



Electrical Safety Policy

Name	Electrical Safety Policy
Owner	Strategic Director
Last Review	September 2024
Next Review	September 2026
Consultation ET	N/A
Consultation with Tenants	N/A
Equality Impact Assessment	December 2024
Confidentiality	Low

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1.0 Introduction and Objectives

- 1.1 As a landlord, Gateshead 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 Cabinet, Senior Management Team, employees, partners, and tenants 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.

2.0 Scope

- 2.1 This policy 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, this policy provides assurance to stakeholders 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 This policy is relevant to all our employees, tenants, 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.
- 2.3 All stakeholders should use the policy to ensure they understand the obligations placed upon Gateshead Council to maintain a safe environment for tenants and employees, within the home of each tenant, and within all communal areas of buildings and other properties we own and/or manage. Adherence to this policy is mandatory for all stakeholders. This policy applies to all Council employees, tenants, contractors and other persons or stakeholders who may work on, occupy, visit, or use our buildings, or who may be affected by our activities or services.

3.0 Roles and Responsibilities

- 3.1 The Cabinet has 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 Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 3.2 For assurance that this policy is operating effectively in practice, the Cabinet will receive regular updates on its implementation, electrical safety performance and non-compliance.
- 3.3 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 and planned corrective action.
- 3.4 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.
- 3.5 The Service Director and Service Manager have operational responsibility for the management of electrical safety and will be responsible for overseeing the delivery of these programmes.
- 3.6 It is a condition of the tenancy agreement that tenants must allow access for us to carry out works in their home.
- 3.7 Housing teams will provide support where gaining access to properties is difficult and will assist and facilitate the legal processes, as necessary.

4.0 Regulatory Standards, Legislation and Approved Codes of Practice

- 4.1 **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 new consumer standards were introduced on 01 April 2024 and detail the four consumer standards which landlords are required to comply with, including:
 - **The Safety and Quality Standard** - which requires landlords to provide safe and good quality homes and landlord services to tenants. This includes stock quality; decency; health and safety; repairs, maintenance, and planned improvements; and adaptations.
 - **The Transparency, Influence and Accountability Standard** - which requires landlords to be open with tenants and treat them with fairness and respect so that tenants can access services, raise complaints when necessary, influence decision making and hold their landlord to account. This standard incorporates Tenant Satisfaction Measure requirements.
 - **The Neighbourhood and Community Standard** - which requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.
 - **The Tenancy Standard** - which sets requirements for the fair allocation and letting of homes and for how those tenancies are managed and ended by landlords.

The Social Housing Regulations Act 2023 will change the way social housing is regulated and may result in future changes to this policy.

4.2 **Legislation** - The principal legislation applicable to this policy is:

- 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.
- Health and Safety at Works Act etc. 1974.
- Electrical Equipment (Safety) Regulations 2016.
- Smoke and Carbon Monoxide Alarm (amendment) Regulations 2022.

Additional Legislation - this policy also operates within the context of additional legislation (see Appendix 1).

4.3 **Guidance** - The principal guidance applicable to this policy is:

- INDG236 - Maintaining portable electrical equipment in low-risk environments (as amended 2013).
- The current edition of the 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 current edition of the Code of Practice for In-Service Inspection and Testing of Electrical Equipment (IET) 2020 (5th edition).

4.4 **Sanctions** - the Council 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 prosecution under any of the principal legislation listed in Section 4.1, and via a regulatory notice from the Regulator of Social Housing.

4.5 **Tenants and Leaseholders** - the Council will use the legal remedies available within the terms of the tenancy agreement, lease or licence should any tenant refuse access to carry out essential electrical safety checks, maintenance and safety related repair works.

5.0 Obligations

- 5.1 The Housing Act 2004 requires that properties be free from Category 1 hazards regarding the Housing Health and Safety Rating System (HHSRS); 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 (Section 9(1)(a)).
 - Maintained in a safe condition throughout the tenancy so the property is fit for habitation Section 11 (1)(b).
- 5.3 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.
- 5.4 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.
- 5.5 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.
- 5.6 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.
- 5.7 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.
- 5.8 If we become aware of an electrical installation which has not been carried out by the Council, or for which consent was not sought by the tenant, then either.
 - Backdated written permission will be given to the tenant and a safety check carried out immediately and maintain thereafter, OR
 - The tenant will be instructed to remove the appliance at their expense, or if unable to do so Gateshead Council will remove the appliance and make good and recharge the tenant.

