

The private rented sector is currently the second largest housing tenure, accounting for one-in-five homes in England alone.

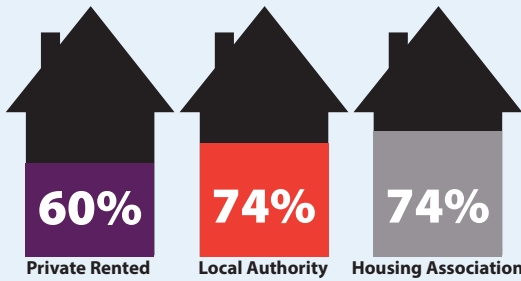
Historically, there has been no requirement for private landlords in England and Wales to arrange for regular electrical safety checks to be carried out, but the Government announced in July 2018 that they will introduce a mandatory requirement on landlords in the private rented sector to ensure electrical installations in their properties are inspected every 5 years in England. This is in line with the requirement in Scotland.

This change in policy can only be successful if electrical installation checks are carried out to the required standard, and are appropriately documented.



Risk

Installation of the 5 Recommended Electrical Safety Features



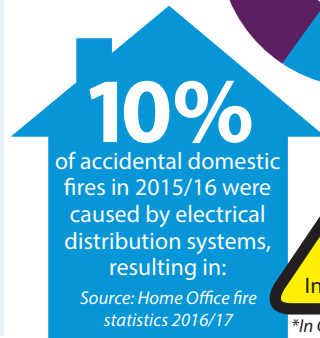
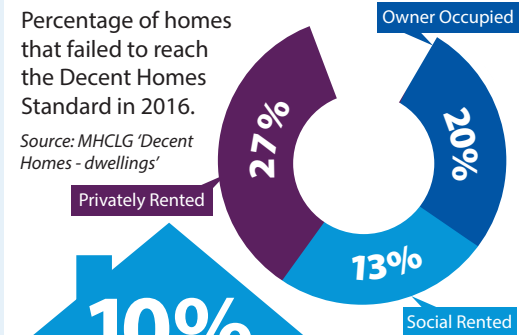
- 1 Modern PVC wiring
- 2 Modern earthing
- 3 Modern consumer units
- 4 Miniature circuit breakers
- 5 Residual Current Devices

Source: MHCLG 'Disrepair and Electrics' statistics, 2016

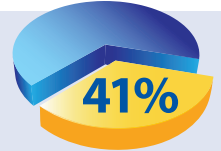
Decent Homes Standard

Percentage of homes that failed to reach the Decent Homes Standard in 2016.

Source: MHCLG 'Decent Homes - dwellings'



Over 41% of NAPIT Trade Association members see more serious electrical hazards in private rented homes than any other form of tenure.



NAPIT | trade association

Comparison

If a rented property has a gas appliance, an annual gas safety test certificate, carried out by a registered engineer, is a mandatory requirement before letting is permitted.



If it has a solid fuel burning appliance, a carbon monoxide alarm is required and must be tested every year in England.

A smoke alarm on each storey of the house, tested every year, is also a legal requirement in England.



Issue

The Government's announcement of the introduction of a mandatory requirement on landlords in the private rented sector to ensure electrical installations in their properties are inspected contained little detail. Whilst it did say that these inspections should take place every five years, there was no clarity on:

- what type of electrical inspection should be carried out
- who should carry out the inspection
- what documentation would be required to prove that adequate inspection had taken place.



The Landlord and Tenant Act 1985 (England and Wales) provides no further information on this, simply saying that there is "implied a covenant by the lessor to keep in repair and proper working order the installations in the dwelling/ house for the supply of water, gas and electricity".

Solution

We suggest that the electrical inspection should be in the form of an Electrical Installation Condition Report (EICR) carried out by a competent registered installer with experience and knowledge in electrical inspecting and testing. The electrical inspector should be regularly assessed onsite by a UKAS-accredited Certification Body to verify their continued competence and should be employed by a company which has at least £250,000 Professional Indemnity insurance. The EICR should be supported by a Routine Visual and Operational Check of the electrical installation carried out annually or at change of occupancy. This can be carried out by the landlord or a responsible person, to ensure ongoing electrical safety between formal inspections, as recommended in the IET's Guidance Note 3, table 3.2.



Implementation

- 1 Utilise the Electrical Safety Clause (122) within the Housing and Planning Act 2016 (England), which gives the Government the powers to introduce Electrical Safety Standards within the Private Rented Sector through secondary legislation in England, to:
 - a) Ensure that the inspections of electrical installations which are carried out every five years are documented in the form of an Electrical Installation Condition Report.
 - b) Ensure that the person carrying out this inspection is a competent registered installer with experience and knowledge in electrical inspecting and testing. This inspector should be regularly assessed onsite by a UKAS-accredited Certification Body to verify their continued competence and should be employed by a company which has at least £250,000 Professional Indemnity insurance.
 - c) Ensure that a report can be obtained from the person conducting the test, specifying the results.
- 2 Require a Routine Visual and Operational Check of the electrical installation is carried out by the landlord or responsible person, annually or at change of occupancy, to ensure ongoing electrical safety between formal inspections.



The above implementation proposal should be adopted in both England and Wales. Scotland already requires an EICR to be completed in all privately rented homes at least every 5 years.