

Electrical Policy



Last Review

July 2024

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<p>Relevant Legislation</p>	<ul style="list-style-type: none"> • The Management of Health and Safety at Work Regulations 2006. • Health and Safety at Work Act 1974. • Housing Act 2004. • Housing Health and Safety Rating System (HHSRS). • Electricity at Work Regulations 1989. • Electrical Installation Regulations BS 7671 (as amended) 2018. • IET Guidance Notes - 18th Edition. • BS: 7671:2018 Requirements for Electrical Installations. • Social Housing Act 2023 • Regulator of Social Housing - Consumer Standards April 2024
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1.0 Purpose of the Policy

This policy details CCDC's approach to managing electrical safety and maintaining fixed, and where applicable, portable, electrical installations in the Housing Revenue Account stock holding.

The policy will establish the actions CCDC will take to deliver a periodic electrical inspection regime in line with the recommendations set out in BS: 7671:2018.

Requirements for Electrical Installations (the British Standard) and the IET Guidance Notes 3: Inspection and Testing (the Guidance Notes). It will also outline CCDC's approach to undertaking Portable Appliance Testing (PAT) in line with IET Code of Practice for Inservice Inspection and Testing of Electrical Equipment and also maintenance of Lightning Protection Systems (LPS) in accordance with British Standard 6305.

This policy aims to demonstrate that CCDC takes all reasonable and practical steps to eliminate, minimise and manage risks of electrical hazards to its residents and properties and to ensure that CCDC meets all its obligations in respect of electrical safety, in particular with regards to the British Standard and the Guidance Notes.

2.0 Scope of Policy

This policy is applicable to all fixed electrical installations within all residential buildings and communal areas of residential and commercial properties that CCDC has a defined maintenance and repair responsibility for. For clarity all properties include those held in the HRA now and in the future including residential dwellings, common areas of houses of multiple occupation, specialised housing such as sheltered, retirement living, supported housing, offices, and shop premises.

In addition, the policy will outline CCDC's approach to undertaking Portable Appliance Testing (PAT) on appliances provided by CCDC for use by employees, residents and visitors relating to the residential accommodation. It will also outline CCDC's requirements to maintain Lightning Protection Systems (LPS) where present.

Where buildings and properties are managed by third parties or are let under leases (e.g., CCDC office accommodation, Agency Managed Supported Schemes, commercial property including shops) the maintenance of the fixed electrical installations, appliances and LPSs will fall under the scope of this policy so far as the CCDC responsibilities detailed in the terms of the management and lease agreements.

3.0 Definitions

Periodic Electrical Inspection – an inspection of the condition of an existing electrical installation, to identify any deficiencies against the current national standard for electrical installations.

Portable Appliance Testing (PAT) – the process of checking electrical appliances for safety through a series of visual inspections and electronic tests.

Lightning Protection Systems (LPS) – a system of external earthing and internal surge protection designed to prevent lightning strike damage to buildings.

Electrical Installation Condition Report (EICR) – a formal document produced following a periodic electrical inspection which evidences the condition of the electrical installation.

Electrical Installation Certificate (EIC) – a safety certificate issued to confirm that a new electrical installation or addition is safe to use at the time it was put into service, this will be accompanied with a Part P Certificate.

National Inspection Council Electrical Installation Contractors (NICEIC) – a voluntary body that regulates the training and works of electrical contractors and organisations across the UK.

4.0 Consultation

Consultation has taken place with the following. Their feedback has been considered and the policy update:

- Resident Engagement Focus Group
- Senior Electrical Officer and electrical compliance team
- Tenancy Service Manager, Chief internal Auditor & Risk Manager, Housing Maintenance Manager
- Senior Leadership Team
- External Consultants

The Equality and Diversity Impact Assessment has been undertaken and shared as part of the consultation process.

5.0 Background and Context

Fixed electrical installations should be regularly tested and inspected as they can deteriorate due to a number of factors such as damage, wear, tear, corrosion, excessive loading, aging, and environmental issues. There may also be incidences of unauthorised electrical alteration being carried out by, or on behalf of the resident. Unsatisfactory electrical installations could lead to hazards such as fire and electrical shock. They should therefore be tested and inspected at regular intervals to check whether they remain in satisfactory condition for continued use.

