manage the property, in line with our document retention policy. We will keep at least the two most recent EICR records or certificates outlined within section 9.3. We will have robust processes and

controls in place to maintain appropriate levels of security for all electrical safety related data.

## **10.0 Resident 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 Competent Persons**

- 11.1 The operational lead will hold a relevant electrical management qualification or working to achieve this.
- 11.2 Only suitably competent NICEIC (or equivalent) electrical contractors and operatives will undertake electrical works on our behalf.
- 11.3 Only suitably competent NICEIC (or equivalent) third party technical auditors will undertake quality assurance checks.
- 11.4 We will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

## **12.0 Training**

- 12.1 We will deliver training on this policy and the procedures that support it, through appropriate methods 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.

## **13.0 Performance Reporting**

- 13.1 We will report key performance indicator (KPI) measures for electrical safety that follow the principles set out in the Tenant Satisfaction Measures (TSMs) which came in to force



on 1 April 2023. Although electrical safety is not specifically covered by these measures, we will adopt the same approach to ensure consistency with other compliance areas and ensure all dwellings at risk are accounted for.

13.2 We will report the following electrical safety performance:

Report recipient	Frequency
Regulator of Social Housing	Annual
Senior Management Team	Monthly
Strategic Director	Quarterly
TACT Board	Quarterly

13.3 We will also report the following:

**Data – the total number of:**

- Properties split by category (domestic, communal, commercial/others).
- Properties on programme split by category.
- Properties not on 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.
- Follow-up actions arising from the programme (in time and overdue).

**Narrative - an explanation of the:**

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

**In addition:**

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

## 14.0 Quality Assurance

14.1 We will ensure there is programme of third-party quality assurance audits of electrical safety checks. This will be:

- 100 per cent of all new installations.
- Ten per cent sample of field checks.
- Five per cent of all certificates

14.2 Internally we will use optical character recognition (OCR) technology to carry out automated desktop audits of all certificates and documentation outlined in Section 9.3, with manual reviews carried out only by exception

- 14.3 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.

## 15.0 Significant Non-Compliance and Escalation

- 15.1 Our definition of significant 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, and which needs to be managed as an exception to routine processes and procedures.
- 15.2 All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a Winchester City Council employee becoming aware of it.
- 15.3 Any non-compliance issue identified at an operational level will be formally reported to the Repairs, Compliance and Voids Manager in the first instance, who will agree an appropriate course of corrective action with the Service Lead for Property Services and report details of the same to the SMT.
- 15.4 In cases of serious non-compliance, SMT and Strategic Director 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.
- 15.5 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.

## 16.0 Glossary

- 16.1 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.

## **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