

---

# NORTH AYRSHIRE COUNCIL

25 January 2022

## Cabinet

---

**Title:** Electrical Safety Testing / Smoke Detection Compliance (Housing)

**Purpose:** To update Cabinet on the current position regarding statutory electrical testing and smoke detection compliance in our housing property portfolio.

**Recommendation:** That Cabinet (i) notes the progress to date; and (ii) approves the proposal to progress with extending the existing Access and Refusal policy to include electrical testing and smoke detection installations.

---

### 1. Executive Summary

- 1.1 North Ayrshire Council, as a Social Housing Landlord, has a legal duty to ensure that its rental property is safe before a tenancy begins and throughout its duration.
- 1.2 The requirement for tenants to permit access for maintenance and statutory compliance matters is part of their standard tenancy agreement. The Council has an existing Access and Refusal Policy, to ensure access can be gained when tenants do not comply with this requirement. The majority of cases where this policy is implemented has till now related to gas safety.
- 1.3 Following the Grenfell fire in 2017, building safety has continued to be a significant area of focus for regulatory bodies. The frequency for the testing of fixed electrical systems in a property became a legislative requirement in April 2020. The period required between inspections also reduced from 10 years to 5 years at that time. In addition, the requirement for the installation of interlinked smoke detection equipment will become a statutory requirement from February 2022 onwards in all our homes.
- 1.4 Inspection programmes and installation works have commenced, however, unfortunately, the roll out of both programmes of work has been significantly hindered by the number of tenants failing to permit access to undertake the work. This therefore has necessitated the requirement to now implement the Access & Refusal Policy to ensure we achieve compliance and that our homes are safe and secure for our tenants. In implementing the access process, everyone involved will strictly adhere to all COVID-19 rules and regulations to ensure the safety of tenants and their staff.

## **2. Background**

- 2.1 As a Social Housing Landlord, North Ayrshire Council has a legal duty to ensure that its rental property is safe before a tenancy begins and throughout its duration.
- 2.2 The requirement for tenants to permit access for maintenance and statutory compliance matters is part of their standard tenancy agreement. The Council has an existing Access and Refusal Policy, to ensure access can be gained when tenants do not comply with this requirement. The majority of cases where this policy is implemented at present relate to gas safety.

### **Periodic Testing of Electrical Installations**

- 2.3 The frequency for the testing of fixed electrical systems in a property became a legislative requirement in April 2020. The period required between inspections also reduced from 10 years to 5 years at that time. To achieve the Scottish Housing Quality Standard (SHQS), every property must have an electrical safety check every five years as set out in BS 7671 : Requirements for Electrical Installations. All outstanding electrical safety inspections should be carried out by the end of March 2022.
- 2.4 The change in frequency of inspections has resulted in circa 8,000 houses requiring an inspection prior to the end of March 2022. Under the current contract for electrical testing, Property Management & Investment instructed an additional 2,215 properties for inspection over and above the initial 800 programmed for this financial year. The remaining additional addresses were then incorporated as part of a new tender, resulting in another two contracts being awarded to assist in achieving the target date of March 2022 for the remaining properties.
- 2.5 Testing of electrical installations was suspended in March 2020 due to COVID-19 and recommenced during April 2021, following the lifting of restrictions. This has had an impact on programme delivery, resulting in a significant backlog.
- 2.6 The access rate for electrical testing consistently presents an issue due to being more intrusive than a gas safety check, as access is required to every room and every socket. As there was a ten-year recommended testing period, access was generally achieved at some point and specifically during the void process as a new electrical safety certificate is required prior to re-letting a property. The current access rate is 48% and the contractor has gained access to 384 properties since April 2021.

### **Installation of Interlinked Smoke Detection Systems**

- 2.7 New Fire Alarm Standards will come into force from February 2022 under the Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criterion) Order 2019. This legislation has been introduced following the Grenfell fire in 2017, and it applies to all Scottish homes. All homes will need to have one smoke alarm in the most frequently used room, one in every circulation space on each storey and a heat alarm in each kitchen. Alarms should be ceiling mounted and interlinked. Where there is a carbon-

fuelled appliance, such as a boiler, fire or flue, a carbon monoxide detector is also required, although this does not need to be linked to the fire alarms.

- 2.8 North Ayrshire Council's Building Services successfully completed over 8,000 of the new installations during 2019/20. However, there was a number of no accesses (circa 1,500 addresses) which are now being attended to by Property Management & Investment working alongside our gas maintenance contractor to gain access to carry out the required works. Unfortunately, there is currently a high no-access rate of 68%.

### **Current use of Access & Refusal Policy**

- 2.9 To achieve gas safety compliance and to ensure tenants' safety, officers implement the approved Access & Refusal Policy. This process is well established and only commences following three failed attempts by our contractor to gain access. The process consists of PMI writing to a tenant over three escalation stages, each giving the opportunity to arrange an appointment. Failing that, visits are arranged with the contractor, a locksmith and one of our Tenant Liaison Officers to gain access.
- 2.10 Using gas safety compliance as an example, when tenants are issued with their first letter to request access (referred to as an X1) a significant number make contact to arrange an appointment. It is anticipated that uptake will be similar for the electrical safety inspections and installation of the smoke detection equipment.
- 2.11 Alongside information provided by the contractor, Property Management & Investment have compiled a property list of addresses where no access has been granted and have all the documentation, administration processes and resources in place to commence the Access & Refusal process as necessary.
- 2.12 Property Management & Investment officers will ensure that the contractor and everyone else involved in the process will adhere to all COVID-19 rules and regulation to ensure the safety of the tenants and their staff.

### **3. Proposals**

- 3.1 That Cabinet approves the proposal to implement North Ayrshire Council's Access & Refusal Policy to allow the completion of the Electrical Testing and Smoke Detection programmes outlined in the report.

### **4. Implications/Socio-economic Duty**

#### **Financial**

- 4.1 Additional investment has been secured for this work through the Housing Revenue Account (HRA) using £400k earmarked from underspends from the 2020/21 financial year.

#### **Human Resources**

- 4.2 The programme will be delivered using existing resources and expertise within Property Management & Investment's Gas Compliance team.

## **Legal**

- 4.3 Legal Services' review has confirmed this proposal is fully aligned to North Ayrshire Council's Access & Refusal Policy.

## **Equality/Socio-economic**

- 4.4 None.

## **Environmental and Sustainability**

- 4.5 Carrying out electrical safety inspections more frequently and installing the new smoke detection equipment ensures that our houses are safe and efficient for our tenants' use.

## **Key Priorities**

- 4.6 The proposal supports the Council Plan strategic priority to create an attractive environment and supports the use of Council assets to be efficient, maximise resources and provide value for money.

## **Community Wealth Building**

- 4.7 This proposal is aligned to the Council's Community Wealth Building 'Land and Assets' pillar by providing tenants with a safe home environment.

## **5. Consultation**

- 5.1 Consultation with Democratic Services (Legal) and Finance (Financial Services/ Procurement) was undertaken in the preparation of this report.

RUSSELL McCUTCHEON  
Executive Director (Place)

For further information please contact **Yvonne Baulk, Head of Physical Environment**, on **01294 324542**.

## **Background Papers**

0