In order to manage the risks resulting from the exposure to unsafe electrical installations and equipment Landlords should implement and maintain a periodic fixed electrical installation inspection regime which results in the issue of an Electrical Installation Condition Report (EICR).

CCDC's duties in relation to the completion of EICRs include:

- The frequency of testing should be in line with British Standard and the Guidance Notes, which states that the maximum period between testing should be no longer than 5 years and for domestic dwellings should also be carried out at every change of occupancy.
- To have robust processes in place to ensure a full and accurate record of all electrical installations requiring testing, together with the last test date and next test due date.
- Where completion of an EICR requires access to a resident's home, CCDC formal access procedure is to be followed to gain access, evidencing that all reasonable and practical steps have been made to complete the test.
- Upon completion of a fixed electrical installation test an EICR should be produced as evidence of the inspection and to confirm that the installation is in Satisfactory condition. The EICR should state the testing electricians' recommendation as to when the installation should be next inspected, up to an interval of no more than 5 years. They should make this decision based on their assessment of the overall condition of the electrical installation.
- In some instances, the electrician may identify defects with electrical installation. Defects should be classified by the electrician as one of the following and they will detail within the EICR their recommended rectification:
 - Classification code C1 - Danger present. Risk of injury. Immediate remedial action required. EICR will state that the installation is Unsatisfactory.
 - Classification code C2 - Potentially dangerous. - Urgent remedial action required - EICR will state the installation to be Unsatisfactory.
 - Classification code C3 - Improvement required. - EICR will state the installation to be Satisfactory.

- CCDC documented procedures will be followed as to how each classification of defect will be managed. These procedures should also detail the requirements for the re-issue of testing paperwork following completion of rectification works, including those instances where a partial or full new installation is required or provided as part of improvement works (e.g., Kitchen replacement programme). CCDC should also ensure complete and accurate evidence is retained of testing and of any remedial works carried out.

- Electrical testing and remedial works should only be carried out by suitably qualified and competent electricians. CCDC should ensure processes are in place to verify that only appropriately qualified and accredited electricians and businesses are carrying out works to their properties. This should be supported by a framework of ongoing quality assurance and performance management arrangements.

In addition to managing the risk of fixed electrical installations CCDC should also consider the risk from “portable” appliances such as white goods and ICT equipment. The IET Code of Practice for In-service Inspection and Testing of Electrical Equipment provides guidance on the approach to PAT.

Some CCDC buildings may have a Lightning Protection System installed and where these are present there is a requirement for them to be maintained in accordance with BS EN 6305.

6.0 Policy Detail

The following section details the actions taken and measures that are in place to ensure fixed and portable electrical installations are appropriately tested and maintained.

These actions and measures demonstrate CCDCs commitment to ensuring a safe environment within which our residents can live and within which our staff can work, as well as satisfying our obligations under British Standards industry guidance.

The Electrical Safety Policy will be supported by an Electrical Safety Procedure.

Access Procedure

Where access is required to a residential dwelling to carry out an EICR this will be managed in line with a documented access procedure as set out in appendix 1. The aim of which is to ensure that most properties are accessed within no more than 3 attempts/before we reach 30 days until expiry. The procedure will allow sufficient flexibility to accommodate resident requests and circumstances. There will be instances where access is not gained within 3 attempts/ before 30 days until expiry, if after further Housing Management intervention access is still not gained, it may be necessary to take more formal action to gain access. This may include:

- Use of injunctions secured for access to premises for gas or other tenancy requirements.
- Access to the property carried out under clause 3.33 of the tenancy agreement.
- Isolating the electrical supply at the external meter.

The above should only be considered once all other attempts and options have been exhausted. In all cases approval to proceed with any of the above must be obtained by the Assistant Manager Compliance and in their absence Assistant Manager Assets or senior line management in the Housing Property Services or Maintenance Service This request for approval will be supported by a full chronology of all access attempts and a declaration of any known resident vulnerabilities. Residents will be notified in writing before the above action is enacted.

Isolating the electrical supply at the external meter is used as last resort. This method is only used where it is believed a property has been abandoned or there is reason to believe the electrical installation may be unsafe.

Access attempts will start approximately 8 weeks ahead of the due date to ensure that all reasonable and practical efforts have been made to complete the test before the due date, with a full and detailed audit trail maintained.

