

Issue details	
Title:	Electrical Safety Policy
Version number	Version 2.0
Officer responsible:	Corporate Lead for Property and Assets
Authorisation by:	Housing Review Board
Authorisation date:	November 2023

History of most recent Policy Changes – Must be completed			
Date	Page	Change	Origin of Change e.g (Change in legislation)
4 th August 2023	2	Legislation	
4 th August 2023	3	Policy principles	
4 th August 2023	4	No access	
4 th August 2023	5	Compliance remedial work	
4 th August 2023	5	Performance Management	
4 th August 2023	7	Policy administration	
2 nd December 2024	1	'Issue Details'	Structure change to reflect 'Officer Responsible'
2 nd December 2024	5	Section 3.7 - Compliance Remedial Work	Clearer detail of code descriptions
2 nd December 2024	7	Section 4.2 - Quality Assurance	Clearer detail of inspection regime
2 nd December 2024	7	Section 4.3 - Non-Compliance/ Escalation Process	Clearer detail on reporting of non compliance
2 nd December 2024	8	Section 4.9 - Code of Practice	Update of BS7671 version

1.0 Previous Policies/Strategies

Version 1

2.0 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.

3.0 What is the council's policy?

3.1 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.

3.2 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 Act 1974
- Environmental Protection Act 1990
- The Building Regulations for England and Wales (Part P)

3.3 Standards

- The Consumer Standards (Home Standard)

3.4 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

3.5 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

3.6 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.

3.6.1 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 may force entry where there is a proven need to ensure the tenant and other resident's immediate safety

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).

3.7 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 and code 2 defects identified by a periodic electrical installation inspection and test before leaving site after completing the inspection and testing works.

Any code 2 works which cannot be completed at the time of the inspection and test will be completed within a maximum of 28 working days and an EICR issued stating that the installation is in a satisfactory condition.

Code 3 (recommended improvement) typeworks will be referred back to the Council's programme manager for a decision.

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.

3.8 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.

3.9 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.

4.0 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.

4.1 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.

4.2 Quality Assurance

East Devon District Council will carry out 100 per cent desktop audits on the documentation using specialist compliancy software.

East Devon District Councils Electrical Compliancy team will carry out a minimum of 5% on site inspection of completed works

The Council will carry out an independent audit of electrical safety at least once every three years. This audit will specifically test for compliance with the regulation, legislation and codes of practice and identify any non-compliance issues for correction.

4.3 Non-Compliance/Escalation Process

The definition of non-compliance in relation to this policy refers to any incident which results in a potential breach of legislation or regulatory standard, or which causes or has the potential to cause a significant a risk to health or safety.

Any non-compliance issue identified at an operational level will be formally reported to the Corporate Lead for Property and Assets as part of the monthly reporting cycle.

Where necessary the Corporate Lead for Property and Assets will agree an appropriate course of corrective action with the relevant operational team(s) in order to address the non-compliance issue.

The Corporate Lead for Property and Assets will ensure timely reporting of non-compliance issues to the Assistant Director for Housing (Regulated Services) and the Executive Leadership Team, and where appropriate bring the issues and planned remedies to the attention of the Housing Review Board.

4.4 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.

4.5 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.

4.6 Policy Administration

4.6.1 Appendices and other relevant information

N/A

4.6.2 Links related Policies/Strategies, Procedures and Legislation

4.7 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)

4.8 Standards

- Consumer Standards (Home Standard)

4.9 Code of Practice

- IET Wiring Regulations British Standard 7671: 2018 Amendment 3
- 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

5.0 Data Protection

5.0.1 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/>)

5.2 Policy consultation

Involved Tenants & Housing Review Board

5.3 Policy review

September 2026 by the Corporate Lead for Property and Assets