

<b>Issue details</b>	
<b>Title:</b>	<b>Electrical Safety Policy</b>
<b>Version number</b>	<b>Version 2.0</b>
<b>Officer responsible:</b>	<b>Compliance &amp; Cyclical Servicing Manager</b>
<b>Authorisation by:</b>	<b>Housing Review Board</b>
<b>Authorisation date:</b>	<b>November 2023</b>

<b>History of most recent Policy Changes – Must be completed</b>			
<b>Date</b>	<b>Page</b>	<b>Change</b>	<b>Origin of Change e.g (Change in legislation)</b>
4 <sup>th</sup> August 2023	2	Legislation	
4 <sup>th</sup> August 2023	3	Policy principles	
4 <sup>th</sup> August 2023	4	No access	
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### **1 Previous Policies/Strategies**

Version 1

### **2 Why has the council introduced this policy?**

The electrical safety policy details how East Devon District Council meet 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.

The policy is relevant to tenants, contractors and other persons who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services. It should be used by all to ensure they understand the obligations placed upon East Devon District Council to maintain a safe environment for tenants and employees within the home of each tenant and within all non-domestic (communal) premises or areas of buildings. East Devon District Council will follow a systematic approach to the management of electrical work to ensure it meets the requirements set out in BS 7671 2018 Requirements for Electrical Installations IET Wiring Regulations 18th edition including all amendments and other relevant legislation relating to electrical safety. This is to ensure the safety of tenants, employees and members of the public.

### **3 What is the council's policy?**

## **Introduction**

East Devon District Council acknowledges and accepts its responsibilities with regard 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. The Landlord and Tenant Act 1985 places 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

In order to be compliant under these duties electrical installations are required to be periodically inspected and tested. The intervals between inspections are not absolutely set within any regulations, 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.

## **Legislation**

This policy is written to ensure that East Devon District Council is compliant with the following legislation in respect of Electrical safety:

- The Landlord & Tenant Act 1985
- Housing Act 2004
- Regulatory Reform Fire Safety 2005
- Defective Premises Act 1972
- Electrical at Work Regulations 1989
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Health & Safety at Work At 1974
- Environmental Protection Act 1990
- The Building Regulations for England and Wales (Part P)

## **Standards**

- The Consumer Standards (Home Standard)

## **Code of Practice**

- IET Wiring Regulations British Standard 7671: 2008 (as amended 2015)
- The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (ISITEE)
- HSE INDG236: 'Maintaining portable electrical equipment in offices and other low risk environments'
- Code of Practice for the Management of Electrotechnical Care in Social Housing

## **Policy Principles**

Detailed below are the key policy principles relating to electrical safety:

East Devon District Council will hold accurate records against each property it owns or manages identifying when the electrical installation was last inspected and tested and all electrical portable appliances that is held at each property together with details of Portable Appliance Tests (PATs) undertaken.

East Devon District Council will ensure that all domestic properties owned or managed have a valid Electrical Installation Condition Report (EICR) that is no older than 5 years from the date of the previous EICR. East Devon District Council will deliver a comprehensive programme of testing and inspection of all domestic properties on a rolling 5-year cycle.

East Devon District Council will ensure that all non-domestic (communal) properties and offices owned or managed have a valid Electrical Installation Condition Report (EICR) that is no older than 5 years from the date of the previous EICR. East Devon District Council will deliver a comprehensive programme of testing and inspections of all non-domestic (communal) properties and offices on a rolling 5-year cycle.

East Devon District Council will ensure that all electrical installations shall be in a satisfactory condition following completion of an electrical installation inspection and test where possible. Where a test is unsatisfactory & remedial repairs are unable to be carried out at time of test, the contractor will ensure they return to site within 28 days from receipt of order to carry out such works.

East Devon District Council will ensure that electrical installation inspection and tests are carried out prior to the commencement of any new tenancies (void properties), mutual exchanges and transfers and that a satisfactory EICR is issued to the tenant prior to them moving in.

East Devon District Council will ensure that only suitably competent NICEIC electrical contractors and engineers undertake electrical works.