Access efforts will include appointment letters, phone calls and property visits by the contractor and their Tenant Liaison / other such Officer, with further support from Housing Management if required. The procedure should allow sufficient flexibility to accommodate customer requests and circumstances.

The access procedure will largely mirror the gas access procedure however CCDC do initiate formal action to gain access for EICRs (e.g., injunction application, or entry via the tenancy agreement) but will rely on successful injunction secured for gas or other Tenancy access issues on previous occasions.

For those buildings where an EICR is required to be carried out to the electrical installation within the communal areas access is not required to individual properties however orders will be issued to contractor to allow sufficient time for the completion of the EICR ahead of the certificate expiry date, with support from the Compliance Team and on-site staff to ensure access is gained to all necessary areas.

Defects

Where a test deems that the electrical installation is not satisfactory then timely action should be taken to bring the installation up to a satisfactory standard, with every effort made to ensure all necessary work is completed before the current EICR expiry date.

Testing defects will be classified by the electrician as one of three classifications and CCDC will instruct contractors to manage defects as per below:

- **Classification code C1: *Danger present/ Risk of injury*** - Immediate remedial action should be undertaken to rectify the defect at the time of the inspection. If it is not possible for the electrician to complete the work and deem the electrical installation to be in a safe condition, the electrician should seek to isolate the parts of any circuit, which is deemed unsafe and report the findings to CCDC immediately.
- **Classification code C2 - *Potentially dangerous.*** - Urgent remedial action should be undertaken. Where possible this will be done at the time of the inspection however if this is not possible the contractor should ensure the work is completed within 7 days.
- **Classification code C3 - *Improvement required.*** – These pose no risk to the electrical installation but are improvements that could be made to bring the installation in line with current standards. CCDC will specify certain code 3 faults that the contractor should address within 20 days of the test, all others will be considered as part of future electrical upgrade programmes.

Where any further works are required by the contractor to address code 1, 2 or 3 faults these should be carried out before the EICR is issued to CCDC so that the EICR issued states the installation to be Satisfactory.

Smoke, Heat and CO Alarms

CCDC will, at the same time as the undertaking of the EICR, ensure that a check is made of any installed Smoke, Heat and Carbon Monoxide (CO) alarms. The electrician will test that each appliance is sounding and working in line with manufacturer's instructions and industry best practise.

The engineer will replace any existing defective alarms with a mains powered with battery backup component.

In line with expected amendments to the Smoke and Carbon Monoxide Alarm (England) Regulations 2015, CCDC is working to ensure all properties have an installed smoke alarm and where there are fixed gas appliances a CO alarm.

Portable Appliance Testing

CCDC is not responsible for the maintenance of electrical appliances unless the appliance has been supplied and owned by CCDC, e.g. CCDC is not responsible for appliances within homes that have been purchased by the resident. CCDC does however have a responsibility for electrical appliances issued or used by staff, e.g. laptops, monitors, mobile phone charges and also electrical appliances within communal areas that may be used by staff or residents, e.g. audio equipment and white goods such as kettles and microwaves. CCDC may also have some instances where appliances have been supplied within domestic dwellings, e.g. integral white goods installed, adaptation equipment/devices, and CCDC retain responsibility.

Where CCDC is responsible for electrical appliances a PAT will be carried out in line with IET Code of Practice for In-service Inspection and Testing of Electrical Equipment guidance. The frequency of testing should be determined based on a risk assessment which considers how often equipment is used, who is using it and the environment it is used in. Currently CCDC carry out a PAT to all applicable appliances either yearly or biannually however will work towards reviewing this and ensuring evidence of risk-based approach.

Lightning Protection Systems

Where LPS are installed to buildings that CCDC has a maintenance and repair responsibility an annual safety inspection will be carried out by lightning specialist and in line with BS EN 62305. CCDC buildings with LPS will have had the system installed as part of the build having considered the size and height of the building and the environment, e.g. frequency of lightning strikes in the area. There may be occasions where CCDC have been or are guided to install a LPS to an existing building following a Fire Risk Assessment.

Asset Data & Reconciliation

CCDC is required to ensure a valid certification is in place for all fixed electrical installations and portable appliance within all buildings and properties that it has a defined maintenance and repair responsibility for.

