


## APPENDIX 2

		<b>Landlord Property Safety &amp; Compliance Policy</b>					
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2	Landlord Compliance Policy	P Latham	Feb 2025	Board	Feb 2025	Feb 2025	Feb 2028

### 1. Introduction

This policy seeks to set out Eldonian Community Based Housing Association's (ECBHA's) policy positions regarding all areas of its landlord and property related safety and compliance responsibilities.

This policy sets out how ECBHA intends to comply with the relevant legislation and regulatory guidance regarding the following safety and compliance areas:

- The safe installation, maintenance, and use of gas systems, including gas fittings, appliances and flues.
- Ensuring electrical systems must be repaired, renewed, upgraded and tested in accordance with industry guidance and manufacturers recommendations.
- Precautions to manage water systems in applicable property to prevent legionella.
- The management of risks arising from the presence of asbestos.
- Precautions to manage and mitigate the risks of fire.
- The safe operation and maintenance of lifts.

The policy also set out the steps and measures ECBHA will take to assure both other relevant stakeholders and itself that it is compliant and how any related risks will be identified, managed and mitigated as required. ECBHA seeks to be transparent with all stakeholders regarding its performance, compliance and assurance.

The policy is relevant to all ECBHA employees, residents, contractors and other person's or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.

### 2. Gas Safety

#### 2.1 Gas Safety Legislation & Regulation

- Gas Safety (Installation and Use) Regulations 1998 (as amended).
- Health and Safety at Work Act 1974.
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015.
- Smoke and Carbon Monoxide (England) Alarm Amendment Regulations 2022.



- Dangerous Substances and Explosive Atmospheres Regulations 2002.

## 2.2 Gas Safety Obligations

The Gas Safety (Installation and use) Regulations 1998 impose duties on landlords to protect tenant's safety in their homes with respect to gas safety. The main duties as a landlord are set out in Regulation 36 requiring landlords to:

- Ensure gas fittings, pipework, appliances and flues are maintained in a safe condition.
- Gas appliances should be serviced in accordance with the manufacturer's instructions. If these are not available, it is recommended they are serviced annually unless advised otherwise by a gas safe registered engineer.
- Gas servicing can be commenced up to 2 months before the expiry date of the current gas safe certification whilst protecting its 12 months annual date. ECBHA will aim to contact its residents from 10 months after the previous gas safety check to minimise the risk of overdue checks as a result of access.
- Ensure the annual safety check is carried out on each gas appliance and flue owned by ECBHA for tenanted units and communal heating systems within 12 months of the previous safety check.
- Have all installation, maintenance and safety checks carried out by a GasSafe registered engineer.
- Keep a record of each safety check for at least 2 years.
- Issue a copy of the latest Landlord Gas Safety Record to existing resident within 28 days of the check being completed, or to any new resident when they move in.
- Display a copy of the latest safety check record in a common area of a building where the gas appliance serves a communal heating system to multiple homes.

ECBHA shall also comply with the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 and the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022. To meet all the requirements of all relevant legislation and regulation for properties under its control, ECBHA will:

- Ensure at least one smoke alarm is installed on each storey of our homes where there is a room used as living accommodation.
- Ensure a carbon monoxide alarm is installed in any room used as living accommodation which contains a fixed combustion appliance (excluding gas cookers)
- Ensure that all smoke and carbon monoxide alarms are checked at regular intervals.
- Ensure that smoke alarms and carbon monoxide alarms are repaired or replaced once we are informed and it is found that they are faulty.
- Keep detailed electronic information (for at least 2 years) of all landlord safety records.
- Provide a comprehensive service to deal with carbon monoxide and smoke detector replacement and repairs.
- Ensure that all installation, maintenance, and safety checks are conducted by suitably qualified and registered engineers.
- Ensure all newly acquired properties have evidence in place to demonstrate that all installations meet the required Standards and Regulations.
- Ensure that carbon monoxide and smoke detectors are installed and tested at the commencement of any new tenancy, mutual exchange and/or transfer.
- Undertake an assessment of resident needs and will provide specialist equipment where necessary.



## 2.3 Gas Safety Policy Statements

ECBHA meet its obligations regarding gas safety by:

- Having completed, as part of the externally validated stock condition survey, a full assurance validation of the presence of gas supplies and gas appliances within the organisations properties.
- Instructing a GasSafe registered contractor to visit all properties with a gas supply on an at least annual basis to carry out gas safety checks and appliance servicing, irrespective of whether the property has a gas supply meter or not.
- Undertaking ongoing monitoring and reporting to ensure that each property requiring a landlord's gas safety record (LGSR) and/or service has not more than 12 months following the completion date of the previous LGSR.
- Ensuring that copies of all LGSRs are provided to tenants within 28 days of completion or displayed in a common area where necessary, again within 28 days of completion of the LGSR.
- Capping off gas supplies to all properties when the property becomes void, and a new tenant is not moving in immediately following the previous tenant leaving.
- Ensuring that gas safety check upon commencement of any new tenancy, mutual exchange and/or transfer including carrying out an assessment of any new tenants' own gas appliances, such as cookers. The tenant will receive a copy of the LGSR.
- Install and service carbon monoxide (CO2) alarms as part of the gas service and for all properties with gas installations within the dwelling, each room with any gas appliances will have a carbon monoxide alarm.
- Carry out an annual gas safety check to all properties where the gas supply is inactive (capped).
- Procuring only suitably competent GasSafe accredited engineers to undertake gas works including recording verifications of registrations with GasSafe annually.
- Isolating any open flue gas appliances found in any rooms that are being used as bedrooms.
- Carrying out a gas safety check and issue a new LGSR for the whole property following the installation of new gas appliances by ECBHA.
- Having a robust process in place to gain access to properties where identified tenant vulnerability may cause a gas safety concern.
- Using all legal remedies available to gain access if a resident refuses access to carry out essential gas safety checks, maintenance and related repair works. In accordance with the Access to Properties Policy within the Tenure and Tenancy Management Policy.
- Having a robust process in place for the management of any follow-up works following the completion of a gas safety check including robust collation and storage of all warning letters and associated records.
- Safety checks being carried out on completion of any repair and/or refurbishment works to occupied or void properties where works may have affected any gas fittings, appliances, or flues.
- Replacing any faulty hard wired carbon monoxide detectors in a property where faults are identified as part of the annual safety check.
- Maintaining a robust register of all properties that have an active or inactive gas supply including all domestic, non-domestic (communal) and other properties.
- Instructing Gas Safe registered engineers record the details of all appliances and other equipment served by the gas supply in every domestic and non-domestic property.



