

# Stevenage Borough Council

## Electrical Safety Policy

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## 01. Table of Definitions / Glossary

SBC	Stevenage Borough Council
ECIR	Electrical Condition Installation Report
NICEIC	National Inspection Council for Electrical Installation Contracting

## 02. Introduction and Objectives

- 2.1 As a landlord, Stevenage Borough Council (SBC) 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.
- 2.2 The key objective of this policy is to ensure that Senior Leadership 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 in order to meet these obligations.
- 2.3 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.

The policy will also be shared on the Corporate Intranet and uploaded onto the SBC Website to demonstrate our commitment to resident safety.

## 03. Scope

- 3.1 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.
- 3.2 The policy should be used by all to ensure they understand the obligations placed upon SBC 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.

## 04 Roles and Responsibilities

- 4.1 The Executive Housing Working Group (EHWG) has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, EHWG will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 4.2 For assurance that this policy is operating effectively in practice, EHWG will receive regular updates on its implementation, electrical safety performance and non-compliance.
- 4.3 The Senior Leadership Team (SLT) will receive regular performance reports in respect of electrical safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 4.4 The Head of Building Safety has strategic responsibility for the management of electrical safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 4.5 The Building Services Manager (Mechanical & Electrical) has operational responsibility for the management of electrical safety and will be responsible for overseeing the delivery of these programmes. The Building Services Manager will also fulfil the role of Responsible Person on behalf of SBC.
- 4.6 Housing teams will provide support with securing access to properties where necessary. The Council will use all available powers including legal action to carry out surveys and inspections.

## 05. Legislation & Guidance

SBC have given regard to the following legislation and guidance in preparing this policy.

- Housing Act 2004
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- Electricity at Work Regulations 1989
- Electrical Equipment (Safety) Regulations 2016
- INDG236 - Maintaining portable electrical equipment in low-risk environments (2013).
- IET Wiring Regulations British Standard 7671:2018 (18th edition).
- Code of Practice for the Management of Electrotechnical Care in Social Housing (2019)
- The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (IET) 2020 (5th edition).
- IET Wiring Regulations: 18<sup>th</sup> Edition BS7671 (Amended 2022)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulation 2013 (RIDDOR)

### 5.1 Regulatory Standards

The Council must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England. The Social Housing (Regulation) Bill will change the way social housing is regulated and may result in future changes to this policy.

5.1.1 The Social Housing (Regulation) Act 2023, introduces new standards that the Council must achieve, which include:-

- The Safety and Quality Standard
- The Transparency, Influence and Accountability Standard
- The Neighbourhood and Community Standard
- The Tenancy Standard

The Council will manage all electrical safety activity within scope of this policy, with these new standards at the forefront of delivery.

### 5.2 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 5.1; and via a regulatory notice from the Regulator of Social Housing.

## 06. Supporting Documents & Policies

- Stevenage Borough Council Electrical Safety Management Plan
- Stevenage Borough Council – Tenancy Agreement

## 07. Obligations

- 7.1 The Housing Act 2004 requires that properties are free from Category 1 HHSRS hazards; this includes electrical hazards.
- 7.2 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.
- 7.3 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 five years and / or change of tenancy.
- 7.4 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.
- 7.5 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.
- 7.6 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.
- 7.7 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.

## 08. Statement of Intent

- 8.1 SBC acknowledge and accept our responsibilities with regards to electrical safety under the legislation and regulations, as outlined in Section 5.
- 8.2 SBC 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. The evidence of this will be a valid in date EICR Certificate, with a Satisfactory status. SBC will not accept any other certificate or report to confirm this.
- 8.3 SBC 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.
- 8.4 SBC 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 2 years following the approval of this policy. Where a property is outside of the annual gas safety check programme, this work will be completed during routine EICR checks every five years.
- 8.5 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.
- 8.6 SBC will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the electrical safety check.
- 8.7 SBC 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.
- 8.8 SBC will operate measures to identify, manage and/or mitigate risks related to portable electrical appliances in the properties we are responsible for.
- 8.9 SBC will establish and maintain a risk assessment for electrical safety management and operations, setting out our key electrical safety risks and appropriate mitigations.
- 8.10 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.