CCDC will hold and maintain an accurate record within the ICT Housing Management System for all buildings and properties that require an EICR, PAT, LPS safety inspection, together with the last test, testing frequency (as recommended by the last testing engineer) and the next due date.

Processes will be in place to ensure testing schedules are updated to reflect any property divestments, acquisitions (including new builds) and any changes to maintenance and repair responsibility.

In addition, on an annual basis a full EICR property reconciliation will be carried out. This will reconcile the information within the ICT Housing Management System against the rent roll or other compliance data to ensure all applicable building and properties remain captured in the EICR schedule.

As part of this reconciliation process CCDC will work toward ensuring that where the responsibility for electrical safety to a third party (e.g., CCDC office accommodation, Agency Managed Supported Schemes, commercial property including shops) action is taken to ensure evidence is obtained that all necessary electrical tests have been undertaken.

Certification & Documentation

Upon completion of an inspection and test, CCDC will obtain from the contractor the EICR, PAT record or LPS safety certificate, which will be then used to update the ICT Housing Management System with the testing date and also the next test due.

For EICRs the next test due date will be as per the testing electrician's stated recommendation on the EICR as to when the installation should be next inspected, up to an interval of no more than 5 years.

In addition to the scheduled regime, an EICR will be completed as part of the void works before any property is re-let. The contractor carrying out the test will ensure a copy of the EICR is issued to the Compliance Team so that the EICR details in the ICT Housing Management System can be updated accordingly.

If any properties require adding to the testing schedule, evidence of a current valid EICR or in the case of new developments an Electrical Installation Certificate (EIC), must be obtained.

CCDC will only accept EICRs that are stated as "Satisfactory". If a test is carried out and defects deem the installation to be "Unsatisfactory" all necessary remedial works should be carried out before the EICR is issued to CCDC so that the EICR issued states, the installation to be Satisfactory. CCDC will not accept "Unsatisfactory" EICRs supported by a minor works certificate. In the case of an EIC, these will be accepted as an inspection record if either the full installation has been replaced or if only a partial replacement has taken place and all remaining elements of the installation have been tested.

Before issue to CCDC, all EICRs (and EICs) must be reviewed and signed by the contractors Electrical Qualifying Supervisor.

For added assurance a percentage desktop audit will also be carried out on behalf of CCDC for Compliance Assurance purposes.

Contract Manager. All electrical certification is checked/validated by CCDC's compliance team. CCDC will consider the benefit of utilising a document reader system for the checking and validation of EICRs.

All EICRs (and EICs), PAT records and LPS safety certificates will be saved against the property/building within NEC, ICT Housing Management System.

Contractor Competence, Quality Control and Performance

CCDC must be able to satisfy themselves that all those carrying out electrical testing within its buildings and properties are competent to do so.

All contractors procured to undertake electrical testing must be accredited with The National Inspection Council Electrical Installation Contractors (NICEIC). The electricians undertaking the testing on behalf of CCDC will as a minimum hold the following qualifications:

- NVQ level 3 Electrical Installation or recognised equivalent.
- City & Guilds 2382-18 Level 3 Award in Requirements for Electrical Installations BS7671:2018.
- City & Guilds 2391 or 2394 & 2395 Inspection and testing.

The Compliance Team will require contractors to provide and will maintain a register of all electrical contractors and electricians carrying out testing works for CCDC. This will include the specific qualifications of the electricians and if applicable the expiration date. Processes will be in place to ensure that the register is kept up to date, e.g., new electricians are added, and that evidence is obtained of any renewed/updated qualifications.

The performance of electrical testing contractors will be managed by the Assistant Manager Compliance, supported by the compliance and assets team, and aided by a suite of KPIs reported in accordance with governance requirements. Regular Operational Meetings will be held with contractors within which performance is discussed and documented, with procedures in place to take more formal action in accordance with the contracts for service to address performance issues if required.

To support performance management and to provide assurance on the quality and safety of work CCDC will work towards employing a Quality Assurance Consultant to carry out a percentage audit of completed EICRs. The Quality Assurance Consultant will provide technical and corrective advice as well as monthly reporting and trend analysis to CCDC regarding the performance of the contractor and its electricians. It is envisaged that CCDC will commission a minimum 5% assurance check, with the opportunity to increase if the factual evidence points towards a lack of reputable workmanship being undertaken.

