



# **Electrical Safety Policy**

**Ref: AST-POL-13-04**

June 2023

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## 1. Policy Statement

- 1.1 The electrical safety policy details how Torus 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 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
- 1.2 The policy is relevant to all Torus employees, 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 Torus 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.
- 1.3 Torus owns and manages a range of Assets including Single Dwellings and Non-Domestic Assets. The key objective of this Policy is to describe how Torus will manage Electrical Safety Risk as far as is reasonably practicable. This includes:
- The identification of its specific responsibilities for each of its Assets.
  - The creation of an Electrical Safety Management Plan and associated staff training to provide guidance on the implementation of the commitments contained in this Policy.
  - The key activities (e.g., Electrical Installation Condition Reporting) that Torus undertakes.
  - Maintaining competent staff and contractors.
  - Communication internally and with customers and other stakeholders
  - How the Torus Board, as Duty Holder, will delegate responsibility for the implementation of this Policy, monitor its effectiveness and receive assurance of compliance.
- 1.4 The scope of this Policy includes Fixed Wire Testing; Portable Appliance Testing; Power-Operated (Automatic) Doors, Gates, and Barriers; and Lightning Protection Systems.
- 1.5 Torus will seek to comply with all current and relevant statutory obligations, including the following where applicable:
- The Electricity at Work Regulations 1989 (EAWR).
  - The Building Regulations 2010.
  - Landlord Tenant Act 1985.
  - The Housing Act 2004.
  - The current edition of the IET Wiring Regulations - BS7671.
  - The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

- 1.6 Torus takes the view that delivery of the commitments within this Policy will ensure that the requirements of other legislation, such as the Health and Safety at Work Act 1974 and Landlord Tenant Act 1985, will also be met.
- 1.7 In addition, Torus must meet the requirements of both the Regulator of Social Housing's (RSH) Home Standard and the requirements of the Care Quality Commission (CQC).
- 1.8 Our primary objective is to ensure that customers, contractors, staff, and visitors remain safe in our premises (both Domestic and Non-Domestic). Failure to properly discharge our legal responsibilities may also result in:
- Prosecution under the Health and Safety at Work Act 1974, or Corporate Manslaughter and Corporate Homicide Act 2007.
  - Regulatory intervention (via scrutiny and potential determination of a breach of the Home Standard and serious detriment having been caused/potentially caused) by the RSH or CQC.
  - Reputational damage.
  - Loss of confidence by stakeholders in the organisation.

## **2. Statement of Intent**

- 2.1 Torus acknowledges and accepts its responsibilities regarding 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.
- 2.2 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.
  - 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.
- 2.3 The key objectives of the policy are to establish:
- Electrical safety management principles
  - Approach to compliance remedial work

- Record keeping and data.
- Competent persons
- Training
- Audit procedure
- Non-compliance
- Electrical Safety Information

2.4 Torus will maintain an Electrical Safety Management Plan and associated Operational Guidance which shall:

- Provide additional guidance on how the commitments outlined within this Policy will be implemented.
- Provide clear lines of responsibility for the management of Electrical Safety.
- Set out key Operational Processes.
- Ensure that a clear and consistent process is in place to obtain access to Properties where this is required. This will include pro-active assessment of available data for relevant information about the customer to help gain access (disability, vulnerability, local connections, etc.). Tenancy enforcement action will be used where required.
- Maintain a process for dealing with unsafe situations.

2.5 All staff who have roles identified in the Electrical Safety Management Plan will receive associated training appropriate to their role.

### 3. Policy

3.1 In order to comply with statutory, legislative, and regulatory standards and obligations, and to ensure the safety of our customers, staff, contractors and other visitors to our properties, Torus will:

#### 3.2 Process

- Provide clear lines of responsibilities for the management of Electrical Safety, supported by written Guidance in the Electrical Safety Management Plan.
- Ensure that a clear and consistent process including front-line engagement and enforcement is in place to obtain access to Properties to conduct the Electrical periodical testing and any subsequent Remedial Works, which shall include legal action when required.

