



Electrical Safety Policy

2024 - 2027

Prepared by

Document Owner(s)	Organisation Role
Joe Day	Head of Home Services
	Property and Compliance Manager

Manual Control Version

Version	Review date	Reviewed by	Change description
1.0 (draft)	December 2023	Joe Day	Complete re-write from previous versions
1.1 (draft)	December 2023	Joe Day	Updated numbering formatting in section 4 following feedback from Andy M
1.2 (draft)	January 2024	Joe Day	Updated numbering throughout, reduced policy statement (content repeats through policy). Added 4.1.3 and 4.1.4. Updated 5.1 to reference upcoming new standards.
1.3 (draft)	February 2024	Joe Day	Removed reference to leaseholders throughout. Added 4.3.4 Following resident feedback, introduced section 4.7 on the charging of lithium batteries
1.4	February 2024	Richard Walker	Typo amends following Board approval

1. Policy Statement

- 1.1.** Pickering and Ferens Homes (PFH) has a responsibility to ensure that all our electrical installations are safe, functional and maintained to a high standard. PFH is committed to safeguarding the health, safety and wellbeing of everybody living, working or visiting our buildings, and to protecting our property.
- 1.2.** This policy sets out the approach to maintaining electrical safety, including housing stock, offices, community centres and other buildings for which PFH has responsibility.

2. Aims and objectives of the policy

- 2.1** PFH has established a policy which meets the requirements for electrical safety under the Landlord and Tenant Act 1985, the Housing Act 2004, the Electricity at Work Regulations 1989 and the Electrical Equipment (Safety) Regulations 2016. In addition to this the policy provides assurance that measures are in place to ensure compliance with these regulations and to identify, manage and/or mitigate risks associated with electrical installations and electrical portable appliances.
- 2.2** PFH ensures that compliance with electrical safety legislation is formally reported at Senior Leadership Team (SLT) and Board level and includes details of any non-compliance and planned corrective actions.
- 2.3** The policy is relevant to all PFH employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.
- 2.4** It should be used by all to ensure they understand the obligations placed upon PFH 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 (owned and managed by PFH).

3. Requirements

- 3.1** The Landlord and Tenant Act 1985 places duties on landlords to ensure that electrical installations in rented properties are:
 - Safe when a tenancy begins, Section 9A(1)(a)
 - Maintained in a safe condition throughout the tenancy, Section 11 (1)(b)
- 3.2** In order 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, the current edition of BS7671 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 sound engineering evidence to support the recommendation.

- 3.3 All electrical installations should be inspected and tested prior to the commencement of any new licences (void properties), mutual exchanges and transfers and a satisfactory Electrical Installation Condition Report (EICR) should be issued to the tenant prior to them moving in.
- 3.4 The Electricity at Work Regulations 1989 place 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 (Section 16).
- 3.5 The Electrical Equipment (Safety) Regulations 2016 require Landlords to ensure that any electrical appliances provided as part of a tenancy are safe when first supplied and gifted to the tenant. If the appliance is not gifted an annual check will be undertaken as part of the annual portable appliance testing (PAT) programme.

4. Delivery of Policy

4.1 Compliance Risk /Inspection Programmes:

- 4.1.1 **CDM** - to comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be completed for all relevant works.
- 4.1.2 **Domestic properties/communal blocks and 'other' properties** – PFH will carry out a programme of electrical installation inspection and testing to all domestic properties. This inspection and test will be carried out at intervals of no more than 5 years (unless the Competent Person recommends the next test is done sooner than this or properties are new build see 4.2.6) and will include the issuing of a new satisfactory EICR. This inspection and test is driven from the anniversary date of the most recent EICR which may have been carried out at the start of a new tenancy or following planned component replacement works.
- 4.1.3 PFH will operate a no access procedure designed to maximise opportunities to access a resident's property to conduct the electrical safety check. This will take into account resident circumstances, such as vulnerabilities, needs and working arrangements. Attempts to arrange access to the property and a record of communications with the resident will be recorded on the PFH Housing Management System.
- 4.1.4 Where necessary, under the licence PFH reserves the explicit right to effect access (on reasonable notice unless it is an emergency) to the dwelling. PFH has a no access process which will be followed. A legal opinion may be sought before access is gained and where necessary PFH will initiate a legal process on the 1st day of an electrical safety certificate expiring, to obtain an injunction to access the property if the resident has refused access.

4.1.5 New build properties, and those which have been subject to a rewire will receive their first inspection and test 10 years after the date of installation, and every 5 years thereafter.

