



## Electrical Safety Policy

Title:	Electrical Safety Policy
Person responsible:	Director of Homes
Customer consultation arrangement:	Customers consulted via Tenants' Committee.
EIA required:	Yes
EIA completed (date):	March 2023
Approved by:	Board
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Links to other key policies:	<ul style="list-style-type: none"> <li>• Asset Management Strategy</li> <li>• Repairs and Maintenance Policy</li> <li>• Health, Safety and Welfare Policy</li> <li>• No Access Procedures</li> <li>• Fire Safety Policy and Management Plan</li> <li>• Customer Experience Strategy</li> <li>• Customer Service Standards</li> </ul>
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### Document management

Version	Date amended	Amendments

### 1. Purpose and Scope

#### Purpose

South Lakes Housing (SLH) is a registered provider (housing association) and we own and manage approx. 3300 homes across a wide geography in South Lakeland and Lancashire.

This Policy outlines how SLH will comply with the Regulatory Framework for Social Housing in England as outlined below: Registered Providers must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.

SLH is responsible for the maintenance and repairs to its homes and other buildings, all of which will contain electrical installations and appliances. Section 11 of The Landlord and Tenant Act 1985 and the Housing Act 2004 place duties on landlords to ensure that these electrical installations are safe at the start of any tenancy and are maintained in a safe condition throughout the tenancy.

To be compliant under these duties, electrical installations are required to be periodically inspected and tested. The intervals between inspections are not fixed in law, however, best practice guidance from the Electrical Safety Council and from BS7671:2018 states that

electrical installations should be tested at intervals of no longer than 5 years from the previous inspection. Any deviation from these intervals should be at the recommendation of a competent NICEIC qualified (or equivalent) person and should be backed up by evidence to support the recommendation

SLH is also responsible for maintaining electrical installations and equipment in non-domestic (communal blocks) and 'other' properties (offices, commercial shops, depots, etc.) under the Electricity at Work Regulations 1989 and the Electrical Equipment (Safety) Regulations 2016.

SLH aims to protect the occupiers of its properties, visitors, colleagues, contractors, and the public, from the risks associated with electrical installations so far as is reasonably practicable. This document sets out key policy objectives, control measures and accountabilities to protect customers, colleagues, and contractors from harm.

Therefore, this policy provides assurance that measures are in place to not only ensure compliance with the regulations, but that SLH has a management system in place to proactively identify, manage and mitigate risks associated with electrical installations in both its domestic and non-domestic properties.

### **Scope**

This Policy applies to all properties owned or managed by SLH including non-residential premises.

In this Policy 'electrical installations' means the electrical wiring and fittings within a dwelling or within common parts of buildings. Testing/ servicing on emergency electrical equipment for fire purposes is covered within the Fire Safety Policy and Management Plan while servicing of lifts and other lifting equipment, is covered in the Lift Safety Policy.

SLH does not hold a landlord's duty of care in respect of electrical installations in leaseholders' or shared owners' homes. The requirements of this policy apply to leasehold dwellings only as required to maintain safety of the Block as a whole in respect to common areas.

In some cases, SLH will not hold the landlord's duty of care (such as leased depots); this must be clearly established before SLH exclude these properties from the EICR programme. We retain a duty of care to our employees.

Specific lease or management agreements for these buildings may define legal responsibility. Where clear responsibility cannot be defined, the default position for any non-domestic buildings owned or managed is that SLH will actively manage that risk until a time when clearly defined legal responsibility can be evidenced.

Portable Appliance Testing (PAT testing) – SLH will ensure that all electrical portable appliances owned and/or provided by the organisation are tested annually in accordance with the testing guidance set out in 'The Code of Practice for In-Service Inspection and Testing of Electrical Equipment' (ISITEE).

## **2. Regulatory and Legislative Requirements**

### **Regulatory Standards**

The application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, introduced by the Regulator of Social Housing (RSH).

## **Legislative**

The principal legislation applicable to this policy is:

- Landlord and Tenant Act 1985
- Electricity at Work Regulations 1989
- Electrical Equipment (Safety) Regulations 2016
- Section 9A of the Landlord and Tenant Act 1985 sets out implied terms as to fitness for human habitation
- Section 11 of the Landlord and Tenant Act 1985 implies repairing obligations into short leases.

The Electricity at Work Regulations 1989 place duties on employers to ensure that all electrical equipment used within the workplace is safe to use and that only competent persons work on the electrical installations, systems, and equipment (Section 16).

The Electrical Equipment (Safety) Regulations 2016 require Landlords to ensure that any appliances provided as part of a tenancy are safe when first supplied. SLH may then choose to gift the appliance to the customer.