## 3. Electrical Safety

### 3.1 Electrical Safety Legislation & Regulation

- Health & Safety at Work Act 1974
- The Management of Health, and Safety at Work Regulations (1999)
- Landlords and Tenant Act 1985
- The Housing Act 2004
- The Electricity at Work Regulations 1989
- Electrical Equipment (Safety) Regulations 1994
- Social Housing (Regulation) Act 2023

### 3.2 Electrical Safety Obligations

The landlord and Tenant Act 1985 places duties on landlords to:

- Ensure that electrical installations in rented properties are safe when a tenancy begins.
- Ensure that electrical installations in rented properties are maintained in a safe condition throughout the tenancy.

In order to be compliant under these duties electrical installations are required to be periodically inspected and tested. Electrical systems must be repaired, renewed, upgraded and tested in accordance with industry guidance and manufacturers recommendations.

The Electricity at Work Regulations 1989 places duties on employers that:

- All electrical installations and appliances within the workplace are safe
- That only competent persons work on the electrical installations, systems and equipment.

The Electrical Equipment (Safety) Regulations 1994 requires Landlords to ensure that any electrical appliances provided as part of a tenancy are safe when first supplied.

The Social Housing (Regulation) Act 2023 introduced the opportunity for the Secretary of State to impose secondary legislation on social landlords for a mandatory frequency of checks. Secondary legislation (e.g. regulations) is still awaited, but it is anticipated that any mandatory frequency will be every 5 years in line with the private sector (which this policy already specifies).

### 3.3 Electrical Safety Policy Statements

ECBHA meet its obligations regarding electrical safety by:

- Holding accurate records against each property it owns, identifying when the electrical installation was last inspected and tested and listing all electrical portable appliances that the organisation owns at each property, together with details of Portable Appliance Tests (PATs) undertaken.
- Ensure that all domestic and non-domestic (communal) properties owned or managed by the Association have a valid Electrical Installation Condition Report (EICR) that is no older than 5 years from the date of the previous EICR, and then deliver a programme of testing and inspection of all domestic properties on a rolling 5- year cycle.
- Ensure that all electrical installations shall be in a satisfactory condition following completion of an electrical installation inspection and test.



- Ensure that electrical installation inspections and tests are carried out prior to the commencement of any new tenancies (void properties), mutual exchanges and transfers and that a satisfactory EICR is available to the tenant prior to them moving in.
- Ensure that only suitably competent NICEIC electrical contractors and engineers (or equivalent) undertake electrical works for the organisation.
- Ensuring that all electrical portable appliances owned and/or provided by the organisation are tested periodically in accordance with the testing guidance set out in 'The Code of Practice for In-Service Inspection and Testing of Electrical Equipment' (ISITEE).
- Receiving an installation certificate and following minor works, a minor works certificate.
- Ensure the completion of follow up works identified during inspection and testing of electrical installations and electrical portable appliances.
- Ensure all electrical works are properly notified and approved under Part P of the Building Regulations for England and Wales where this is required.
- Having a protocol in place to gain access to properties where tenant vulnerability issues are known or identified in order to be compliant with this policy and safeguard the wellbeing of the tenant.
- Using all legal remedies available to gain access if a resident refuses access to carry out essential electrical safety checks, maintenance, and safety related repair works.
- Ensure robust and consistent storage of all related records and certification.
- Putting right:
  - Any Code 1 items found if they cannot be rectified immediately, they will be disconnected or made safe as a minimum and then return within 5 working days to complete the works.
  - Any Code 2 items identified will be rectified before leaving site where possible, unless the tenant doesn't allow this. We will make safe and then return as a matter of urgency, where possible within 10 working days to complete the works
  - Any Code 3 items identified will be referred back to ECBHA and will be monitored through subsequent inspection and testing and picked up as part of future planned electrical installation upgrading works.
  - Any FI type works found will need to be located and rectified before a satisfactory EICR can be issued.
- All works will be completed while on site unless circumstances beyond the control of ECBHA have arisen.

## **4. Legionella & Water Management Safety**

### **4.1 Legionella & Water Management Legislation & Regulation**

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999 (the Management Regulations)
- Control of Substances Hazardous to Health Regulations 2002. (COSHH) and will adhere to the Approved Code of Practice L8 (3<sup>rd</sup> Edition) advice.

### **4.2 Legionella & Water Management Obligations**



The relevant legislation and regulations place a duty, as an employer or person in control of a premises to:

- Take suitable precautions to prevent or control the risk of exposure to legionella and Legionnaires' disease.
- Appoint a suitable competent risk assessor to carry out a risk assessment for all hot and cold-water systems, cooling plant and any other systems that can produce water droplets to establish any potential risks and implement measures to either eliminate or control identified risks.
- Review the Legionella Risk Assessment at least every two years or where there has been a significant change in the circumstances affecting a property.

#### **4.3 Legionella & Water Management Policy Statements**

ECBHA meet its obligations regarding Water safety by:

- Acknowledging, defining and accepting the ECBHA responsibilities with regard to water hygiene safety and preventing exposure to legionella and Legionnaires' disease.
- Appointing a competent person to carry out legionella risk assessments, production of a written scheme and implementation of that scheme to prevent or control the risks.
- Holding accurate records identifying when water risk assessments and safety checks were last inspected, records will also identify properties where maintenance remedial works have been carried out to eliminate or reduce the risk of exposure to legionella.
- Ensure that only suitably competent consultants and contractors are registered members of the Legionella Control Association (LCA) or equivalent are to be procured and appointed to undertake risk assessments, prepare written schemes of control, and undertake works in respect of water hygiene and legionella control.
- Ensuring risk assessments include:
  - Name of the competent person carrying out the risk assessment
  - A description of the system, any potential risk source, and any controls currently in place to control the risk
  - The appropriate monitoring, inspection, and maintenance requirements
  - Records of the monitoring results, inspection and checks carried out
  - The next review date.
- Ensuring that where the risks are assessed as insignificant and are being properly managed to comply with the law periodically review these risk assessments at least every 2 years or where there has been a significant change in circumstances affecting a property.
- Ensure that a 'written scheme of control' is in place and fully implemented including:
  - A schematic of the water system(s)
  - Who is responsible for carrying out the assessment and managing its implementation
  - Safe and correct operation of the system instructions
  - Details of control methods and other precautions required
  - What checks will be carried out to ensure risks are being managed