East Devon District Council will ensure that all electrical portable appliances are tested periodically in accordance with the testing guidance set out in 'The Code of Practice for In-Service Inspection and Testing of Electrical Equipment' (ISITEE).

East Devon District Council will carry out electrical installation inspection and tests and issue new satisfactory EICRs when completing planned component replacement works within domestic properties. In the case of a rewire East Devon District Council will receive an installation certificate and following minor works, a minor works certificate.

East Devon District Council will test and replace as necessary smoke alarms, heat detectors and carbon monoxide detectors which are not covered as part of the annual gas safety check visit (i.e. the property does not have gas), as part of the 5-yearly electrical inspection and testing visit.

East Devon District Council will ensure that robust processes and controls are in place to manage the completion of follow up works identified during inspection and testing of electrical installations and electrical portable appliances. East Devon District Council will ensure that robust processes and controls are in place to ensure that all electrical works are properly notified and approved under Part P of the Building Regulations for England and Wales where this is required.

East Devon District Council will ensure that robust processes and controls are in place to manage works to void and occupied properties that may affect existing electrical installations

### **No Access**

East Devon District Council will have a robust process in place to gain access to properties where tenants refuse access to ensure tenant safety and to ensure East Devon District Council fulfil their duty as a landlord.

### **EICR Testing**

East Devon District Council will write to advise tenants that their property is included in the testing programme for that forthcoming year & that a named contractor has been appointed to carry out the work.

Our appointed Electrical Contractor will call &/or write to the tenant advising them of when they will be attending to carry out the electrical test.

If the tenant is not home at the time of the test or the tenant refuses access our Electrical Contractor will make a further attempt to book an appointment with the tenant, this will be by telephone and/or letter.

Should the tenant refuse access, fail to make a suitable appointment or make an appointment (which is not kept), for whatever reason, the Electrical Contractor will refer this back to the Council for their pursuance.

An appropriate Officer will attempt to make contact with the tenant to arrange an appointment to carry out the electrical test (EICR). If they are unable to do so, the Officer will serve the tenant with a final warning letter stating that the tenant must arrange an appointment with the Council's appointed Electrical Contractor within the next 7 days.

Should the tenant fail to make contact within the designated time (7 day period), a 7 day legal letter will be served advising the tenant that the Council's appointed Electrical Contractor will be attending on a specific date and time (legal appointment). The letter states that the tenant must allow access at this time and the Council will force entry to carry out the test (EICR) if the tenant is not home.

On the day of the legal appointment a relevant Officer will attend the tenant's property with the Electrical Contractor and a locksmith to carry out the electrical test (EICR). Should the tenant not be home at the time of the legal appointment the Council will force entry to carry out the test to ensure the

property is safe. If the tenant is at home but refuses access, the Officer will refer this to our Legal Department to apply for a Court Injunction to compel the tenant to allow access to enable the Electrical Contractor to carry out the test (EICR).

### **Compliance Remedial Work**

East Devon District Council will ensure there is a robust 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 or electrical portable appliance. East Devon District Council Electrical Contractor will as a minimum make safe and/or will repair all code 1 defects identified by a periodic electrical installation inspection and test before leaving site after completing the inspection and testing works.

East Devon District Council will ensure that all electrical installations shall be in a satisfactory condition following completion of an electrical installation inspection and test where possible. Where a test is unsatisfactory & remedial repairs are unable to be carried out at time of test, the contractor will ensure they return to site within 28 days from receipt of order to carry out such works.

East Devon District Council will ensure there is a robust process in place to investigate and manage all RIDDOR notices issued with regard to electrical safety

### **Record Keeping**

East Devon District Council will record and maintain a core asset register of all properties that have an active electrical supply and electrical installation. This register should identify electrical installations within all domestic properties and electrical installations within non-domestic (communal) properties and offices.

East Devon District Council will establish and maintain a register against each property asset of any electrical portable appliances and portable appliance testing (PAT) requirements.