## **Code of Practice**

The principle approved codes of practice applicable to this policy are:

- IET Wiring Regulations British Standard 7671: (Current 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)

## **Additional Legislation**

This Electrical Safety Policy also operates in the context of the following additional legislation:

- The Management of Health and Safety at Work Regulations 1999
- The Workplace (Health Safety & Welfare) Regulations 1992
- Management of Houses in Multiple Occupation (England) Regulations 2006
- 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
- RIDDOR 2013
- Equality Act 2010

SLH acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and approved codes of practice and that failure to discharge these responsibilities properly could lead to harm and a range of sanctions including prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974, prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007 and regulatory intervention and downgrade from the Regulator of Social Housing.

### 3. Our Approach

SLH will ensure that all electrical installations shall be in a satisfactory condition following completion of an electrical installation inspection and test whether as part of an overall programme or as part of individual testing of empty properties or part of improvement programmes.

SLH will ensure that it carries out (EICRs) for all relevant fixed electrical installations in all buildings it manages or has responsibility for at the intervals described below, and in line with legislative requirements, and that it maintains a register on the Asset Management System (the EICR Register) listing:

- Fixed Installations, (including fixed equipment), SLH is responsible for in all properties, whether owned or managed
- The date of the last EICR
- Date of next EICR
- A copy of the EICR complete with details of any remedial work completions.
- Specification of installation components (where possible)

SLH will ensure that processes and controls are in place to manage the completion of remedial works identified during inspection and testing of electrical installations including promptly repairing or renewing any defective part of an installation, completing serious deficiencies (codes C1 and C2) as soon as practicable. In the event of significant risk, the equipment will be isolated and made safe pending repair. Where equipment, which is of a specialist nature, is found to be compromising the general electrical installation, such as lifts, automatic doors emergency equipment etc, then the appropriate specialist contractor will be required to carry out the appropriate repairs and provide certification of repair.

SLH will ensure records of a valid EICR are held where properties they own are leased/managed by others (managing agents/leaseholders). These properties will be included on SLH's electrical inspection and testing programme. If the managing agent fails to carry out the electrical inspection and test, SLH will arrange for the test and re-charge the managing agent for the cost of this work.

The approach under this policy ensures any unauthorised and defective alterations or additions to electrical installations are rectified or removed on discovery.

#### **Electrical Inspection Condition Reports (EICRs)**

Based on an assessment of risk (as recommended by Guidance Note 3 to IEE Wiring Regulations BS7671), SLH will test all fixed electrical installations and produce a satisfactory EICR report:

- Every five years for all domestic and commercial property, (unless required earlier by exception as noted by the EICR assessor) This inspection and test is driven from the anniversary date or before of the most recent EICR which may have been carried out at the start of a new tenancy or following planned component replacement works. SLH will ensure that all electrical installations shall be in a satisfactory condition following completion of an electrical installation inspection and test
- During major upgrade works where electrical installations are affected e.g., kitchen replacements (Where appropriate any compliance risks will be considered, mitigated or removed as part of any major refurbishment works or included in new development design briefs)
- After any significant work is carried out to the electrical installation when granting a new tenancy, apart from when one or more existing customers remain in occupation.
- All electrical installations on void properties should be inspected and tested prior to the commencement of any new tenancies (void properties), mutual exchanges and

transfers and a satisfactory Electrical Installation Condition Report (EICR) should be issued to the customer at the commencement of the tenancy.

- At mutual exchange before the exchange takes place. In the event that an unsatisfactory installation is discovered, the mutual exchange will be stopped pending completion of remedial works to obtain a satisfactory condition report.
- Any installation gifted to a customer within a property, having been installed by a previous customer, deemed to have been accepted by SLH.

SLH will only accept satisfactory certification as a result of any of its periodic inspections. This means any contractor/ service provider must complete any identified remedial actions (Codes 1 and 2) before issuing the certification and before SLH will permit occupation in respect to Voids and Mutual exchange. Code 2 must be made safe within 5 working days.

SLH will ensure that processes and controls are in place to manage the completion of follow up works identified during inspection and testing of electrical installations on an EICR programme.

### **No Access**

Most customers provide timely access for SLH to carry out routine safety inspections, testing, maintenance and repair but there will be occasions when gaining access can be difficult. In these circumstances SLH will carry out a risk assessment, taking account of the property and occupier and SLH will seek to work with customers to address any issues, taking into account any known or identified vulnerabilities, to facilitate access and ensure the wellbeing of the customer.

In the event of repeated no access SLH will have in place escalation procedures and will take legal action if necessary to gain access. Customers may be recharged for the associated costs.