7.0 Responsibility under this Policy

The roles and responsibilities for key stakeholders across CCDC is detailed below.

Note - these are the roles and responsibilities in specific relation to the delivery of this policy only. Electrical Safety Procedure will provide further details on the roles and responsibilities of all staff with day-to-day responsibility electrical safety.

- **Chief Executive** has overall responsibility for ensuring the Council's Housing Stock is safely managed. They will discharge their responsibilities for the delivery of services and Health and Safety Duties to the Deputy Chief Executive, Place and Head of Housing & Corporate Assets however the Chief Executive will retain an oversight on progress/performance.
- **Housing Board Members** will review reports and/or performance indicators that provide progress updates to the Council's Cabinet to ensure that CCDC is meeting the requirements of its regulatory obligations and the policy measures.
- **Deputy Chief Executive, Place and Head of Housing & Corporate Assets** will be responsible and accountable for the overall implementation and regular reviews of this policy ensuring its objectives are achieved. They will ensure adherence to the electrical procedure ensuring timely action is taken to secure access to properties and approve requests to take forced measures to gain access/make safe the electrical supply. They will maintain an oversight of those properties with an isolated supply and seek assurances from the Assistant Manager Compliance that appropriate action is being taken to support affected residents. They will ensure that any compliance and/or Health & Safety related issues are brought to the attention of the Council's Cabinet and provide regular updates on service delivery against budget to the Housing Board, and the Chief Executive.
- **Housing Property Services Manager** will work closely with the Assistant Manager Compliance to ensure that regulatory obligations and policy measures are being adhered to and services delivered in line with budget. They will carry out quarterly strategic performance reviews of contractors to ensure compliance with their contractual obligations.

- **Assistant Manager Compliance** will be responsible for the overall implementation, and regular review, of this policy and ensuring its objectives are achieved. They are also responsible for compliance performance reporting to the Housing & Property Services Manager. They will manage the compliance Officers and team members responsible for the day-to-day operational delivery of all electrical related inspection, reports, servicing, and maintenance.
- **Tenancy Service Manager** will ensure Housing Management staff's adherence to the access procedure, ensuring appropriate and timely action is taken to secure access to properties, ultimately maximising the number of properties accessed ahead of the EICR expiry date.
- **Compliance Officers as appropriately** will be responsible for the day-to-day operational delivery of all electrical related inspection, reports, servicing, and maintenance. They will effectively manage the performance of the service delivery contractors, including their ongoing competence, and proactively monitor service delivery against targets. They will be responsible for monitoring the quality of work undertaken by the contractor and ensuring all inspection reports, works and certification is received and verified. They will act as the organisations technical lead for electrical inspection and testing regime, ensuring that CCDC continue to work in line with the most up to date regulations and industry guidance.

8.0 Risk Management

The risks of not following this policy are that CCDC will not comply with industry guidance and will fail to appropriately maintain electrical installations, leading to a potentially detrimental impact on the safety of residents and staff. This may result in:

- Prosecution by the Health and Safety Executive under Health and Safety at Work Act 1974.
- Prosecution by the Local Authority under the Housing Act 2004.
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007.
- Reputational damage.
- Loss of confidence by stakeholders in the organisation.
- Regulator of Social Housing - acting in accordance with Consumer Standards April 2024 and Social Housing Act 2023

9.0 Performance and Management of this Policy

The completion of EICRs in communal areas in line with their due date forms part of the compliance reporting. This is reported to the Housing Board through to Cabinet in accordance with governance requirements.

The compliance report specifically includes progress on the domestic EICR programme and is presented monthly to the Head of Housing & Corporate Assets and Housing & Property Services Manager as part of the KPI performance information.

10.0 Approval

Strategic Lead:

Sign/Date

Chair of Cabinet

Sign/Date

Cabinet Member

Sign/Date

DRAFT

Appendices

Access Procedure

General

The Gas service / safety check programme is carried out on a 10-month cycle.

If access is gained at any point during the access procedure the Contractor will carry out a full service / safety-check to the relevant manufacturer's recommendations of all appliances within the dwelling (with the exception of the Tenants own appliances most notably gas cookers which are the subject of a visual inspection only), any defects identified will be managed as Unsafe Installations in line with the Gas Policy. The engineer will complete a Landlord's Gas Safety Record (LGSR) that will be signed by the engineer and the tenant. A copy of the LGSR will be provided by post or other means to the tenant within 28 days of the service being completed.