4.1.6 Change of occupancy (void properties), mutual exchanges and transfers – PFH will carry out a new satisfactory EICR upon any relet. If the last periodic test was completed within 6 months of a relet, this will be considered satisfactorily recent to meet this requirement.

4.2 Portable Appliance Testing (PAT) –

4.2.1 Whilst HSE guidance is that PAT testing is not a specific regulatory requirement, there is a requirement to maintain equipment in a safe condition. PFH will comply with this obligation by carrying out annual PAT testing on all electrical equipment in line with the current HSE guidance <https://www.hse.gov.uk/pubns/priced/hsg107.pdf>.

4.2.2 These checks will include all electrical equipment available for use by staff or residents withing communal areas of properties, all relevant equipment in offices, and equipment issued to staff to facilitate agile working such as in the home.

4.2.3 Where PFH provide electronic portable equipment to residents, such as, but not limited to SMART hubs or digital tablets, we will undertake a PAT at the same time as undertaking the EICR.

4.3 Remedial or Follow up Work

4.3.1 PFH will ensure there is a process in place for the management of any follow-up works required following the completion of a periodic inspection and test of an electrical installation. These will be done in accordance with the Right to Repair timescales and monitored/reported via our Housing Management System.

4.3.2 PFH will ensure there is a process in place to collate and store all EICRs and associated records and certification of completed remedial works.

4.3.3 PFH will, as a minimum, make safe and/or where possible repair all Code 1 and Code 2 defects identified by a periodic electrical installation inspection and test before leaving site after completing the inspection and testing works. Any further remedial works to Code 2 defects will be completed within 28 working days and an EICR will be issued stating that the installation is in a satisfactory condition. Code 3 type works will be referred back to PFH's Property and Compliance Manager for a decision as to what further works, if any, are required.

4.3.4 All non-mandatory advisories that are noted shall be recorded to support future asset management decisions.

4.4 Smoke Detection

4.4.1 PFH will ensure that all properties have a hard-wired smoke alarm system in accordance with BS5839-6 legislation. In some cases it may not be possible to install hard-wired detection in which case battery operated detection will be considered.

- 4.4.2** PFH will test hard-wired smoke alarms as part of the annual gas safety check visit (or at void stage). Any properties not included on the gas safety programme will have the smoke alarms tested on a separate programme.
- 4.4.3** Hard-wired smoke detectors typically have a planned replacement date of ten years following their install. PFH will ensure that hard-wired smoke detectors are suitably replaced in accordance with British Standard EN 14604:2005

4.5 Contract Management

- 4.5.1** Regular contract meetings will be held with all external contractors to review and monitor key performance indicators.
- 4.5.2** On at least an annual basis all qualifications and competencies will be reviewed (in line with those noted in section 3.2) for all areas of work they undertake on our behalf.
- 4.5.3** We will ensure that all external contractors are provided with up to date information relating to all relevant compliance areas.

4.6 Record Keeping

- 4.6.1** PFH 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.
- 4.6.2** Inspection and re-inspection dates, along with EICR records will be held electronically within the housing management system
- 4.6.3** PFH will 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 and keep these as per the organisation's Data Retention Policy.
- 4.6.4** PFH will ensure processes and controls are in place to provide and maintain appropriate levels of security for all electrical safety related data.

4.7 Battery Charging within PFH Properties

- 4.7.1** The risks associated with Lithium batteries are significant and are increasing nationally. Devices provided by PFH to residents, will receive a PAT at the same time as an EICR as per para 4.2.3. However, resident use of lithium batteries for their own devices and equipment may also be a concern. As such it is prudent for PFH to outline a policy position on the charging of devices with the most significant risks. These include Electric Powered Personal Vehicles (EPPVs), including e-bikes and e-scooters.

4.7.2 Guidance^{1 2 3} suggests mitigation of risk from EPPV battery fires should focus on:

4.7.2.1 educating users about the risks and to encourage responsible purchase and use

4.7.2.2 provision of physical facilities at the premises to ensure these devices can be used and charged safely

4.7.2.3 management of premises to address remaining risks

4.7.3 Considering PFH's resident age group, there is not viewed to be as significant a number of EPPVs within the PFH estate compared to general needs housing providers. As such, PFHs policy around charging devices focusses on educating users. PFH encourage residents to use only manufacturer approved chargers and to follow manufacturer guidance.