- Ensuring provisions are in place to ensure that all remedial works identified through risk assessments and subsequent control activities are completed within reasonable timescale commensurate with the risk identified.
- Having in place a robust protocol to gain access to properties where tenant vulnerability issues are known or identified in order to be compliant with this policy and safeguard the wellbeing of the tenant.
- Implement a suitable regime to ensure the safety of the water supply in all empty properties, for example (but not limited to), temperature testing and flushing the outlets. Where voids are empty for periods of time over 1 week ECBHA will run water through a regime of flushing of the water system outlets at appropriate intervals.
- ECBHA shall ensure that homes with unvented hot water cylinders are inspected and serviced annually in line with British Standards and manufacturer's requirements.
- ECBHA shall provide a comprehensive monitoring and repair service to deal with water hygiene management related issues.
- ECBHA shall keep detailed electronic information of water hygiene risk assessments, related actions, and safety checks.
- ECBHA shall carry out water safety quality assurance audits to all of its communal blocks every quarter. This audit will specifically test for compliance with the Legionella Risk Assessment and identify any non-compliance issues.

## **5. Asbestos Safety**

### **5.1 Asbestos Safety Legislation & Regulation**

- Control of Asbestos Regulations 2012
- Defective Premises Act 1972
- Landlord and Tenant Act 1985
- Housing Act 2004 and Housing Health and Safety Rating System (England) Regulations 2005
- Health and Safety at Work Act 1974

### **5.2 Asbestos Safety Obligations**

ECBHA accepts that due to the age and construction of the housing stock it owns and manages there may be Asbestos Containing Materials (ACMs) present, particularly within the fabric of some of its buildings constructed before the year 2000.

Asbestos in its various forms is known to pose a risk to health and safety if it is disturbed and releases airborne fibres, however, if properly managed these risks can be mitigated and controlled. Regulation 4 of the Control of Asbestos Regulations 2012 sets out ECBHA's relevant duties for the management and control of asbestos in non-domestic premises.

As the property owners, ECBHA is obligated to:

- Identify and record all occurrences of asbestos (in all forms) within the fabric of buildings owned and / or controlled by ECBHA
- Ensure provisions are in place to raise customers', contractors', and other partner agencies' (e.g., fire and rescue services) awareness of the presence of asbestos and the necessary precautions to prevent risk to health and safety.



- Ensure contractors are provided with, by the COO, an annual update from the Asbestos registers regarding the location and condition of any asbestos, ensure a copy is kept on site to share with Emergency services as required. Digital copies along with physical copies will be provided and signed for.
- Safely remove and dispose asbestos if necessitated by its poor condition or by alterations, refurbishment, or demolition of properties in line with legislative and regulatory requirements.
- ECBHA are aware of Regulation 4 duty to manage non-domestic properties under the control of Asbestos Regulations 2012. ECBHA have received external assurance that these properties, when surveyed, have shown as not having any traces of asbestos within them. If ECBHA acquire any such properties ECBHA would ensure this regulation is fulfilled.

Due to the consistencies of design, specification and build period of the majority of ECBHA homes built pre 2000, asbestos surveys undertaken to date have given a strong indication of the limited locations that asbestos is typically located. However as an ongoing precautionary measure, and in accordance with the Asbestos Management Plan, ECBHA ultimately aims to carry out Asbestos surveys to all its homes and continues to survey at least 10 of its domestic properties per annum to achieve this. ECBHA implements any remedial works recommended and, if needed implement monitoring requirements and adds these to the management plan as required.

### 5.3 Asbestos Safety Policy Statements

ECBHA meet its obligations regarding asbestos safety by:

- Taking reasonable steps to determine the location of materials likely to contain asbestos
- Presuming materials to contain asbestos, unless there is good reasons not to do so
- Keeping and maintaining an up-to-date record of the location, condition, maintenance, monitoring, and removal of all ACMs and presumed ACMs on an Asbestos Register.
- Sharing the above information as required with contractor and partner agencies
- Assessing, monitoring and maintaining the condition of ACMs and presumed ACMs
- Having arrangements and procedures in place, so that work which may disturb the materials complies with the Control of Asbestos Regulations 2012 (CAR)
- Assessing the risk of exposure from ACMs and presumed ACMs and prepare a written plan of the actions and measures necessary to manage the risk
- Developing and working in accordance with a defined management plan that defines the programme of asbestos surveys in all domestic properties
- Where possible, where risks of airborne asbestos fibres are negligible, keeping ACMs in situ through effective management and control measures as a preference to whole-scale removal and disposal
- Working in accordance with the *Health and Safety Guidance 264 - Asbestos the Survey Guide*. ECBHA will carry out as appropriate:
  - **Management Surveys** – designed to locate, as far as reasonably practicable, the presence and extent of any suspected ACMs in buildings owned and / or controlled by ECBHA which could be damaged or disturbed during normal occupancy, including foreseeable maintenance and installation and assess their condition. Management surveys are usually non-intrusive and involve minimal disturbance to tenants or users of buildings. Where a management survey causes any damage to a tenant's property or minor intrusive works are required ECBHA will carry out any remedial works as necessary.
  - **Refurbishment Survey** with Localised 'Back to Brick' investigations - it is intended to be undertaken prior to any significant capital works. The survey will involve



penetrations into the ceiling, each wall and all floor coverings within any areas that are within that property's scope for refurbishment.