When access cannot be gained, the engineer will try to contact the tenant by phone whilst they are outside the property.

The Compliance Support Officer will generate and send a weekly 'set to expire report' to the Housing Assistant in the Tenancy Services Team. The report outlines all properties that are set to expire within the next 2 months of the day the report is generated, the date the gas certificate expires, the number of no accesses, the date of the next appointment and any notes. The Housing Assistant will be asked to provide/confirm any key information regarding the tenant's contact details / next of kin / abilities / disabilities / support needs and / or any other issues Which may not be accessible to the Compliance Team on the NEC, ICT Housing Management System.

The Compliance Support Officer will check how access was gained to the property previously, taking into account the day and time access was gained, any notes on how access was gained such as avoid school runs and any vulnerabilities the tenant may have. Any details that can assist in gaining access will be shared with the contractor and tenancy services.

Attempts by the Compliance Support Officer to contact the tenant will include phone calls, text messaging and emails as well as appointment letters. All actions taken by the Compliance Support Officer will be recorded on the Gas Service Schedule.

Where access is proving to be difficult additional measures may be used based on evidence gathered throughout the no access process. These measures may include taping over the door lock and returning another day to check the tape is still in place and/or taping a warning sign to the door to notify the tenant the gas service is due. Photographs will be taken of any additional measure used and saved for evidence. This should be monitored by Housing Property Services (HPS) and confirm if the property has been accessed. If there is no evidence of a tenant living in the property then Neighbourhood Team should be contacted.

The Housing Assistant will provide regular updates on progress they have made with all of the properties that have less than 60 days until expiry.

Where Tenancy Services have commenced a procedure such as the Abandonment Procedure or Notice of Seeking Possession procedure, the procedure will be followed through accordingly.

Between 70 – 60 days until the expiry date of the LGSR

The tenant will be sent an appointment letter or other agreed format generated by the contractor; the appointment will be generated by the contractor and the letter will be sent out to the tenant giving at least 5 working days notice of the intended service date. The letter will contain a contact name and telephone number should the tenant need to change the appointment.

The contractor will try to contact the tenant by phone to confirm the appointment. If the tenant cannot be contacted by phone, the contractor will assume the generated appointment is agreeable and attend the property.

56 – 49 days until the expiry date of the LGSR

If access visits are unsuccessful the engineer will leave a calling card indicating the next appointment date and stating if the appointment will be an AM or PM call. Appointments will usually take place the following week from the previous visit. The calling card will contain contact details for the tenant to use should the appointment be inconvenient. The new appointment will be for a different day of the week and if last appointment is AM the new appointment will be PM and vice versa. The No access date will be logged on the Councils system.

The Compliance Support Officer will use the daily no access report and try to contact all tenants to make/ confirm the next appointment. If contact cannot be made the Compliance Support Officer will send a letter 1 by post that is signed by the Assistant Housing Property Services Manager. Letter 1 will contain the date from the engineer's card for the next service appointment and contact details should the appointment be inconvenient.

The Housing Assistant will check the weekly report for any properties where there may be an issue that could prevent access such as a vulnerability or Anti-social behaviour issues.

49 – 35 days

The Contractor will attempt an additional visit on a planned date and if access is not gained a calling card will be left stating the next appointment date within 10 working days. The Senior Gas Officer may put tape over the barrel of the lock and take a photograph for evidence if it is felt the property may be abandoned.

The Council's Compliance Support Officer will continue to use the daily no access report and try to contact the tenants to make/ confirm the next appointment. If contact cannot be made the Compliance Support Officer will send a letter 2 by post that is signed by the Assistant Housing Property Services Manager. Letter 2 will contain the date from the engineer's card for an additional gas service appointment and contact details should the appointment be inconvenient. The letter states that the Council will take appropriate legal action where necessary to gain access to the property. The new appointment will be for a different day of the week and if the last appointment was AM the new appointment will be PM and vice versa. The No access date will be logged on the councils system.

