



Exeter City Council – Housing

Electrical Safety Policy

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1. Objectives

Exeter City Council (Housing) (ECC Housing) will:

- (a) Ensure compliance with all relevant electrical safety legislation, including post-inspection remedial and notification duties.
- (b) Ensure electrical hazards identified through inspection are investigated and remedied within statutory timescales.
- (c) Maintain robust governance, monitoring and assurance arrangements in line with Regulator of Social Housing expectations.
- (d) Carry out testing, servicing and maintenance of Council owned electrical appliances, associated electrical safety and Council owned electrical infrastructure in accordance with the Electricity at Work Regulations 1989, The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 and the Provision and Use of Work Equipment Regulations 1998 and subsequent revisions.

2. Introduction / Background

ECC Housing will ensure that it maintains and checks on all ECC Housing owned electrical appliances and Council owned electrical infrastructure and installations so that risks are minimised to tenants, leaseholders, employees, contractors and others.

This document sets out the ECC Housing policy and strategy to manage electrical safety within its housing stock.

This document should be used in conjunction with any relevant legislation, official electrical Safety guidance, Approved Codes of Practice, Health and Safety Executive (HSE) / United Kingdom Health Security Agency (UKHSA) guidance and other recognised procedures relating to electrical safety.

3. Policy Statement

ECC Housing recognises its responsibilities and will ensure compliance with all relevant legislation by setting out its procedure for checking and maintaining all Council owned electrical appliances, installations, and infrastructure across our properties.

ECC Housing also recognises its responsibilities to ensure that electrical safety risks are identified, managed and mitigated through inspection, remedial action and effective communication with tenants.

Ensuring inspections, remedial actions or notification duties are carried out UK Regulatory Standards will reduce risks that residents and will enable ECC Housing to successfully discharge its statutory duties.

4. Definitions

4.1 Exeter City Council (Housing) (ECC Housing) The term refers to Exeter City Council Housing department and to no other section or part of Exeter City Council.

4.2 EICR (Electrical Installation Condition Report) The term refers to the statutory duty to service/inspection and test fixed electrical installations/appliances in domestic premises on a 5 yearly basis. EICRs require any remedial or further investigative works within 28 days, or sooner if specified, and to provide written confirmation of completion.

4.3 C1 / C2 / FI – Classification codes used within an EICR indicating danger present (C1), potentially dangerous conditions (C2), or the need for further investigation (FI).

4.4 PAT Testing the term is used to describe the examination of portable electrical appliances and equipment to ensure they are safe to use.

4.5 Responsible Person The term refers to the landlord, employer, owner, or anyone else has control, or a degree of control, of a building or part of a building. For ECC-Housing this is normally the Director overseeing Housing. Control will also extend to persons who directly or indirectly influence or change the Housing department's management of electrical safety.

5. Responsibilities

Responsibilities for ensuring the effective implementation and operation of this policy.

5.1 Strategic Director for Corporate Resources

- a) Monitor and oversee.

5.2 Service Lead

- a) Monitor and ensure the policy framework is applied locally.
- b) Ensure sufficient resources are available for effective procedures to support the policy.
- c) Provide sufficient training to ensure all relevant staff are competent.
- d) Ensuring adequate management arrangements are in place to support the policy.

5.3 Safety, Health, Environment and Quality (SHEQ) Lead

- a) Develop a workable strategy and supporting policy.
- b) Monitor the local management arrangements and make sure they are suitable and sufficient.
- c) Provide reports and recommendations to the Housing Assets Service Lead.
- d) Assist and advise local management as required.

5.4 Compliance Work Surveyor – Electrical

- a) Comply with local procedures and protocols.
- b) Undertake remedial actions when required.
- c) Oversee and manage the electrical testing, servicing, maintenance, and compliance systems.
- d) Oversee and manage access to properties and timely execution of ECC Housing Legal Duties and Good Practice.
- e) Monitor the local management arrangements and make sure they are suitable and sufficient.
- f) Provide reports and recommendations to the SHEQ Lead.
- g) Assist and advise SHEQ Lead and peers as required.
- h) Undertake their duties to support the policy.

5.5 Employees

- a) Comply with local procedures and protocols.
- b) Undertake their duties to support the policy.
- c) Report any identified hazards or concerns to the Compliance Work Surveyor – Electrical or SHEQ Lead.