4.7.4 The risks associated with fire is higher within RLP schemes than in other PFH stock. The organisation's approach to storage of any potential fire hazards in common areas (which extends to non-RLP flats with common areas) is held within the Fire Safety Policy

4.7.5 Within RLP schemes EPPVs will not be permitted to be charged within resident's properties, or within communal areas, but will be permitted within existing scooter storage facilities subject to availability.

5 Regulatory standards, Legislation, and Approved Codes of Practice

5.1 Regulatory Standards - the application of this policy will ensure compliance with the regulatory framework and consumer standards (At time of writing the Home Standard, noting that this will be updated to the Safety and Quality Standard in proposed new framework) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).

5.2 Legislation - the principal legislation applicable to this policy is the Landlord and Tenant Act 1985; the Electricity at Work Regulations 1989, the Electrical Equipment (Safety) Regulations 2016 and Smoke and Carbon Monoxide Alarm (amendment) Regulations 2022. Section 9A of the Landlord and Tenant Act 1985 sets out implied terms as to fitness for human habitation and 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. The Electrical Equipment (Safety) Regulations 2016 require Landlords to ensure that any appliances provided as part of a tenancy are safe when first supplied.

5.3 PFH is the 'Landlord' by virtue of the fact that it owns and manages homes and buildings housing tenants through the licence agreement.

¹ [E-cycle and e-scooter batteries: managing fire risk for premises - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/e-cycle-and-e-scooter-batteries-managing-fire-risk-for-premises)

² [E-bike and e-scooters - guidance for responsible persons | London Fire Brigade \(london-fire.gov.uk\)](https://www.london-fire.gov.uk/guidance-for-responsible-persons/)

³ [Fire Safety Guidance Note GN103 - Guidance and principles for the charging and storage of electric powered personal vehicles \(london-fire.gov.uk\)](https://www.london-fire.gov.uk/guidance-and-principles-for-the-charging-and-storage-of-electric-powered-personal-vehicles/)

5.4 Codes of Practice – the principle approved codes of practice applicable to this policy are:

5.4.1 The current edition of the Institution of Engineering and Technology (IET) Wiring Regulations British Standard 7671

5.4.2 The current edition of the The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (ISITEE) 2012 (4th edition)

5.4.3 HSE INDG236: 'Maintaining portable electrical equipment in low risk environments' (as amended 2013)

5.4.4 Electrical Safety Council: 'Landlords' Guide to Electrical Safety 2009'

5.4.5 Code of Practice for the Management of Electro technical Care in Social Housing (January 2019)

5.5 Sanctions – PFH 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 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 via a serious detriment judgement from the Regulator of Social Housing (RSH).

5.6 Residents – PFH will use the legal remedies available within the terms of the licence agreement should any resident refuse access to carry out essential electrical safety checks, maintenance and safety related repair works.

5.7 Additional Legislation – This electrical safety policy also operates in the context of the following additional legislation:

5.7.1. Health and Safety at Work Act 1974

5.7.2. The Management of Health and Safety at Work Regulations 1999

5.7.3. The Workplace (Health Safety & Welfare) Regulations 1992

5.7.4. Regulatory Reform (Fire Safety) Order 2005

5.7.5. The Building Regulations for England and Wales (Part P)

5.7.6. The Housing Act 2004

5.7.7. The Occupiers' Liability Act 1984

5.7.8. Health and Safety (Safety Signs and Signals) Regulations 1996

5.7.9. Provision and Use of Work Equipment Regulations 1998

5.7.10. Construction, (Design and Management) Regulations 2015

5.7.11. Data Protection Act 2018

5.7.12. RIDDOR 2013

5.8. Updated/Changing Legislation - A process is in place to identify changes to regulation and legislation through PFH's compliance reporting framework. Any changes relating to this policy will be highlighted and implemented, including a

review of policy and procedural documents should a legislative change take effect.