- **Refurbishment and Demolition Survey** – is intended to be completed before any refurbishment or demolition work is carried out. This survey will be used to locate as far as reasonably practicable the presence of ACMs, will be fully intrusive and as necessary may involve destructive inspection
- Following an initial management survey, reinspection's will only be carried out where the previous survey results identify ACMs which are to be left in situ (including presumed) or there are significant changes to the property in accordance with CAR 2012.
- Carrying out a management survey / re-inspection once every twelve months of the common parts of non-domestic premises (offices and commercial properties) including but not exclusive of foyers, corridors, staircases.
- Carrying out management surveys in all voids (empty properties) during the void period if only standard safety checks and maintenance items are required to return the property to a lettable condition. Where more extensive void works are required that involve disruption to the fabric of the building ECBHA will carry out a refurbishment survey, unless the area has an existing and valid survey in place.
- Ensuring the results of any scheduled or ad hoc management surveys will be recorded in the ECBHA asbestos register /database and the management plan updated as necessary.
- Ensuring that should any customers have any concerns that an area within a property containing ACMs is damaged or effected by some form of defect or emergency they should report this, as they would for any other emergency repair.
- Ensuring ECBHA staff and contractors have the information and training to appropriately respond to emergency repairs that may have an asbestos related implication. Including, if necessary appropriate interim containment if risk assessed as safe to do so.
- Providing asbestos training to staff who may be involved in dealing with enquiries relating to asbestos.
- Having a legally required 'Responsible Person' and an appropriate deputy designated with day-to-day management responsibility for overseeing asbestos management, survey processes and maintenance of the asbestos register. The Responsible Person and deputies will be able to demonstrate competence in the role by obtaining the British Occupational Hygiene Society P405 qualification for 'Management of Asbestos in Buildings' and have sufficient practical experience to carry out the role effectively.
- Maintaining an Asbestos Register (as required by CAR 2012) as attributes against each property. The register will contain information on the precise location and nature of ACMs, the date they were last inspected and their condition at the time. The register will also contain information on the planned dates for re-inspection based on the intervals outlined below:
  - Non-domestic premises No more than 12 month intervals
  - Communal areas of domestic premises No more than 12 month intervals
- Ensure all data relating to asbestos in the properties it owns and manages will be held securely i.e. only those with specific responsibility for updating the asbestos register will be able to make alterations. The information on the extent and condition of ACMs within properties will be updated when:
  - A new or re-inspection survey takes place (including those that result from emergency repair action)
  - When remedial actions are taken to maintain the condition of known ACMs
  - When ACMs are removed from properties (by special licensed contractors)



- Ensuring all contractors acting on behalf will have access to existing survey data in properties. Where no survey data exists, the presumption will be that there are ACMs present, and operatives and contractors should proceed with any works with the appropriate level of caution.
- Ensuring that, when routine inspection, ad-hoc inspection or other maintenance activities prompt action that requires removal of licenced and/or notifiable ACMs, ECBHA's contractors will inform the appropriate enforcing authority (Local Authority Environmental Health or the Health and Safety Executive) using the appropriate notification channels and documentation.
- Sharing with residents and applicants information regarding common asbestos materials in occupied premises, this includes an advice leaflet developed in consultation with service users. The information advises on the type and common locations of any such materials and any associated health risks and precautions required (e.g. not to work with or disturb the material). When the tenancy changes ECBHA will ensure that all new tenants receive this information. Where a routine inspection, management survey or refurbishment survey indicates remedial action is needed and/or there is a possibility of occupants being exposed to airborne dusts from the ACM, customers will be advised on the nature of this action, the reasons why it is needed and the likely timescales for work to commence / be completed.
- Ensuring ECBHA only instruct competent contractors to work with asbestos materials. Asbestos related works must only be carried out by suitable Health and Safety Executive licensed specialist contractors, except for certain categories of low-risk work, as defined in the CAR 2012. Less hazardous work, generally limited to products such as asbestos cement materials, floor tiles and textured coatings etc., will be carried out by appropriately trained and competent unlicensed contractors following a risk assessment.
- Ensuring that, if it is necessary to remove asbestos from properties and buildings owned or managed by ECBHA, a full risk assessment will be undertaken and any on-site works carried out by specialist licensed contractors.
- Ensuring all contractors it employs to carry out asbestos works including, surveying, analysis and removal meet the required criteria and have appropriate accreditations through its procurement and preferred supplier checks.

## 6. Fire Safety

### 6.1 Fire Safety Legislation & Regulation

- The Building Regulations 2010 Approved Document B (Fire safety) Volume 2: Buildings other than Dwelling houses (2006 edition incorporating the 2010 and 2013 amendments)
- Fire Safety Act 2021
- Fire Safety (England) Regulations 2022
- Building Safety Act 2022
- The Housing Act 2004
- The Regulatory Reform (Fire Safety) Order 2005 (RRO) to comply with current fire safety guidance, namely
  - "Fire Safety in Specialised Housing" produced by the National Fire Chiefs Council
  - "Fire Safety in purpose-built flats" produced by the Local Government Association
- Health and Safety at Work Act 1974
- Fire & Rescue Services Act 2004
- The Management of Health and Safety at Work Regulations 1999
- The Furniture and Furnishings (Fire Safety) Regulations 1988
- The Health and Safety (Safety Signs and Signals) Regulations 1996



- Electrical Equipment (Safety) Regulations 2016
- Building Safety Act 2022 Smoke and Carbon Monoxide Alarm (England) Regulations 2015

## 6.2 Fire Safety Obligations

This Policy applies to the fire safety arrangements in all workplaces, common areas of residential premises and any other premises managed and / or owned by ECBHA.

ECBHA is obliged to minimise the likelihood of fire occurring, and the consequences if a fire occurs. ECBHA will implement arrangements designed to ensure the following obligations are met:

- ‘Suitable and Sufficient’ fire risk assessments, in accordance with the Regulatory Reform (Fire Safety) Order 2005 are undertaken (at appropriate intervals), the findings will be recorded, and necessary remedial work prioritised and undertaken
- Fire Risk Appraisals of the External Wall (FRAEWs), in accordance with the Fire Safety Act 2021, are undertaken at appropriate intervals and any necessary remedial work prioritised and undertaken.
- All residents are appropriately informed through specific information provided at the outset of their tenancy and through general notices and periodic information of fire control measures and actions to take in the event of an emergency
- All Residents at Robert Lynch House, who may be more at risk because of any special circumstances have these assessed and any extra controls implemented recorded in the site documentation which is made available to the emergency services - Vulnerable Tenant Plan and Personal Emergency Plans (PEEPS)
- Adequate levels of fire safety awareness and staff competency through effective training programmes
- Adequate fire systems are in place, they are tested in line with legislative, regulatory and manufacturers requirements and, where appropriate, drills undertaken.
- General precautions are taken to minimise the risk of, and impact of the occurrence of fire.

## 6.3 Fire Safety Policy Statements

ECBHA meet its obligations regarding fire safety by:

- Providing fire alarms in all our rented dwellings and carbon monoxide detectors in all properties with gas appliances. ECBHA is committed to upgrading all battery operated detectors with hardwired equivalents as part of its planned maintenance programme.
- Providing communal fire alarm systems and related fire management systems as appropriate for schemes with internal communal areas.
- Individual general needs, shared ownership and leasehold properties are responsible for their own fire safety within their homes, including carrying out regular tests of their individual fire detection system. However for rented homes with gas installations ECBHA will also test detectors while undertaking the legally required gas safety inspections.
- We will work closely with colleagues and the local fire service to promote personal safety to tenants.
- Not permitting the storage of resident goods will in communal access or escape routes in residential premises unless fully risk assessed and approved by the fire service. Under no circumstances should flammable materials be stored in any communal areas other than designated storage rooms.
- Inspecting and assessing flat entrance doors annually.
- Inspecting and assessing communal corridor doors, including store cupboard doors in common areas on a six monthly basis. Additionally, we will provide relevant information and promote awareness to encourage residents to self-check doors and report defects.