East Devon District Council will establish and maintain accurate records of all completed Electrical Installation Condition Reports (EICRs), Minor Electrical Works Certificates (MEW) and Building Regulation Part P notifications associated with remedial works from these reports and Electrical Installation Certificates and keep these for a period of not less than 10 years.

East Devon District Council will establish and maintain accurate records of all completed electrical Portable Appliance Test reports and details of associated completed remedial works and keep these for a period of not less than 5 years.

### **Performance Management**

The following key performance indicators are reported to East Devon District Council's Leadership team & Housing Review Board –

- Number of properties with a valid electrical inspection certificate (EICR - 5 yearly)
- Category 1 & Category 2 actions arising from an unsatisfactory EICR (residential dwellings)
- Number of distribution boards in communal areas with a valid electrical inspection certificate (EICR - 5 Yearly)
- Category 1 & Category 2 actions arising from an unsatisfactory EICR (communal areas)

These key performance indicators are also used to monitor the contractors performance.

### **Competent Persons**

East Devon District Council will ensure that the manager(s) with lead responsibility for operational delivery are appropriately qualified holding a recognised safety management qualification.

East Devon District Council will ensure that only suitably competent NICEIC Approved Electrical Contractors (or equivalently accredited) contractors are procured and appointed to undertake electrical inspection, testing, installation and repair works.

The operational team with responsibility for delivery will check the relevant accreditations for the work that they are carrying out as part of the due diligence checks carried out at the procurement of any new contract. These checks will be undertaken on an annual basis to ensure competency and training is up to date.

East Devon District Council will ensure that only suitably competent engineers are employed or appointed to undertake electrical portable appliance testing (PAT). The operational team with responsibility for delivery will check the relevant qualifications of persons undertaking PAT testing to ensure that they are certified as competent to carry out PAT testing. These checks will be undertaken on an annual basis.

### **Training**

The manager(s) with lead responsibility for operational delivery will hold a relevant qualification in respect of electrical safety compliance management.

On the job training will be provided by an external provider to those employees who will be responsible for managing the programme of electrical installation inspections and repair works to electrical installations and portable appliances as part of their daily job and other employees within the Property & Asset Team.

### **Electrical Safety Information**

East Devon District Council considers good communication essential in the safe delivery of electrical safety management and will therefore ensure that relevant information is provided to residents. East Devon District Council will develop on their website information and advice to customers regarding electrical safety

and will publish this information through other outlets such as social media and in the Housing Matters Magazine.

## **Regulatory & Legislative Compliance**

The application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England.

### **3 Policy Administration**

#### **Appendices and other relevant information**

N/A

#### **Links related Policies/Strategies, Procedures and Legislation**

##### **Legislation**

This policy is written to ensure that East Devon District Council is compliant with the following legislation in respect of electrical safety:

- The Landlord & Tenant Act 1985
- Housing Act 2004
- Regulatory Reform (Fire Safety) Order 2005
- Defective Premises Act 1972
- Electrical at Work Regulations 1989
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Health & Safety at Work Act 1974
- Environmental Protection Act 1990
- The Building Regulations for England and Wales (Part P)

##### **Standards**

- Consumer Standards (Home Standard)

##### **Code of Practice**

- IET Wiring Regulations British Standard 7671: 2018
- The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (ISITEE)
- HSE INDG236: 'Maintaining portable electrical equipment in offices and other low risk environments'
- Code of Practice for the Management of Electrotechnical Care in Social Housing

##### **Data Protection**

**b) The collection and use of tenant's personal data will not exceed that agreed to in their tenancy agreement**

The [EDDC Data Protection Policy](#) provides further information on how we store and use personal information.

The following privacy notice(s) provide further information on how we will use tenant's personal data, how it is gathered, and how long we will retain this information, and what rights tenants have in relation to this.

Property and Assets - Completion of programmed, servicing and cyclical works

All our privacy notices can be found on the EDDC website (<https://eastdevon.gov.uk/access-to-information/data-protection/privacy-notices/>)

**Policy consultation**

Involved Tenants & Housing Review Board

**Policy review**

September 2026 by the Compliance & Cyclical Servicing Manager