



Catalyst Response to:

Supporting the Social Rented Sector in ensuring electrical safety for tenants.

A policy consultation paper from Electrical Safety First

Catalyst is one of the UK's leading housing associations, owning and managing over 32,000 homes housing over 65,000 customers in London and the South East. We are a member of the G15 group of large London housing associations and Build East group of large developing housing associations in the East of England.

We are delighted to have the opportunity to provide a response to this consultation on electrical safety arrangements in the social rented sector.

If you have any questions or require further information on this response, please contact David Flindall, Policy Manager at david.flindall@chg.org.uk.

Introduction

We support introducing guidance that fixed wire electrical installation testing should be undertaken in all rented properties every five years and before tenants move in. We feel that the social rented sector has a duty to provide well maintained, safe homes and that we should follow the same standards as apply to privately rented homes.

We wouldn't support making testing mandatory in our general needs homes. We consider that the social rented sector has a mature understanding of its duties to its tenants and doesn't need further regulation to provide safe, secure housing for them.

Answers to Electrical Safety First Consultation questions:

1. Does your organisation undertake regular electrical safety checks in social housing you manage or own? If so, what do they comprise and how often are they carried out?

Our current approach to electrical testing includes:

- Working to a five-year programme for testing electrical installations in our rented housing
- Undertaking portable appliance (PAT) testing in all offices and the shared communal areas of our tenants' homes every year

- Complying with requirements in houses in multiple occupation (HMOs), including undertaking electrical safety tests every five years and testing appliances that we supply every year.

2. With your experience of the SRS what is your general opinion of the standard of electrical safety in the SRS?

We think the standard of electrical safety is generally high in the social rented sector.

We are responsible landlords, driven by a social purpose to provide safe, secure housing to those in need. We feel that for providers of socially rented housing this is a sufficient incentive to provide and maintain homes to a high standard for our tenants.

In addition, buildings insurance already requires us to follow best practice, which we are happy to comply with as it fits to our social purpose.

The Regulator of Social Housing's Home Standard also requires us to achieve and maintain good standards and meet all our health and safety requirements (including electrical testing). Failure to demonstrate that we are compliant with this standard can lead to censure by the Regulator and downgrading under the Governance Standard, which can lead to reputational and financial damage.

3. Has the Grenfell tragedy had a direct impact in the way you approach your electrical safety checks

No, we started our current programme to carry our installation tests on a five-yearly cycle, annual PAT testing and maintain compliance with HMO requirements before the Grenfell tragedy.

4. Has the Grenfell tragedy led to increased pressures on the SRS and if so what are they?

The Grenfell tragedy has not affected our compliance with our own electrical safety programme. We decided to continue maintaining and improving safety of our new and existing homes and identified additional resources to meet the increased focus on fire safety following Grenfell.

We are now required to undertake significant works to resolve issues linked to cladding. In addition, it has led to a new regulatory regime for tall buildings changing fire safety requirements in our existing stock. As a result of this, we are undertaking a significant amount of investigatory and surveying work. This work involves significant resources and is likely to lead to further improvement and remediation work.

5. What are the most common defects and observations that arise from electrical safety inspections?

We rarely have problems that are more serious than advisory issues (C3s).

The most common defects we find involve installations that were compliant when they were installed but are not compliant with modern regulations. Issues include RCD protection and plastic rather than metal consumer units. Our electrical safety programme includes bringing homes up to modern standards.

6. Is there a greater need for more frequent electrical safety checks due to the increased demands now placed on electrical installations.

We think aligning requirements with the five-year inspection cycle in the private rented sector would be sufficient. Modern systems tend to be safer and as systems that comply with the latest standards are installed in our tenants' homes, we think it may be possible to test less frequently.