6.0 Statement of Intent

- 6.1 We acknowledge and accept our responsibilities with regards to 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 (see Section 4).
- 6.2 We will deliver a comprehensive programme of electrical testing and inspection to properties on a five-year cycle (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 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.
- 6.5 We will test (as required) battery/hard-wired smoke/heat detectors and carbon monoxide alarms are installed as part of the annual gas safety check visit (or at the void stage). We will ensure that all domestic properties have appropriate systems installed to meet the Smoke and Carbon Monoxide Alarm (amendment) Regulations 2022 within a period of no longer than 18 months following the approval of this policy.
- 6.6 Under the Smoke and Carbon Monoxide Alarm (amendment) Regulations 2022, we will test and replace out of date or non-working detection when properties are void, during major works schemes or when highlighted by a tenant, internal staff or via a gas service. Battery smoke and heat detection (Grade F) systems will be replaced/upgraded with a suitably specified hard wired LD2 system at void stage or major works.
- 6.7 We will operate a robust process to gain legal access should any tenant or leaseholder refuse access to a property to carry out the electrical safety check or remediation works. Where tenant vulnerability issues are known or identified, we will ensure that we safeguard the wellbeing of the tenant.
- 6.8 We will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the electrical safety check.
- 6.9 Any unauthorised electrical installations will be disconnected from the supply, a warning notice will be issued, or it will be removed with the tenant's permission.
- 6.10 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 the contractors' employee and public liability insurances are up to date on an annual basis.
- 6.11 We will operate measures to identify, manage and/or mitigate risks related to portable electrical appliances in the properties we are responsible for.
- 6.12 We will establish and maintain a risk assessment for electrical safety management and operations, setting out our key electrical safety risks and appropriate mitigations.
- 6.13 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.
- 6.14 We will ensure there is a robust process in place to minimise any potential non-compliance by ensuring processes are effective and have appropriate control measures in place to mitigate any risks. We will analyse any non-compliance that

do occur, and take action to prevent recurrence. For example, we will investigate and manage all RIDDOR notifications made to the HSE in relation to electrical safety and take action to address any issues identified and lessons learned, to prevent a similar incident occurring again. This includes amending our processes to reflect best practice and ensure that service improvements are implemented.

- 6.15 The document will be strictly controlled in accordance with ISO 9001 (Quality Management) and maintained by the Service Manager Building Safety, in conjunction with the Quality Manager.

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 or guidance recommends an earlier next test date) including the issuing of a new EICR. The date of the inspection and test is driven from the anniversary date of the most recent EICR.
- 7.2 Environments which, for example, are exposed to moisture, dust, extreme temperatures or which are open to the general public constitute a higher risk and therefore require more frequent testing. These require testing every one to three years, with more frequent routine inspections also required.
- 7.3 **New builds and rewires** - All new build properties or newly acquired properties will be retested once onboarded and before occupation. 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.
- 7.4 **Properties managed by others** - We will obtain EICRs where a third party manages our properties. 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.
- 7.5 **Home improvements** - tenants must ask for permission to carry out alterations to their home. Tenants can redecorate, including painting, wallpapering and replacing ceramic tiles, without telling us. For anything more than this, tenants must obtain our written agreement before doing any work. We will not refuse unless there is a good reason. Once approved, the tenant is responsible for paying for the work, and for using a competent tradesperson with liability insurance and the appropriate certifications. We may inspect your home to make sure work has been carried out to an appropriate standard. Any electrical work must be carried out by an NICEIC registered contractor with a copy of the certificate of compliance provided to the Council.
- 7.6 If we need to remove or rectify any unauthorised electrical works then any costs to make safe/remove/rectify the issue will be the responsibility of the tenant.
- 7.7 Any unauthorised electrical installations will be disconnected from the electricity supply, a warning notice will be issued, or it will be removed with the tenants' permission.

8.0 Follow-up Work

- 8.1 We 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.
- 8.2 We will ensure there is a process in place to collate and store all EICRs and associated records and certification of completed remedial works.
- 8.3 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.
- 8.4 We will, as a minimum, make safe and/or where possible repair all Code 1 (C1) and Code 2 (C2) defects identified by an electrical installation inspection/test. Any further remedial works for 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 (C3) type works will be referred back to the internal mechanical and electrical team to determine what further works, if any, are required.

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, identifying the following:
 - Electrical inspection dates.
 - EICRs.
 - Minor Electrical Works Certificates and Building Regulation Part P notifications associated with remedial works; and
 - Electrical Installation Certificates.
- 9.4 We will hold the inspection dates in NEC/C365 and inspection records and certification in C365 and our document management system.
- 9.5 We will keep all records and data for a minimum of ten years and for the duration that we own and manage the property/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.
- 9.6 We will have robust processes and controls in place to maintain appropriate levels of security for all electrical safety related data.