6. References

6.1 This policy should be read in conjunction with Exeter City Council's policies & procedures relating to:

- Council Housing Strategy 2023
- Equality and Diversity
- Health and Safety
- Data Protection
- Electrical Safety Inspections Procedure
- Cyclical Works and Servicing Procedure

6.2 Reference material used to inform this policy:

- Regulator of Social Housing New Consumer Standards
- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- Electricity at Work Regulations 1989
- Provision and Use of Work Equipment Regulations 1998
- Smoke & Carbon Monoxide Alarm (Amendment) Regulations 2022

7. Regulatory Framework

- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- Regulation 10 – Remedial and investigative works and reporting requirements
- Electricity at Work Regulations 1989
- Provision and Use of Work Equipment Regulations 1998
- Smoke & Carbon Monoxide Alarm (Amendment) Regulations 2022

- The Building Regulations for England and Wales (Approved Document P)
- Construction Design & Management Regulations 2015
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Regulatory Reform (Fire Safety) Order 2005
- Environmental Protection Act 1990
- Social Housing (Regulation) Act 2023
- Consumer Protection Act 1987
- Landlord and Tenant Act 1985
- Defective Premises Act 1972
- Housing Act 2004
- British Standard 7671:2018 Requirements for Electrical Installations
- 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
- Regulator of Social Housing Consumer Standard

8. Policy Framework

8.1 General Duty

ECC Housing has a duty to ensure that Council owned electrical appliances, installations and infrastructure are maintained in a safe condition. Exeter City Council (Housing) will ensure electrical safety when tenancy commences.

8.2 Servicing

ECC Housing will ensure that EICRs are undertaken at least every five years. Where an EICR identifies C1, C2 or FI outcomes, ECC Housing will ensure that remedial or investigative works are completed within 28 days or sooner if specified by the report.

ECC Housing has entered into a contract with an Electrical Servicing Contractor, with NICEIC accreditation, to meet this obligation using an agreed appointment procedure.

8.3 Servicing Procedure

Our appointed Electrical Inspection and Servicing Contractor will write to the tenant advising them of when they will be attending to carry out the EICR, this will be approximately 10 Weeks before the expiry of the last EICR.

This is in accordance to the ECC Housing Access to Properties Procedure.

If the tenant is not home during this service or the tenant refuses access our Appointed Electrical Contractor will make a further attempt to enter the tenant's property to carry out the EICR.

Should the tenant refuse access or the Appointed Electrical Contractor is unable to carry out the EICR on the second attempt for whatever reason, the Appointed Electrical Contractor will refer this back to the Council for a legal appointment.

An appropriate officer will attempt to contact the tenant to arrange an appointment to carry out the EICR. If they are unable to do so, the Officer will serve the tenant with a legal letter which states that the tenant must allow the Appointed Electrical Contractor access to carry out the EICR on a specific date and time (legal appointment).

On the day of the legal appointment the Appointed Electrical Contractor will attend to carry out the EICR.

Should the tenant not be home at the time of the legal appointment or refuse access then the Appointed Electrical Contractor will refer this back to the Council. The Council will instruct the Legal Department to apply for a Court Injunction to compel the tenant to allow access to enable the Appointed Electrical Contractor to carry out the service.

Any costs associated with the refusal to allow access will be re-charged to the tenant in association with the relevant re-charge policy.

Following successful completion of the EICR the tenant will receive a copy of the EICR certificate for the property within 28 days of the safety check.

Systems will be maintained to track EICR outcomes, remedial actions and statutory deadlines. Escalation procedures will be implemented where timescales are at risk of being exceeded.

8.4 Remedial Repairs or Works

ECC Housing will:

- (a) Ensure all C1 defects are made safe immediately.
- (b) Complete all C2 and FI remedial or investigative works within 28 days or sooner where specified.
- (c) Obtain written confirmation that works have been completed and installations are safe for continued use.
- (d) Provide written confirmation to tenants within 28 days of completion.

If a test is unsatisfactory and remediation not possible at time of the inspection and test, our Appointed Electrical Contractor will return to site to conduct remedial repairs as soon as practicably reasonable.

As a minimum, ECC Housing will make safe and/or will repair all code 1 defects identified during periodic electrical installation inspection and tests before leaving site.

ECC Housing ensures all its Appointed Contractors that conduct inspection, tests and remedial repairs are competent NICEIC electrical contractors.

8.5 Void Properties and Mutual Exchanges

ECC Housing will ensure satisfactory EICR inspection and tests are conducted during the Void periods, mutual exchanges, and transfers.

A copy of the satisfactory EICR will be issued to the incoming tenant.

8.6 PAT Testing

ECC Housing ensure all electrical portable appliances are tested periodically. This is in accordance to testing guidance ('The Code of Practice for In-Service Inspection and Testing of Electrical Equipment')

We implement robust processes and controls to manage the completion of remedial works identified during inspection and testing of electrical installations and electrical portable appliances.

8.7 Planned and Maintenance Works

ECC Housing ensures that it conducts new satisfactory EICs upon completion of planned component replacement works.

During rewire works we will receive installation certificate.

Upon completion of minor works, ECC Housing ensures it receives a minor works certificate.

ECC Housing ensures all electrical works are correctly notified and approved under Part P of the Building Regulations for England and Wales where required.