We recognise that a number of fires are caused by electricity. However, we feel that the danger is more likely to involve appliances, as was the case in Grenfell, than fixed wire installations. We believe that our low-income tenants are often only able to afford the cheapest, sometimes dangerous appliances. We already provide good quality compliant appliances, where it is our responsibility to do so, and offer grants for new tenants, who meet our need criteria, but cannot afford to provide appliances or grants for all our new or existing tenants.

We would welcome increased regulation or voluntary schemes to improve the safety of appliances. This would enable our tenants to benefit from safer, more efficient modern appliances, reducing the risk of fire and improving health and safety for all our residents.

7. Would your organisation support mandatory five yearly electrical safety checks being introduced in the SRS, mirroring those now being introduced in the PRS.

We wouldn't support making five yearly checks mandatory. We consider that current legislation is effectively mandatory, as failure to comply could lead to legal or regulatory enforcement action and make our housing uninsurable.

We believe that SRS landlords are responsible landlords and that any requirement to undertake more work could affect our ability to maintain our tenants' homes to a high standard and build more, much needed, affordable housing. We have limited resources, and these are already stretched by increased requirements following the Grenfell tragedy.

8. What are your experiences of funding for maintaining electrical safety in your housing stock?

We have maintained funding for electrical testing. We are keeping to our five-year electrical testing programme.

9. Do you think that there is an appetite for some kind of ring fencing for electrical safety maintenance?

We are maintaining funding to make sure we keep to our health and safety commitments.

10. Should electrical safety checks in the SRS have the same parity as gas checks?

We feel that it is important to maintain a hierarchy of priority. Enforcement should be proportionate to the risks involved. Gas safety, in our view, represents a higher risk to tenants and so should receive a higher priority and greater focus.

Gas is inherently more dangerous than electricity. Carbon monoxide is a necessary by-product of using gas to heat homes and is a silent killer, often undetectable for those living with it. We feel that there is a greater danger of death from un-serviced or poorly serviced gas safety installations, ventilation and flues than issues associated with fixed wiring.

11. What are your experiences of accessing properties to undertake electrical safety checks? What is your assessment of compliance rates?

Our experience is that it can be difficult to get access for electrical tests as tenants don't see the benefit from them. In addition, tenants may fear that if we discover a problem new wiring will require trunking, which is generally unpopular, making it less likely that they will welcome electrical checks on their wiring.

We have less problems with gas safety checks, as these are normally undertaken with a service of the boiler, or other gas appliances, so tenants have an immediate benefit. In addition, boiler replacement is generally popular as newer, more efficient heating systems are installed.

Our compliance rates are high, at 86%, in the context of our moving to a five-year programme and access issues associated with the current pandemic.

12. Do you think that mandating electrical safety checks would help to make gaining access to a property easier?

We already approach electrical testing as if it was mandatory so don't believe that mandating electrical safety checks would improve access. We feel that the responsibility would be mandated to us but not to our tenants, who would continue to be reluctant to give us access for the reasons set out above (in the answer to question 11).

The sector already has significant problems gaining injunctions and court orders for gas safety inspections, which are mandated. As mentioned in our answer to 10 (above), we believe that there should be a hierarchy of priority linked to risk. We feel that mandating electrical checks may lead to unintended consequences, such as making it harder for us to gain access for gas safety works.

We believe that there may be a case for a new pre-action protocol that makes it easier to gain access for all necessary health and safety work within clear judicial expectations.

13. In your experience, has it been easier to gain access to carry out maintenance work as opposed to trying to gain access for electrical safety checks?

Yes, where there is a problem tenants are incentivised to give us access in order to resolve their problem.

14. Are there any other comments your organisation would like to add with regards to the potential for mandatory electrical safety checks in the SRS?

We would not support a move that would increase prescriptive regulation in the social rented sector. We feel that it's the sign of a mature sector that regulation is reactive.

If electrical requirements are brought into line with the private rented sector and made mandatory, we will need greater powers to gain access. Tenancies in the social rented sector tend to be for life, which means SRS landlords are unlikely to have the option to undertake electrical testing between tenancies.