10.0 Tenant Engagement

- 10.1 We consider good communication essential in the effective delivery of electrical safety programmes, therefore we will establish a tenant engagement strategy and communication programme to support tenants in their understanding of electrical safety.
- 10.2 This will assist us in maximising access to carry out electrical inspections, encourage and support tenants to report any concerns about electrical safety, and help us to engage with vulnerable and hard to reach tenants.
- 10.3 We will share information clearly and transparently and will ensure that information is available to tenants via regular publications and information on our website.

11.0 Competent Persons

- 11.1 The Section Manager will hold a Level 4 VRQ Diploma in Asset and Building Management (or equivalent) and Technical Lead will hold the Level 4 VRQ in Electrical Safety Management and an appropriate NVQ Level 3 in an Electrical discipline (or equivalent). If the competent person does not have appropriate qualifications already, they will obtain it within 12 months of the approval of this policy.
- 11.2 The Service 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.
- 11.3 We will appoint a third-party independent auditor to undertake quality assurance audits on a minimum 10% sample of electrical works and supporting documentation annually.
- 11.4 Only suitably competent NICEIC (or equivalent) electrical contractors and operatives will undertake electrical works on our behalf.
- 11.5 Only suitably competent NICEIC (or equivalent) third party technical auditors will undertake quality assurance checks.
- 11.6 We will check that our in-house workforce and external 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 Implementation and 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.
- 12.2 We will ensure that all operatives working for, or on behalf of the Council have the relevant qualifications required for their role. We will undertake periodic assessments of training needs and resulting programmes of internal and external training supported by Workforce Development.
- 12.3 All employees will have an understanding of electrical safety and their roles and responsibilities in ensuring that we maintain compliance.

13.0 Performance Reporting

13.1 We will report robust key performance indicator (KPI) measures for electrical safety that follow the principles set out in the Tenant Satisfaction Measures (TSMs). 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 Performance will be reported internally monthly to SMT and Cabinet. The position reported will be based on the following criteria:

Electrical Safety Checks: Proportion of homes for which all required electrical safety checks have been carried out.

13.3 The reported percentage will include all individual homes which require electrical safety checks and those homes within a communal block that are served by communal equipment. This ensures that all individual homes that may be at risk because of any non-compliance are identified, including those within a communal block that share an electrical source. The completion of remedial works is not included.

13.4 We will also report the following:

Data - the total number of:

- Properties - split by category (domestic, communal, commercial/others).
- Properties on the electrical inspection and testing programme - split by category (domestic, communal, commercial/others).
- Properties not on the electrical inspection and testing 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; and
- Overdue follow-up works/actions arising from the inspection programme.

Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Anticipated impact of corrective action; and
- Progress with completion of follow-up works.

In addition:

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

13.5 The full detail of our performance measures for Electrical Safety will be outlined in a KPI Definition Document which includes the relevant data sources used for each

calculation, the calculation methodology, any exclusions, and the accountable roles for producing and managing the KPIs.

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 a sample of:
- All new installations.
 - Field checks.
 - All certificates.
- 14.2 We undertake internal desktop audits for 100% of all works orders.
- 14.3 Internally we will undertake 100% desktop audits of all EICRs produced by the external contractor delivering the inspection and testing programme. The internal electrical team will have certification checked by the Electrically Qualified Supervisor (EQS). In-house electrically qualified staff will also undertake monthly work in progress/post inspections checks (10%) and/or require external contractors do the same and evidence upon request.
- 14.4 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.
- 14.5 The Electrical Safety Team are subject to regular external audits carried out by Lloyds Register Quality Assurance for ISO 9001 Quality Management and ISO 14001 Environmental Management. This consists of the checking and verification of policies, processes, procedures, quality assurance, competency, and training.

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. 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 Gateshead Council employee becoming aware of it.
- 15.2 Any incidents identified at an operational level will be formally reported via the Assyst Health and Safety Incident Reporting System and the process followed which will include investigating the incident and prevent recurrence.
- 15.3 In cases of serious non-compliance, SMT and Cabinet 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.

16.0 Approval

Strategic Lead: Service Director Repairs and Buildings Maintenance

Name: Ian McLackland

Signed: _____

Date Approved: _____

Strategic Lead: Service Manager Building Safety

Name: Darren Burton

Signed: _____

Date Approved: _____

DRAFT

17.0 Glossary

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.
- **IET** - Institution of Engineering and Technology
- **BS 7671** - the current edition of the IET Wiring Regulations Eighteen Edition.
- **GN3 IET** - Guidance Note 3 Inspection & Testing.
- **C1** - Danger Present, risk of injury, immediate action required.
- **C2** - Potentially dangerous- urgent remedial action.
- **C3** - Improvement required.
- **F1** - Further investigation required without delay.

18.0 Supporting Information

- Appendix 1 - Additional Legislation.

Appendix 1 - Additional Legislation

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

- The Defective Premises Act 1972.
- 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.