8.8 Smoke Alarms

ECC Housing, as part of its 5-yearly electrical inspection and testing regime, carry out tests and replaces as necessary smoke alarms and heat detectors.

ECC Housing will ensure that an adequate number of smoke alarms are installed in all properties in accordance with statutory guidance.

8.9 Record Keeping

ECC Housing retains all records of the EICR certificates for a minimum of five years from the date of the certificate for all domestic and communal premises to ensure hard copies can be produced when required.

ECC Housing will establish and maintain a register for each of its premises of any electrical portable appliances and portable appliance testing (PAT) requirements.

ECC Housing will maintain accurate records of all EICRs, Minor Electrical Installation Works Certificates (MEIWCs), Electrical Installation Certificate (EIC) and Building Regulation Part P notifications associated with remedial works. Records will be retained for a minimum of 10 years to support audit, regulatory inspection and legal challenge.

The Appointed Electrical Contractor saves all electrical safety records including certificates electronically. The Appointed Electrical Contractor keeps accurate records of all their efforts to obtain access to carry out the 5 yearly electrical safety inspection and tests and all non-accesses and the dates and times that they were passed to ECC Housing. This will include records/copies of all letters, appointment cards, telephone calls etc.

Communications with residents regarding summary of investigations, activities during hazard rectification and investigation conclusions to be completed in adherence with Awaab's Law Requirements.

9. Practical Implications

9.1 General

- a) Responsibility for complying with the Electricity at Work Regulations 1989, The Electrical Safety Standards in the Code of Practice for the Management of Electrotechnical Care in Social Housing and the Provision and Use of Work Equipment Regulations 1998 and other relevant legislation rests with the 'Responsible Person'.
- b) If a council senior manager, Councillor, executive officer, committee, or panel directly or indirectly influences or changes this policy or supporting procedure then they will assume a proportionate amount of the Responsible Person status.
- c) If there is more than one Responsible Person in any type of premises (for example, a multi-occupied complex), all must take all reasonable steps to co-operate and co-ordinate with each other.
- d) The Health & Safety Executive (HSE) are the enforcing authority. They have powers to inspect premises, to serve a notice requiring alterations, to serve an enforcement notice requiring specific steps to be taken to remedy a breach of the Regulations and, in extreme circumstances, to serve a prohibition notice preventing the use of a specific property until steps have been taken to make it safe. Failure to comply with a notice is a criminal offence.
- e) If ECC Housing are not the employer, landlord, or premises manager/agent but have any control of premises which contain more than one workplace or common area, ECC-H are also responsible for ensuring that the requirements of the Code of Practice for the Management of Electrotechnical Care in Social Housing are complied with in those parts over which we have control.
- f) The Responsible Person must ensure EICRs are carried out. The EICR will help identify risks that can be removed or reduced and to decide the nature and extent of the general electrical safety precautions that need to be taken.

- g) The Responsible Person must provide for all safety measures identified by the EICR.
- h) The significant findings of every EICR shall be recorded.

10. Procedure

10.1 Electrical Safety Inspections

ECC Housing will operate in accordance with the ECC Housing Electrical Safety Inspections Procedure for all cyclical works and equipment inspections and tests.

10.2 Cyclical Works and Servicing of Electrical Equipment

ECC Housing will operate in accordance with the ECC Housing Cyclical Works and Servicing of Equipment Procedure for all cyclical works and equipment servicing, inspections and tests.

10.3 Emergency Repairs

ECC Housing will ensure all emergency repairs are conducted within stipulated timeframes to prevent damage and ensure stakeholder safety from risks in accordance with the ECC Housing Emergency Repairs Procedure.

11. External Auditing

Exeter City Council - Housing have procured an independent qualified and competent auditor to carry out audits on 5 – 10% of all electrical testing and/or works.

12. Monitoring and reviewing electrical safety controls

The Service Lead shall put a management system in place which shall ensure all aspects of this policy are monitored including but not limited to:

- a) Staff training
- b) Information provided to tenants
- c) Ensuring the most recent approved document is distributed electronically and available on the intranet

Compliance with statutory remedial timescales will be monitored through performance reporting, contractor assurance and management review. Any deviations will be escalated and investigated.

13. Equality and diversity

ECC Housing will ensure it adheres to both the Equality Act 2010 and Exeter City Council's Equality and Diversity Policy in the implementation of the Electrical Safety Policy and related activities.

ECC Housing will not discriminate against any tenant on the grounds of their race, ethnic origin, gender, sexuality, maternity, marital status, disability, age, religion, or class.

Please refer to the Exeter City Council's Equality and Diversity Policy for further information.

14. Data Protection

ECC Housing will comply with the principles of the Data Protection Act 2018 and to Exeter City Council's General Data Protection policy.

Together these govern how ECC Housing uses personal data received or obtained and stipulates that it will respect the rights and freedoms of those individuals when processing their details.