Furthermore, additional inspections will be carried out during home check visits and general maintenance inspections where appropriate. This requirement will continue to be reviewed and timescales adjusted based upon the location and use of door based upon recommendations of FRA's and in conjunction with government guidance.

- Ensuring that, where residents of Robert Lynch House have stored liquified or compressed gases (including medical oxygen or LPG) in their properties, they understand that they are responsible for informing ECBHA, so the local fire service can be alerted to the presence of these materials.
- Undertaking periodic consultation checks with all residents of Robert Lynch House to ascertain and identify those residents who, in the event of a fire could not evacuate unaided or had certain medical equipment or dependencies within the demise of their flat that the Fire and Rescue Service need to be aware of (e.g. oxygen, flammable oil-based creams, wheelchair user etc). This information will be maintained and stored within the Property Information Box located in the scheme for use by Fire and Rescue Services.
- Ensuring mobility scooters are not stored or charged in access or escape routes. Under no circumstances should mobility scooters be charged in any communal areas other than specially equipped designated charging / storage rooms.
- Maintaining a strict no smoking policy in all offices and communal areas.
- Ensuring evacuation policies are in place for each office and for residential building with internal communal areas, specific to that building. Evacuation drills to be conducted twice annually in ECBHA offices. Performance will be monitored to ensure that building can be evacuated in a safe and timely manner.
- Ensuring all persons new to the organisation are instructed in the fire evacuation policy for the ECBHA locations they work.
- Maintaining a programme of Regulatory Reform Order (RRO) compliant Fire Risk Assessments (FRAs) based on the following general principals.
  - Property type / frequency of review
    - High risk properties – Robert Lynch House and ECBHA offices reviewed annually
    - Low Risk properties – general needs housing with common areas reviewed every three years or at a shorter interval recommended by the fire risk assessor
  - Undertaking a new FRA following:
    - A significant change is made to the layout or use of the building
    - A change in legislation or guidance
    - A major incident or fire
    - Completion of major works or significant repairs / refurbishment
    - A change to the way the building is managed or occupied
    - The new acquisition of a property
- Addressing actions recommended by FRAs. It is likely that remedial actions will be highlighted by the assessor. Any that are deemed an immediate risk will be notified verbally to ECBHA prior to the handover of the risk assessment. All other actions will be completed within the following timescales unless otherwise advised by the assessor:
  - High: Within 3 months of the assessment
  - Medium: Within 12 months of the assessment
  - Low: Within 24 months of the assessment.
  - The effective date of the fire risk assessment is to be taken as the date of hand over of the risk assessment and not the date of the site visit to conduct the assessment.



- Undertaking Occupancy Risk Profile Reviews - Where it is known or reported that a residents have specific vulnerabilities that may affect their ability to escape safely in the event of fire ECBHA will attempt to undertake these will be person-centred risk assessments provided that the individual gives consent. If on assessment an individual is likely to need assistance to escape a potential fire a Personal Emergency Evacuation Plans (PEEPs) will be developed. If an individual resides at Robert Lynch House the PEEP will be stored in the Property Information Box. For general needs accommodation there is no Property Information Box. Instead the PEEP will be sent the Fire Service following GDPR consent of the individual. Assessments will be reviewed when ECBHA is made aware of a change of circumstance that renders any current assessment invalid.
- Ensuring appropriate staff training is made available to ensure all colleagues are stability equipped to respond to instances of fires and to ensure that those with responsibilities for mitigations and management have suitable knowledge and experience. Fire safety training will be programmed on a regular basis and part of the induction for new members of staff.
- Communicating with residents through appropriate 'Fire Action' signage and in conjunction with communication methods to drive awareness of ECBHA fire precautions, systems and the steps residents can take to further protect themselves.
- Effective liaison and engagement with the Fire Service to ensure good lines of communication and operational familiarity of ECBHA buildings.
- Ensuring that any furniture and finishes within internal communal areas meet the regulatory requirements for fire retardance.
- Ensuring all fire safety related information is recorded centrally including:
  - FRAs and evidence supporting the implementation of recommendations
  - Portable appliance testing results
  - Evacuation policies and plans
  - Fire precautions records including:
    - Regular checking of all fire precaution measures, the fire alarm system tests, the emergency lighting system tests, fixed systems (heating and electrical) and fire extinguishers service records)
    - Fire safety training records and fire drills
    - Fire history records
    - Miscellaneous correspondence relevant to fire precautions policies and measures
- Appointing an Appropriate Manager, the Chief Operating Officer, in line with the requirements of legislation responsible for:
  - Ensuring FRA's are conducted reviewed and actioned as required by legislation and appropriated guidance.
  - Maintaining a Fire Safety File to record details of all tests, examinations and fire drill instruction.
  - Ensuring the regular inspection, testing and maintenance of the firefighting and detection equipment.

## 7. Lifts Safety

### 7.1 Lifts Safety Legislation & Regulation

- 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).
- Lifting Operations and Lifting Equipment Regulations 1998 (LOLER).
- The Provision and Use of Work Equipment Regulations (PUWER) 1998.
- Approved Codes of Practice (ACoP) - HSIS4 & L113 Safe use of Lifting Equipment .
- Industry Guidance 422 - Thorough examination of lifting equipment .
- SAFed Guidelines -Thorough examination of in-service lifts 2006.

## 7.2 Lifts Safety Obligations

Lifts, lifting equipment, their associated components and essential safety devices are subject to wear and tear, misuse, and vandalism. Regular thorough examination and ongoing maintenance of lifts and lifting equipment is essential to ensuring that the equipment remains safe for continued use as well as prolonging the working life of the equipment.