### 3.3 Delivery

#### Electrical Installation Periodic Inspection and Testing

- Torus will undertake suitable and sufficient EICRs (Electrical Installation Condition Reports) to all Assets containing a Fixed Electrical Installation which it is responsible for. Torus will seek to undertake EICRs prior to the date recommended by the Competent Person undertaking the previous test but, in any event, at intervals not exceeding 5 years.
- In addition to the cycle described above, all Domestic Electrical Installations are to be Inspected and Tested prior to letting. If a property remains unoccupied for a period exceeding 6 months following its last Test, a Competent Person will visually inspect the Installation and decide if a further EICR (Electrical Installation Condition Report) is required. A copy of EICR will be provided to the new Tenant/s prior to occupation.
- Torus will maintain an Electrical Testing Specification. This will establish the extent and limitations of Inspection and Testing and help to ensure that clear and consistent EICRs are produced.
- Whilst undertaking an EICR, Torus may identify Electrical Work that has been undertaken by the occupier. Where that work does not comply with the Wiring Regulations, Torus will take the appropriate action to remove or remedy it. The cost of doing so may be recovered from the resident.
- Maintain a clear, Staged Access Process to get access to Properties to undertake the activities described above. This shall include enforcement action when required. Torus will proactively assess available data for relevant information about the customer to help gain access (disability, vulnerability, local connections, etc.).
- Enforce resident responsibilities where required considering a balance of individual residents' rights with the need for effective, timely action where there is a risk to the safety of other residents.

### 3.4 Portable/Moveable Appliances

- Torus will manage the risk posed by Portable or Moveable Electrical Appliances used by employees for the purpose of their work or provided by Torus to residents (excluding Appliances gifted) by undertaking a reasonable combination of User Checks and combined Visual Inspection and Testing

### 3.5 Lightning Protection Systems

- Torus will Inspect and Test Lightning Protection Systems in accordance with the current edition of BS EN 62305:3 on an 11-month cycle to allow for Testing under varying climatic conditions

### 3.6 Power-Operated (Automatic) Gates, Barriers, and Pedestrian Doors

- Like most machinery, Power-Operated (Automatic) Gates, Barriers and Pedestrian Doors need to be maintained to remain safe. Torus will Inspect and Maintain Power-Operated (Automatic) Gates, Barriers, and Pedestrian Doors in accordance with regulatory and statutory requirements and considering Manufacturer's requirements. Frequencies and activities will be specific to the Equipment, but as a general guide:
  - Power-Operated (Automatic) Gates, Barriers and Pedestrian Doors will be inspected and maintained 6 monthly.
  - Powered-Doors will be inspected and maintained annually.

### 3.7 Remedial Actions

- All Remedial Work shall be carried out in accordance with the relevant British Standard, Approved Code/s of Practice or associated Good Practice Guidance.
- Torus 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.
- Torus will as a minimum make safe and/or where possible endeavour to 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 further remedial works to code 1 and 2 defects will be completed within 10 working days (except where a rewire is required) and an EICR will be issued stating that the installation is in a satisfactory condition.
- Torus will establish and implement programmes of electrical installation upgrading works to improve electrical installations, that have been identified as not meeting current standards but are in a satisfactory condition for the purposes of an EICR, up to a standard that meets all current requirements of BS7671.
- Torus will ensure there is a robust process in place to investigate and manage all RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) notices issued regarding electrical safety

### 3.8 Domestic Smoke/Heat Detection

- In accordance with the Torus Fire Safety Policy, Torus will undertake a Programme of Upgrading to Mains-Powered with Standby Battery Systems across all Dwellings over the next 5 years as part of the Domestic EICR Programme. The operation of existing Mains-



Wired Smoke/Heat Detection will be checked during an EICR and any defective or expired Detectors (including those likely to expire within the next 5 years) will be replaced.

### 3.9 Repairs, Maintenance and Planned Works

There is a risk that Repairs and Maintenance activity unwittingly impacts Electrical Safety. Owing to the volume and nature of Repairs Works it is not practicable to undertake specific Risk Assessments of all jobs. Torus will manage this risk by ensuring that R&M (Repairs & Maintenance) contractors (internal and external) have a general awareness of Electrical Safety in order to inform Dynamic Risk Assessment when undertaking Responsive Repairs. Electrical Repairs will be carried out by a Competent Person and in accordance with the relevant British Standard, Approved Code/s of Practice or associated Good Practice Guidance.

- Torus will ensure that it has suitable evidence of compliance with regulations including:
  - Electrical Installation Certificate (EIC) on completion of any new, addition or alteration to an Electrical Installation.
  - Minor Works Electrical Installation Certificate (MWEIC) – for an addition or alteration that does not extend to a new circuit.

### 3.10 Planned and Major Works Programmes

- Ensure anyone appointed to undertake Design or Construction Activities can demonstrate the necessary competence to discharge their responsibilities relating to Electrical Safety.
- Ensure that any property undertaking planned and major works has valid compliance certification in place including a valid EICR within a 5-year period.
- Request reasonable assurance that Duty Holders have demonstrated that resident safety can be assured during the Works.
- Request reasonable assurance that Duty Holders have complied with the Building Regulations in relation to Electrical Installations where required
- Request reasonable assurance that there is an appropriate Site Inspection and Sign-Off Programme in place for the stages of the Work.