## 09. Programmes of Work

### Electrical Testing Programme

- 9.1 SBC 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 from the anniversary date of the most recent EICR.

The Council will only accept a "Satisfactory" EICR as proof of compliance. No other documents or certificates will be accepted.

- 9.2 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.

## 10. Remedial Actions

- 10.1 SBC 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.

- 10.2 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.

- 10.3 SBC will review all Code 3 (C3) and Further Investigation observations and determine and take the most appropriate course of action.

## 11. Quality Assurance

- 11.1 The Council will ensure there is programme of third-party quality assurance audits of electrical safety checks. This will be:

- 100 percent of new installations.
- 10 percent sample of field checks
- 100 percent of all certificates.

- 11.2 Internally we will undertake 100 per cent desktop audits of all EICRs and other records and certificates.

- 11.3 SBC will commission 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 any non-compliance issues. An action plan will be developed for any issues

identified during the audit, with appropriate timescales agreed for corrective actions to be carried out.

## **12. Data and Records**

- 12.1 SBC 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.
- 12.2 SBC 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.
- 12.3 SBC will maintain accurate records, against each property we own and/or manage, of the following:
- Inspection Dates
  - EICRs
  - Minor Electrical Works Certificates and Building Regulations Part P notifications associated with remedial works
  - Electrical Installation Certificates
- 12.4 SBC will hold the dates of the safety checks in Housing Management System and safety check records will be stored on the central server.
- 12.5 SBC will keep all records and data in line with our document retention policy. We will keep at least the two most recent EICR records or certificates. We will have robust processes and controls in place to maintain appropriate levels of security for all electrical safety related data.

## **13. Resident Engagement**

- 13.1 The Council consider good communication essential in the effective delivery of electrical safety this will form part of our wider resident engagement strategy and communication programme. This will support residents in their understanding of electrical safety and the responsibilities that the Council hold around electrical safety.
- 13.2 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.
- 13.3 SBC will share information clearly and transparently and will ensure that information is available to residents via regular publications and information on our website.

## 14. Competent Persons

14.1 The Council must appoint an officer who will become the Responsible Person, they should both be trained, instructed, and informed to the same level and will be responsible for the delivery of Electrical Safety.

**Responsible Person / Officer** – Building Services Manager (Mechanical & Electrical)

14.2 The Building Services Manager, who has lead 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.

14.3 Only suitably competent NICEIC (or equivalent) electrical contractors and operatives will undertake electrical works on our behalf.

14.4 Only suitably competent NICEIC (or equivalent) third party technical auditors will undertake quality assurance checks.

14.5 SBC will ensure 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.

## 15. Training

15.1 SBC 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.

## 16. Performance Reporting

16.1 We will report robust 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 01 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.

16.2 Reporting Lines & Frequency

Performance reports will be presented to the following colleagues and internal committees as below.

From	To	Frequency
Compliance Workstream Manager	Head of Building Safety	Monthly
Head of Building Safety	Assistant Director, Building Safety & Housing Property Services	Monthly

From	To	Frequency
Assistant Director, Building Safety & Housing Property Services	Senior Leadership Team	Quarterly
Head of Building Safety	Exec Housing Working Group	Quarterly

16.3 The Council will also report the following:

Data – The total number of:

- Properties – Communal Blocks and Domestic Properties
- Properties on the Electrical Inspection programme
- Properties with a valid and in date survey / re-inspection
- Properties without a valid and in date survey / re-inspection
- Properties due to be surveyed / re-inspected with the next 30 days
- Completed, in time and overdue follow up / remedial actions arising from surveys.

## 17. Significant Non-Compliance and Escalation

17.1 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. 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 an SBC employee becoming aware of it.

17.2 Any non-compliance issue identified at an operational level will be formally reported to the Head of Building Safety the first instance, who will agree an appropriate course of corrective action with the Assistant Director – Building Safety & Housing Property Services and report details of the same to SLT.

17.4 In cases of serious non-compliance, SLT will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by their regulatory framework, or any other relevant organisation such as the Health and Safety Executive.

## 18. Policy Review Frequency

18.1 This policy will be reviewed every two years, or earlier if there is a planned change in legislation or regulation.