ECBHA duties to ensuring that lifts and lifting equipment are appropriately maintained and remain safe for continued use can broadly be considered to be:

- In accordance with LOLER a regular “Thorough Examination” should be undertaken of all lifts and lifting equipment at least every six months. A Thorough Examination is designed to be a systematic detailed examination of the lift and all its associated equipment by a competent person to detect any defects which are, or might become, dangerous.
- The competent person should upon completion of the Thorough Examination provide a detailed report of the examination. This should include details of the defects noted, the recommended remedial actions and advice on the required timescale for completion. If the competent person carrying out the Thorough Examination considers there to be an immediate risk to persons or property through continued use of the equipment they may isolate the item of equipment to prevent use until it is safe to do so.
- To verify that lifts, lifting equipment and their accessories remain safe for use, and to detect and remedy any deterioration in good time, thorough examinations should be undertaken throughout the lifetime of the equipment. LOLER specifically states that the maximum interval between Thorough Examinations should be:
  - No more than 6 months intervals for lifts that carry persons.
  - No more than 12-month intervals for lifts that only carry goods.

These are the maximum periods between each examination unless there is an examination scheme produced by a competent person in place, which can specify longer or shorter periods depending on the risk of defects arising.

- In addition to the LOLER Thorough Examination a schedule of Planned Preventative Maintenance (PPM) visits should also be considered. Though there is no regulatory requirement to undertake PPM it is considered good practice.
- ECBHA must have robust processes in place to ensure a full and accurate record of all equipment that is subject to a Thorough Examination and PPM visits, together with the last examination/maintenance visit date and the next due date.
- Thorough Examinations, PPM visits and routine maintenance of lifts and lifting equipment should only be carried out by suitably qualified and competent contractors and engineers.

## 7.3 Lifts Safety Policy Statements

ECBHA meet its obligations regarding Lift safety by:



- Holding accurate records against each property it owns, identifying the presence of any lift equipment installed and its maintenance requirements and history.
- Commissioning Thorough Examinations, PPM visits, repairs, and reactive maintenance to lifts and lifting equipment
- Ensuring compliance with LOLER by examining lifts and lifting equipment thoroughly as follows:
  - Before using it for the first time – unless the equipment has an EC Declaration of Conformity less than one year old and was not assembled on site. If it was assembled on site, it must be examined by a competent person.
  - After assembly and before use at each location for equipment that requires assembly or installation before use, e.g., re-use of stairlifts.
  - Regularly in service – at 6-month intervals.
  - Following any significant change - which may affect the safe operation of the equipment, e.g., a lift is out of use for a long period or there is a major change in how the lift is used which is likely to affect its integrity.
  - All LOLER Thorough Examination will either be carried out by ECBHA insurance provider or via another specifically appointed contractor and will be carried out inline with regulatory requirements.
  - To ensure independence they will not be undertaken by the maintenance contractor.
  - The competent person should upon completion of the Thorough Examination provide a detailed report of the examination. This should include details of the defects noted, the recommended remedial actions and advice on the required timescale for completion.
- Stipulating that if the competent person carrying out the Thorough Examination considers there to be an immediate risk to persons or property through continued use of the equipment, they should isolate the item of equipment to prevent use until it is safe to do so. In these instances, they must notify ECBHA immediately.
- Taking appropriate and timely action, in line with the examination report, to rectify defects and there will be protocols in place for how defects are managed, logged and tracked through to completion. In addition to defects the Thorough Examination report may recommend that further “Supplementary Tests” are carried out, in line with Safety Assessment Federation (SAfed) Guidance. ECBHA will arrange the completion of these tests via the maintenance contractor.
- Undertaking Planned Preventative Maintenance (PPM) In line with industry good practice, ECBHA will arrange, via the maintenance contractor, for regular PPM visits to be undertaken, in addition to the Thorough Examinations.
- Specifying that PPM visits will include a variety of checks, tests, inspections, and adjustments, in line with the manufacturers’ instructions. As well as aiding to prolong the working life of the equipment, the PPM visits provide opportunity for potential faults to be identified allowing action to be taken before failure occurs. The contractor will provide evidence of the PPM visit. Any defects along with any engineer comments or observations will be noted on the visit paperwork. As with Thorough Examination reports, there will be protocol in place to for how PPM defects, comments and observations are managed, logged and tracked through to completion.
- Addressing faults or failures of a lift or lifting equipment in a timely manner. A job will be raised for all reported faults or failures and allocated to the lift maintenance contractor. The contractor will be advised of the Target Response Time and the Target Fix Time. These will be determined by the nature of the fault and the impact of the fault/failure, as detailed below.
  - Emergency Entrapment Within 1 hour
  - Emergency Breakdown Within 5 hours



- Requiring all lift repairs be carried out in accordance with approved standards and the manufacturer's instructions.
- Ensuring that in instances where it is not possible to return the equipment to working order or it must be turned off for safety reasons the contractor will inform ECBHA immediately who will consider the need to invoke mitigations to support resident accessibility.
- Where access is required to a residential dwelling to carry out a Thorough Examination or PPM visit (e.g., a stairlift, hoist, through floor lift) this will be managed in line with the documented access procedure.
- Ensuring that certification and documentation regarding all lift related Works is obtained from contractors, recorded and there is a clear schedule and instruction for all follow up works and future testing and maintenance.
- Ensuring ECBHA is satisfied that all contractors carrying out works on lifts and lifting equipment are competent to do so.
  - All contractors undertaking PPM visits, reactive and routine maintenance must hold Lift Cert accreditation and be a member of the Lift and Elevator Industry Association (LEIA).
  - Thorough Examinations should be undertaken by engineers that are UKAS accredited to ISO/IEC17020 standard.
  - All lift and lifting equipment work will be undertaken by engineers with a minimum of a Level 3 industry recognised qualification in lift servicing and repair, and this should be supported with appropriate practical and theoretical knowledge and experience.
  - ECBHA will maintain a register of all engineers carrying out works for ECBHA. This will include the specific qualifications of the engineers and the expiration date if applicable.
- Monitoring the performance of contractors involved in lift and lifting equipment works through both the supply of performance measures and meetings are held with contractors within which performance is discussed and documented.

## 8.0 Damp & Mould Policy & Protocol

### 8.1 Damp & Mould Policy

There are many root causes that lead to damp, mould, and condensations within our homes. This has the potential to have an impact on the resident and their family's physical and/or mental health and well-being. Both staff and residents should work together to prevent or resolve damp, mould, and condensation issues.

It is important to be able to tell the difference between damp caused by condensation and damp caused by other factors, such as penetrating damp (caused by a leak) or rising damp.