### **Protecting Customers**

SLH will work with customers to raise awareness of building safety and the steps SLH will take to keep customers safe, including:

- Inform residents of the importance of reporting any issues through the provision of information via the website, newsletters and leaflets.
- Maintain a clear approach to gaining access to carry out works and be clear that enforcement action may be taken when it is necessary to do so.
- Maintain a clear complaints process and monitor and record complaints that indicate a risk to safety.

SLH will provide information for customers on building compliance issues relating to their property and block.

At all stages of this process SLH will ensure customers understand electrical safety and if necessary, information will be translated or provided in large print.

### **Customer requests for alterations**

If a customer requests to fit or alter an electrical installation, they are required to seek permission in writing from SLH, in accordance with their tenancy agreement and permission will not be unreasonably withheld.

Any installations or works must be carried out by a suitably qualified competent contractor. Following installation, the customer must provide a NICIEC or equivalent certificate to SLH. In the event that the customer does not provide SLH with the NICIEC or equivalent completion certificate or undertakes unauthorised alterations to the electrical system SLH will arrange to have the installation tested and reserves the right to recharge the customer for its rectification

or removal. In this instance, SLH will write to the customer notifying them of the installation issues found by the EICR contractor and will provide the proof of any fault or repair required.

### **Competent Persons**

SLH will ensure that the colleagues responsible for operational delivery receive appropriate training to be able to manage the service.

All colleagues, contractors and service providers undertaking electrical works on behalf of the client, must have current recognised qualifications suitable to work on the EICR programme and must be within the remit of the service providers registration. Consideration to satisfy this requirement shall also be given where any works are sub-contracted to others. In addition, SLH will only appoint electrical consultants/contractors who are registered with one or more of the following:

- National Inspection Council for Electrical Installation Contracting (NICEIC)
- Electrical Contractors' Association (ECA)
- National Association of Professional Inspectors and Testers (NAPIT)

SLH will only allow electricians to work on electrical installations who:

- Are qualified to the current edition of the I.E.E Wiring Regulations BS7671 (currently The Eighteenth Edition 2018)
- Hold a City & Guilds 236- Electrical Installation (or equivalent)

The Building Safety Manager is responsible for checking that contractors, colleagues and engineers working on the EICR testing or any electrical remediation work on programmes, hold the relevant governing body memberships, registrations, qualifications, accreditations and insurances for the work that they are carrying out. These checks will be undertaken on an annual basis and evidenced appropriately.

A copy of the Policy and the Electrical Protocol will be included within any tender documents.

Contractors will also be required to work through SLH portals direct to the Asset Management System and other systems in order to upload confirmed testing and remedial completion information.

All procured external contractors must agree to this Policy and Electrical Protocol, both of which will be provided at procurement stage.

### **Colleague Training**

SLH will ensure that the Building Safety Manager with responsibility for management and delivery of the electrical testing programme is appropriately qualified and/ or experienced in the area of Electrical Safety Testing. If the competent person does not have appropriate qualifications already these should be obtained as soon as reasonably practicable, and second line assurance provided from a competent person to provide sufficient oversight.

SLH will ensure that the in house Electrical Qualifying supervisor maintains Approved Electrical Contractor Accreditation with the National Inspection Council for Electrical Installation Contracting (NICEIC) or equivalent in order to carry out the assurance on the programme. SLH will also ensure that the Electrical Qualifying Supervisor is regularly assessed (and signed off as competent) by the NICIEC.

Appropriate training will be provided to colleagues on electrical safety awareness and this policy and the procedures. This will include team and contractor briefings, e-learning and access to external training.

SLH will establish and maintain electronic records of all electrical training undertaken by colleagues.

## 4. Responsibilities

### Governance

SLH Board will have overall governance responsibility for ensuring that effective arrangements are in place to comply with SLH's legal obligations in relation to the Electrical Safety Policy and ensure this is fully implemented to provide compliance with the regulatory standards, legislation, and approved codes of practice. As such, the Board will formally approve the policy and review it periodically.

The Board or its delegated Committee will receive regular updates at each meeting (in the form of KPIs), on the EICR programme along with notification of any non-compliance issues identified. This is to provide assurance that the policy is operating effectively in practice.

Executive Leadership Team, Senior Management Team and Audit and Risk Committee will receive reports, at least quarterly, in respect of EICR performance to assure themselves that compliance is being achieved. They will also be notified of any non-compliance issues identified.

### Roles and Responsibilities

The list below sets out the delegated hierarchy of responsibility within the organisation according to the requirements of the legislation: -

#### Duty Holder/Accountable Person

**The Accountable Person under this policy will be South Lakes Housing. The Duty Holder is the Director of Homes** who will delegate certain tasks to the responsible and competent persons.

