

Committee(s): Enforcement, Environment and Housing	Date: 5 July 2021
Subject: Electrical Safety Policy	Wards Affected: All
Report of: Tracey Lilley - Corporate Director (Housing and Community Safety)	Public
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Summary

In March 2019, Brentwood Borough Council were subject to a Health and Safety Executive (HSE) review into all compliance areas. As part of this review, the Council were found to be effectively managing the risk across all areas of compliance but had areas requiring improvement in relation to electrical safety.

The Housing Department began working alongside the HSE to improve the Council's compliance position, taking advice and guidance from them on what was required to improve the management of these areas of responsibility.

One main area of focus was the request to implement an electrical policy which would be available to the whole housing department.

Included as Appendix A to this report is the proposed policy.

Recommendation(s)

Members are asked to:

R1. To approve the Electrical Safety Policy included as Appendix A.

Main Report

Introduction and Background

1. The electrical safety policy details how the Council will 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.

2. The policy is relevant to all Council employees involved with the provision and maintenance of accommodation, 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. The policy should be used by all to ensure they understand the obligations placed upon the 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.
3. The Council will follow a systematic approach to the management of electrical work to ensure it meets the requirements set out in BS 7671 2008 Requirements for Electrical Installations IET Wiring Regulations 17th edition including all amendments and other relevant legislation relating to electrical safety. This is to ensure the safety of tenants, leaseholders, employees, contractors and members of the public.
4. This policy also covers the provision of temporary accommodation by the Council directly or through third parties.
5. The Policy will be reviewed on a regular basis and when required by changes to legislation.

Issue, Options and Analysis of Options

6. The Landlord and Tenant Act 1985 places duties on landlords to ensure that electrical installations in rented properties are: safe when a tenancy begins and maintained in a safe condition throughout the tenancy.
7. 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: 2008 states that electrical installations should be tested at intervals of no longer than 5 years from the previous inspection. Under legislation private sector landlords are expected to complete Electrical Certificate Inspection Reports (EICRs) every 5 years.
8. The Council will work towards ensuring that all domestic properties owned or managed have a valid EICR that is no older than 5 years from the date of the previous EICR.
9. The Council will deliver a comprehensive programme of testing and inspection of all domestic properties on a rolling 5-year cycle.
10. The 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.

11. The Council will ensure that only suitably competent NICEIC electrical contractors and engineers undertake electrical works.
12. The Council will test and replace as necessary smoke alarms and heat 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.
13. There will be robust processes in place to gain access to properties where tenant vulnerability issues are known or identified whilst ensuring timely access to any property in order to be compliant with this policy and safeguard the wellbeing of the tenant.

Reasons for Recommendation

14. To ensure that the Housing Department has documentation to support the delivery of electrical safety in buildings and residents homes, and to comply with the social housing regulator's expectations.

Consultation

15. Consultations have taken place with our third-party consultants GCS who have read the policy. GCS are directly employed with the Council and carry out a check on a proportion of the electrical safety element of the contract with Axis.

References to Corporate Plan

16. Drive continuous improvement of our housing services
17. Continue a service improvement programme to ensure our services are delivered efficiently.

Implications

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)
Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk

There are no direct financial implications from this report. It is expected that having the right policies and procedures in place will benefit the Council from making efficiency savings.

Legal Implications

Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer

Tel & Email: 01277 312500 / amanda.julian@brentwood.gov.uk

The Council will follow the legal process with regard to any applications to the Courts.

Economic Implications

Name/Title: Phil Drane, Corporate Director (Planning & Economy)

Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk

There are no direct economic implications.

Background Papers

There are no background papers to this report.

Appendices to this report

Appendix A: Electrical Safety Policy