**Penetrating Dampness** - Rain can get in through leaking roofs, blocked or damaged guttering, leaky walls and poorly fitting doors and windows. Penetrative damp can also be caused by leaks from plumbing faults, failed appliances and poorly sealed baths and showers.

**Rising Dampness** - Rising damp is caused by the breakdown, deterioration or bridging of the damp proof course of the building at ground floor level. Ground water can rise up through the walls and floor if the damp proof course isn't working properly or is missing.



Bridging Damp - There are many cases of bridging damp from render systems going below the Damp Proof Course to ground level, concrete paving and ground levels being increased.

Where leaks occur, and in certain circumstances based on contractor feedback, a dehumidifier can be provided to help dry out the property.

We aim to:

- Undertake effective investigations and implement reasonable remedial repair solutions and improvements to manage damp, mould and condensation.
- Offer advice and assistance to customers living in our properties, including information on how to prevent damp, mould and condensation.
- Ensure staff and contractors are trained on how to recognise, manage, and identify solutions to damp, mould and condensation within a rented property.
- To ensure that the fabric of our property is protected from deterioration and damage resulting from damp and mould.
- Ensure that components we are installing as part of the responsive repairs and maintenance service are cost effective and meet sustainability and affordability criteria.

We shall investigate and diagnose the cause of damp or mould and deliver effective remedial solutions and remain in regular and effective communication with a resident, following a report of damp and mould being made, providing progress updates from beginning to end especially on the occasion where an investigation into a case may be complex.

We will provide our residents with comprehensive and focused advice and guidance on how to manage damp, mould or condensation.

Where vulnerable or disabled residents have no one to help them and are unable to carry out mould washes themselves, we will consider how to support and assist them on a case by-case basis.

Residents are responsible for making sure that they take appropriate steps to prevent significant amounts of condensation that results in damp or mould growth. These responsibilities include:

- Following all advice and guidance issued by us, on managing and controlling damp, mould and condensation. This information can be found on our website.
- Regularly checking for and treating condensation and mould. If all reasonable efforts have been made to manage and control condensation and mould, and this has not been successful, report the issue to us - even if the issue is in its early stages.
- Regularly checking for and reporting any leaks, or faulty heating, windows, or extractor fans.
- Regularly checking for and reporting any evidence of penetrating, rising or bridging damp, even if the issue is in its early stages. (see Appendix 1).



- Ensuring of the general upkeep of extractor fans and vents (i.e. that they are not blocked).

If the resident fails to take the advice and reasonable steps to reduce damp or mould, the resident may be recharged for any resulting repairs required which are considered to be because of this neglect.

Where remedial works and mould wash treatments have been undertaken by ECBHA, the resident is responsible for redecoration. It is recommended that anti-fungal paint is used. For vulnerable or disabled residents, we will consider how to assist the redecoration process on a case-by-case basis.

We will ensure the provision of training for all front-line staff on the identification, treatment and the prevention of damp, mould and condensation and ensure that seek to ensure that we have access to contractors with specific training in damp and mould issues. Through general contractor management we will ensure all contractors are aware to raise with us when they encounter any damp or mould issues when attending other matters.

ECBHA will keep a register of damp and mould issues and the actions taken to bring them to a resolution. COO will give detailed report to board in its quarterly KPI's on Damp and mould, how many issues have been reported , how many completed, how many left to complete. separtae information and updated will be provided depending on the severity of the damp and mould. In the annual health and safety report will also incorporate detailed information on damp and mould.

## **8.2 Damp & Mould Protocol**

### **8.2.1 Background**

We want everyone to live comfortably in their homes and we want to hear from you when you are experiencing problems with the condition of your property.

Condensation, damp and mould can be a common problem, especially in the winter months. We understand that facing issues like this can be an upsetting experience; at settle, we are committed to listening to your concerns, identifying the causes of damp and mould in your home and working with you to resolve the problem.

### **8.2.2 What happens when I report damp and mould in my home?**





### 8.2.3. The Steps we take

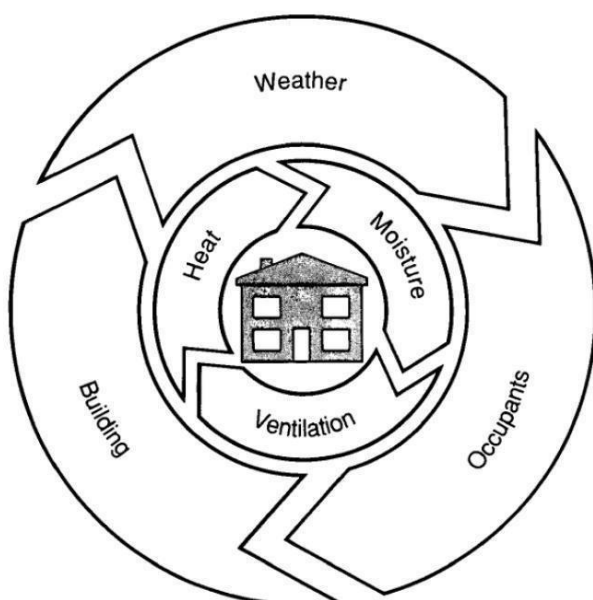
There are 3 steps within our procedure for dealing with condensation, damp and mould. We won't need to carry out all of the steps on every case reported. However, we want to make sure that you know what to expect at each stage. It is not always possible to get to the root of the issue immediately, but we are committed to working with you to resolve the problem.

When we investigate reports of damp and mould, we are looking to understand:

- if the building has any defects and requires repairs.
- if the problem is impacted by the weather, for example, it gets worse after rainfall.
- if your home is adequately heated.
- if your home has the right ventilation and insulation to keep moisture to a minimum.



- if there are any steps you can take in your day-to-day life to help reduce condensation which leads to damp and mould.



## Step 1

When you contact us to report damp and mould, we will ask you a series of questions to get a better understanding of the problem. We will also look at our system to understand if this is a repeat issue. This information will be passed to our maintenance team so that they have an idea of the problem before visiting you.

Our team will also check the Energy Performance Certificate (EPC) for your home and if we do not have one, they will request that this is carried out. The results may indicate that we need to book a heating survey to see if the heating is adequate in your home.

## Step 2

We will aim to carry out an inspection of your home within 5 working days of your report of damp and mould. While on site, our team will look at every room, complete a full inspection form and take meter readings in the affected rooms.