### 3.11 Construction

There are detailed requirements on Torus as a Client during construction projects and these are considered elsewhere. However, in general Torus will ensure:

- It co-operates and shares information with stakeholders at key stages prior to, and during, construction,
- Torus will ensure that the people it employs are competent to do the work they are undertaking.

- Torus will ensure compliance with the Building Regulations and specific regulatory requirements imposed upon it.
- Torus will ensure that appropriate approvals are in place and that all information is handed over to all relevant parties (such as Housing Management or other operational colleagues) prior to any occupation.

### 3.12 Resident Commissioned Works

- Torus will maintain a consent process for any Resident Commissioned Works. Approval will not be unreasonably withheld, although consent may be refused, or conditions imposed where appropriate.
- Where unauthorised Work with the potential to impact Electrical Safety is discovered, Torus will take the appropriate action to remove or remedy. The cost of doing so may be recovered from the resident.

### 3.13 Additional Safety Measures

- Torus will implement a risk-based approach to the Periodic Inspection of Communal Areas to ensure areas containing Electrical Equipment are locked and no visible signs of vandalism or damage exist.

### 3.14 Contractors Competency

- Torus will ensure that only suitably competent NICEIC (National Inspection Council for Electrical Installation Contracting) 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.

Torus 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.

### 3.15 Internal Competency

- Torus will ensure that the manager(s) with lead responsibility for operational delivery is appropriately qualified holding a recognised safety management qualification.
- Maintain a Skills/Training Matrix to ensure that all staff undertaking key roles within the scope of this Policy have appropriate training.

### 3.16 Record keeping and data.

- Torus will 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.
- The core assets register will indicate both where it does and does not have a responsibility for: Fixed Wire Testing; Portable Appliance Testing; Power-Operated (Automatic) Doors, Gates, and Barriers; and Lightning Protection Systems.
- Torus 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.
- Torus 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.
- Torus will maintain current and up to date, reportable and auditable records of Remedial works arising from the EICRs or any other electrical Safety- related Inspection or Testing.

### 3.17 Assurance

- Internal checking independent of the Operational Teams to provide additional assurance around the accuracy of data and reporting. The approach will be documented within the Data Management Protocol and will include sample testing of the accuracy of data and the operation of controls.
- Performance Indicators (PIs) and Key Performance Indicators (KPIs) will be reported to the Executive Team or Board at the frequencies outlined within the Electrical Safety Management Plan. These PIs or KPIs will be reviewed periodically by the Asset Compliance Team and additional/ amended measures may be recommended. A detailed PI (Performance Indicators) and KPI (Key Performance Indicators) suite will be defined within the Management Plans.
- Internal Audit to provide independent assurance on the operation and effectiveness of controls. Frequency agreed as part of the Internal Audit Programme and reported to Audit and Risk Committee.

- Works-based Quality Assurance/Quality Control (QA/QC) to test the quality of work delivered. This will be at levels detailed within the Electrical Safety Management Plan

### 3.18 Communication

Torus will encourage Electrical Safety by the following actions:

- Periodically inform residents of the importance of Electrical Safety, through the provision of information via website, newsletters, leaflets, and information at New Tenancy Sign-Up.
- Maintain a clear approach to gaining access to carry out works and be clear that enforcement action may be taken when it is necessary to do so.
- Maintain a clear Complaints Process and monitor and record complaints that indicate a risk to Safety.

Torus will communicate key Electrical Safety advice to staff through Induction and refresher Health and Safety training.

## 4. Implementation

- 4.1 This Policy will be effective from June 2023 following Board/Council/Cabinet approval.
- 4.2 Staff will be made aware of the Policy at priority training and a copy will be available on the Intranet. The Policy will also be uploaded to the Torus website.
- 4.3 This Policy should also be read in conjunction with the Torus Compliance Over-arching Strategy and Electrical Safety Management Plan.
- 4.4 Appropriate training will be provided for all those staff involved with the operational delivery and implementation of the Landlord Compliance requirements and obligations in respect to Electrical Safety detailed within this Policy.

## 5. Consultation

- 5.1 This Policy is based on legislative and regulatory requirements and as such consultation with customers has not taken place. There has been consultation with Teams within Torus.

## 6. Equality Impact Assessment

6.1 We believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including, nationality, ethnic or national origins), religion, belief or non-belief, sex, or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.

## 7. Policy Review

7.1 The Policy will be reviewed upon any change to legislation or major guidance documentation, and at least every 12 months (or earlier if deemed necessary through the Monitoring and Assurance Process).

## 8. Amendment Log/Version Control

<b>Date of Revision:</b>	<b>Record of Amendments:</b>	<b>Reason for Revision:</b>	<b>By Whom: Name and Title</b>