The weekly report sent to the Housing Assistant will highlight all properties where the LGSR will expire within 60 days; the Housing Assistant with HPS will decide the best course of action to take on a case by case basis. At this point they will try to contact the tenant and if they make contact they will arrange a new/confirm the existing appointment. If contact cannot be made, they will investigate further starting by attending the property to check if they feel it is abandoned. As a minimum the housing assistant/HPS will use non legal tools to gain access but could choose to commence more formal legal proceedings such as, applying for a warrant of entry in the Magistrates Court or Abandonment notice if it is deemed necessary.

A warning Tenancy Breach letter will be served by 37 days remaining to allow scope for any relevant notices to follow. The warning Tenancy Breach letter will be hand delivered by either the Senior Gas Officer or the Compliance Support Officer, A picture of the letter being posted will be taken and the Council's system will be updated confirming that the Breach letter has been served.

A decision on what legal action will be taken must be made at 30 days remaining at the latest so that any letters and notice periods can be served within time of the expiry of the gas certificate.

35 – 28 days

If access is still not gained, the Council's Compliance Support Officer will continue to use the daily no access report and will try to contact the tenants to make an appointment. If contact cannot be made they will liaise with tenancy services regarding progress on legal action. The No access dates and contacts will be logged on the Council's system.

Tenancy services/ HPS will await a response from the notice of action to be taken at the 49 -35 days part of the process above, and where the tenant makes contact with Tenancy services following a notice, the member of tenancy services that takes the call will arrange an appointment for the earliest possible date the tenant can agree to.

28 - 14 days

If access is still not gained, the Compliance Support Officer will continue to use the daily no access report and will try to contact the tenants to make an appointment. If contact cannot be made, they will liaise with tenancy services regarding progress on legal action any No access date or contacts will be logged on the council's system.

If after 7 days, access has still not been gained, the Compliance Support Officer will request a generated appointment from the contractor and issue a Letter 3. Letter 3 will contain the generated date for the next gas service appointment and contact details should the appointment be inconvenient and state that the Council will begin legal proceedings, detailing whichever course of action Tenancy services/HPS have decided will be stated. The proceedings may include applying for a warrant of entry in the Magistrates Court, utilising powers granted under the Environmental Protection Act 1990 (the "1990 Act"). Section 2 of Schedule 3 of the 1990 Act provides a power to grant a warrant of entry to a local authority for ascertaining whether there exists a statutory nuisance and taking any action or executing any work to abate it. The argument advanced in the case of an outstanding gas service for example, is that a faulty gas appliance may leak, resulting in a situation prejudicial to health, which would amount to a statutory nuisance.

The new appointment will be for a different day of the week and if the last appointment was AM the new appointment will be PM and vice versa.

Tenancy services/HPS will continue with the relevant legal process they have commenced. Where the tenant makes contact with tenancy services as part of the process the member of tenancy services that takes the call will arrange an appointment for the earliest possible date the tenant can agree to.

14 - 7 days

If access is still not gained the Compliance Support Officer will make final attempts to contact the tenant by phone and email where possible. If contact cannot be made the Senior Gas officer will ask the contractor to attend out of hours (an evening before 17:30 or a Saturday between 08:00 – 13:00). If access is still not gained the Senior Gas Officer will seek authority in line with the Gas Policy to instruct the contractor to cap the gas meter. This will be no more than a week prior to the expiry date to ensure the tenants safety and the safety of the neighbouring properties and tenants.

Tenancy services/HPS will continue the relevant legal process they have started and where necessary hand deliver the relevant notice to confirm that access will be gained into the property and on what date and time it will be gained.

On the expiry date of LGSR

If by the expiry date of the LGSR access has still not been gained, the contractor will make a final attempt at gaining access.

If the final attempt at access is unsuccessful then tenancy services will see through the legal process they have commenced. The Senior Gas Officer will provide all evidence required for any legal case.

In the case of proceeding relating to an abandoned property, once legal proceedings are finalised tenancy services/HPS will take back possession of the property. They will arrange for the front door lock to the property to be replaced, giving the contractor access to the property so the contractor can either carry out the safety checks or if there is no gas on at the meter the gas meter will be capped off to ensure the safety of the property, potential inhabitants and the adjoining properties. The Senior Gas officer and either the Housing Assistant or the Neighbourhood Officer will be in attendance. The front door lock will be changed, and a notice left on the front door detailing who the tenant (prior to the completion of the possession proceedings being secured) needs to contact relating to the property.