The 'Duty Holder' is responsible for Health and Safety and must take the right precautions to reduce the risk of incidents/ accidents (including fire) from electrical installations. They will appoint a person or persons to take day-to-day responsibility as an authorised deputy for controlling/assessing any identified risks, to prevent/control risks to employees and all stakeholders under their responsibility and putting in place a programme of EICR and remedial works including that of record keeping and reporting.

#### Responsible Persons

**The Responsible Person(s) for SLH are the Head of Assets and Building Safety and the Building Safety Manager** who will ensure the implementation of the policy and procedures across SLH. They will also ensure all operational procedures are carried out in a timely and effective manner. They will ensure all appointed organisations/ individuals have the appropriate levels of training, skills and knowledge to undertake the tasks and monitor training.

They are to make sure that all EICRs are undertaken, (with the remedial works completed) recorded, reviewed, managed, and monitored in a timely manner and by suitably qualified persons. They are to develop, implement, communicate and continually improve SLH electrical safety procedures (Electrical Protocol) following discussion and agreement with the Duty Holder and following significant or emergency events/ reviews. They are to ensure the competent person carries out their duties.

## **Other Teams**

Building Safety requires collaboration and effective communication between teams and the Building Safety Team will work in collaboration with teams across SLH to maintain safety.

The Neighbourhood Team who will offer support to gain access where this is proving difficult.

The Repairs/ Voids teams will ensure all required valid certificates are provided before a property is relet or a transfer or mutual exchange is permitted.

All colleagues who have responsibility for or visit properties have a responsibility to notify the Building Safety Team where circumstances have changed within a scheme/block/property, which may result in a new EICR being required.

The Development Team are responsible for ensuring that any newly built or acquired properties are handed over in line with the Building Safety Teams' requirements and they have a current, satisfactory EICR test before hand over/ purchase.

## **5. Monitoring & Review**

### **Records and Management of Data**

SLH will hold accurate and up to date records against each property it owns and/or manages, identifying when the electrical installation was last inspected and tested. From this it will identify the next due testing date and ensure a programme of testing is implemented before the test date expires. Types of electrical equipment will also be kept in the "equipment" section of the Asset Management System.

Inspection and re-inspection dates, along with EICR records will be held electronically.

SLH will also establish and maintain accurate and up to date records of all completed EICRs, Minor Electrical Works Certificates (MEW), smoke/heat detector works, installation of emergency lighting and Building Regulation Part P notifications associated with remedial works from these reports and Electrical Installation Certificates. SLH will also hold all certification in relation to alarms, emergency lighting and other equipment testing and checks such as flick tests – see Fire Safety Policy and Management Plan.

SLH will ensure processes and controls are in place to provide and maintain appropriate levels of security for all electrical safety related data.

### **Data Protection**

When handling data sheets colleagues and contractors will come into contact with personal information. The handling and use of the data will be carried out under the General Data Protection Regulations 2018.

### **Independent Audit/ Assurance**

SLH will undertake 10% desktop audits on the documentation produced by the external contractor delivering the EICR inspection and testing programme and adopt the same approach internally on responsive repairs and voids.

An independent audit of electrical safety and will be included in the 3 year Internal Audit plan.

### **Reporting of non-compliance**

Any non-compliance issue identified will be formally reported to the Director of Homes in the first instance as soon as identified. The Director of Homes will agree an appropriate course of corrective action with the Head of Assets and Building Safety to address the non-compliance issue and report details of the same to the Chief Executive within 24 hours.

The Chief Executive or Director of Homes will ensure the Board are made aware of any non-compliance issue so they can consider the implications and act appropriately, including notification to the Health and Safety Executive and Regulator of Social Housing if appropriate. Formal investigation will be carried out initially by the respective manager of the area within which the breach has occurred and presented in written form on the standard format to the Head of Assets and Building Safety/ Director of Homes within 5 days. The Head of Assets and Building Safety will ensure that all recommendations and/or remedial actions are carried out.

### **Review**

This policy will be reviewed every 3 years, or sooner if required by statutory, regulatory changes or to incorporate best practice. In addition, SLH will ensure that the policy is reviewed and if necessary amended, following any significant event or issue such as:

- Independent audit highlighting failings in process or policy.
- Accident or fire due to faulty electrical installations, testing or alteration.
- Any significant changes to the building.

### **KPIs**

KPIs will be used to ensure that SLH is compliant with its own policy and is keeping its customers, contractors and the public safe. KPIs will be monitored and recorded on a monthly basis and reported as detailed above.

### **Equality Impact Assessment**

In implementing this policy, we aim to treat all customers fairly. An equality impact assessment has been carried out. Where customers require additional support, we will endeavour to provide a service that seeks to meet the needs of a particular individual or household.