Where mould is present in your home and cannot be cleaned easily with household products, we will arrange an appointment to clean these areas. This will help reduce the impact the mould is having on your household while we investigate the issue:

Severity of mould	We aim to carry this out
High levels of mould evident throughout the property	within 2 working days
Moderate levels of mould restricted to a single room	within 3 working days



Low levels of mould, restricted to a localised area	within 7 working days
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Where we identify that repairs are needed, we will arrange appointments to carry these out in line with our usual repair target times as outlined in our repairs policy. If there are no visible defects in your home, we may install data loggers to give us more information about the problem.

In some cases, there may be steps that you can take in your day-to-day life to help reduce and control condensation which leads to damp and mould. Our team will discuss these steps with you and more information can be found below. You can also contact the office for more advice and support.

Following the completion of any mould washes and repairs, we will contact you to confirm that you are satisfied that the problem has been resolved. This may involve a post inspection of the completed works.

### Step 3

If we haven't managed to resolve the problem through our internal procedure, our final step is to appoint an external damp and mould specialist. They will carry out their own inspection and provide an extensive report which will help us determine any further actions we can take.

#### 8.2.4 Did you know?

There are 4 causes of damp which can cause mould. These are:

1. Leaks - these can be internal or external
2. Penetrating damp - moisture entering your home (usually rainwater) caused by a building defect
3. Rising damp - moisture from the ground penetrating the building
4. Condensation – moisture generated by use of the building in occupation. This is more common in colder months and there are often steps we can take to prevent it.

#### 8.2.5 What is condensation?

Condensation can often be seen on windows on a cold morning and occurs when warm moist air hits cold surfaces. This process causes the air to condense and form droplets of water, which can result in the formation of mould patches.

The mould does not always grow in the same room that the moisture comes from. Warm, moisture laden air from daily activities like washing and cooking can travel through a property and will settle on surfaces in cooler areas. If left untreated, a build-up of condensation may cause mould to appear. Therefore, good ventilation such as opening windows, keeping all vents open, closing doors in kitchens and bathrooms when cooking and showering and using extractor fans correctly are important.



These issues primarily occur between the months of October and April. It can happen when the weather is cold, even if it is dry.

## 8.2.6 What is damp?

Damp occurs in moist places that never fully dry out, usually where there is little air movement. It is most commonly caused by condensation. Sometimes, the damp is caused by a defect in the building. Rising damp comes up from the ground and is often caused by a breach or damage to a damp-proof course.

Penetrating damp is caused by water coming in from the outside and can be the result of a missing roof tile, leaking window frame or a blocked gutter.

## 8.2.7 What is mould?

Mould grows and multiplies in moist areas, usually as a result of condensation. Some mould will appear around window frames which can easily be cleaned off, but if left untreated, it can become a serious problem and potentially damaging to health.

## 8.2.8 Did you know?

The following steps can be taken to reduce and control condensation problems which lead to damp and mould:

- Cover boiling pans when cooking and use extractor fans if fitted
- Ensure that tumble dryers are properly vented to the outside
- Dry clothes outside or, where this is not possible, in the bathroom with the door closed and windows open or extractor fan on
- Do you have a tropical fish tank that regularly requires topping up with water? The water that has evaporated from the tank has added to the moisture level of the air within your home. You could consider fitting a lid.
- If you are running a bath, put the cold water in first to reduce the amount of steam
- Close kitchen and bathroom doors to stop water vapour movement to other parts of the house
- Report broken extractor fans and leaking pipes that can add to humidity levels, contributing to conditions that encourage mould to grow.

## 9. Energy Performance Certificates (EPC's)

All landlords are required to hold energy performance certificates for rented properties. ECBHA will do an annual check of all EPC's that are approaching their 10 year expiry in the coming year and commission replacements from a suitably experienced and registered assessor.

ECBHA will also commission revised EPC's following any planned, cyclical or responsive works to a major building component that will affect the validity of the current EPC.

ECBHA will maintain a register of all its EPC gradings within its stock condition data.



## **10. Decent Homes and HHSRS Compliance**

ECBHA has additional landlord property compliance obligations relating to the compliance with Decent Homes and the Housing Health & Safety Rating System legislation. While content within these obligations overlap with the topics covered within this policy they are specifically driven by the overall property condition and therefore are considered with the ECBHA Asset Management Strategy and related policies such as the Repairs Policy.

## **11. Roles, Responsibilities & Reporting**

The Board has overall responsibility for ensuring this policy is fully implemented to ensure full compliance with the regulatory standards, legislation, and codes of practice.

The Board will receive regular updates on the implementation of this policy through:

- The provision of key performance indicators and other relevant data on a quarterly basis.
- An annual review of compliance report.
- Any identified non-compliance with the policy being raised with the Board through the Chief Executive Officer's operational exception reporting.
- The annual independent third party review report of landlord compliance.
- Landlord compliance assessment within the internal audit programme.

The Chief Operations Officer is responsible for overseeing the operational implementation of this policy, supported by the wider ECBHA staff and leadership team.

Any non-compliance will be flagged by the Chief Operating Officer to the Chief Executive Officer in the first instance who will agree an appropriate course of corrective actions and necessary reporting and disclosures. Depending on severity and urgency this will be raised with the Chair for approval and the full Board made aware within the operational exception reporting at the next Board meeting or sooner if necessary.

It is the responsibility of all staff to support the implementation of this policy.

## **12. Data Recording, Sharing and Protection**

Requirements for data recording has been outlined within each topic area within this policy. Overall it is further highlighted that, in line with the ECBHA ICT & Data Strategy, the organisation seeks to record landlord property compliance data within its housing management system, SDM in the first instance as a secure and consistent repository. For any documents that are not suitable for this location, a secondary secure location for records is provided within the ECBHA SharePoint. Both locations are subject to robust back up arrangements.

Delivery of this policy will require the sharing of data with third party contractors and agencies such as the Fire Service. Some of this data will include personal data regulated under the General Data Protection Regulation (GDPR) provisions. Data sharing protocols will be put in place as necessary and appropriate consents sought and recorded to maintain compliance.

Data will only be shared for the purpose of delivering this policy and will only be retained inline with the National Housing Federation (NHF) data retention guidelines.

## **13. Monitoring & Review**



We will monitor the performance of this policy and seek to identify areas for improvement. This policy will be reviewed every 3 years, or sooner if required by statutory, regulatory, or best practice.

## **14. Equality Impact Assessment**

In implementing this policy, we aim to treat all customers fairly and equitably. An equality impact assessment has been carried out. Where customers require additional support, we will endeavour to provide a service that reasonably meet the needs of a particular individual or household.