6 Responsibilities within this Policy

- 6.1** The board will have overall governance responsibility for ensuring the Electrical Safety Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice. As such the Board will formally approve this policy and review it periodically. The policy will be reviewed every three years (or sooner if there is a change in regulation, legislation or codes of practice).
- 6.2** The board will receive quarterly updates at board meetings on electrical safety performance along with notification of any non-compliance issue which is identified. This is so they have assurance that the policy is operating effectively in practice.
- 6.3** SLT will receive monthly reports in respect of electrical safety management performance and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 6.4 Appointed Duty Holder** – The Property and Compliance Manager will fulfil the role of the appointed ‘Duty Holder’ on behalf of PFH in order to ensure the appropriate management of the risks associated with electrical safety. As a result, the Property and Compliance Manager will hold responsibility for the implementation of this document, and supporting Electrical Safety Procedure, as well as ensuring compliance is achieved and maintained.
- 6.5** Although the organisation has an appointed Duty Holder, PFH’s Chief Executive will be ultimately responsible for ensuring compliance with current legislation and to ensure that the organisation fulfils its duties and responsibilities as outlined in this policy document and the supporting procedures.
- 6.6** The Property and Compliance Manager, and the Head of Home Services shall ensure that there are suitable arrangements in place for the delivery of the Electrical Safety programme and the implementation of the Electrical Procedure. This includes the prioritisation and implementation of any works arising from the electrical safety inspections.
- 6.7** The resident services, and scheme services team will provide key support in gaining access into properties where access is proving difficult and use standards methods to do so. They will also facilitate the legal process to gain access as necessary.
- 6.8 Competent Persons** - PFH will ensure that the Property and Compliance Manager is appropriately competent; preferably holding a recognised electrical safety management qualification such as the Level 4 VRQ in Electrical Safety Management (or equivalent). If the competent person does not have appropriate qualifications already, PFH will seek to support the individual to obtain as soon as reasonably practicably, but will use the H&S Advisor appointed as our ‘competent person’ for advice and guidance.

- 6.9** The Property Services Admin team will ensure that all electrical contractors hold the relevant accreditations (NVQ Level 3 Electrical Installation or equivalent) for the work that they are carrying out. These checks will be undertaken on an annual basis and evidenced appropriately.

7 Monitoring

- 7.1** PFH will carry out 100% desktop audits on the documentation produced by the external contractor delivering the inspection and testing programme.
- 7.2** PFH will appoint a third-party independent auditor to undertake quality assurance audits on a minimum 5% sample of electrical works and supporting documentation annually.
- 7.3** PFH will carry out an independent audit of electrical safety at least once every three years. This audit will specifically test for compliance with regulation, legislation and codes of practice and identify any non-compliance issues for correction. The audit will also look at and test processes to ensure that they are being adhered to and are still fit for purpose.

8 Performance Management & Assurance

- 8.1** PFH will incorporate the requirements set out in this policy, into its performance management framework. The Property and Compliance Manager has operational responsibility for ensuring that the requirements of this policy are being met, and providing assurance through the performance framework, to senior duty-holders and the responsible person.
- 8.2** The Board will receive performance management information regarding compliance with this policy at each meeting, including information regarding the performance trend and a commentary relating to performance. Specific KPIs will be reported as follows:
- 8.2.1** % of properties with a valid EICR within 5 years
- 8.3** The SLT will receive performance management information as described in 7.2. Specific KPIs will be reported as follows:
- 8.3.1** Number and % of properties with a valid EICR
- 8.3.2** Number and % of properties without a valid EICR
- 8.3.3** Number of properties where the EICR is due to expire within the next month
- 8.3.4** Compliance with PAT Testing Programme
- 8.3.5** The number of RIDDOR Notices issued with respect to electrical safety

9 Non-Compliance/Escalation

- 9.1** Any non-compliance issue identified at an operational level will be formally reported to the Head of Home Services and the Homes Services Director in the first instance, as soon as this is identified.

- 9.2** The Head of Home Services and Homes Services Director will agree an appropriate course of corrective action with the Property and Compliance Manager in order to address the non-compliance issue and report details of the same to the Chief Executive within 24 hours.
- 9.3** The Chief Executive will ensure the Board are made aware of any material non-compliance issue so they can consider the implications and take action as appropriate, including notification to the Regulator of Social Housing, if necessary.

10 Our Commitment to Equalities

- 10.1** PFH seeks to ensure that our actions do not lead to unlawful discrimination. Deliberate acts of discrimination, including victimisation, harassment, instruction, or pressure to discriminate, will result in disciplinary actions and/or termination of contracts with external agents.
- 10.2** We can provide access to interpreters for minority languages including sign language, and we can arrange written material in large print, Braille and first languages where necessary.
- 10.3** PFH will aim to ensure that no individual or group is treated less favourably on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. We aim to recognise the needs of individuals and treat each person through the complaints process with dignity and respect.
- 10.4** We will consider the individual needs of residents who may require additional support and make reasonable adjustments in line with the Equality Act 2010 and in accordance with our EDI Policy.
- 10.5** We will work with our contractors to ensure that any resident who feels uncomfortable with male only operatives, either can opt to have a female operative, or a female accompanying the operative.