



Brookland Estates
Property Management

eBOOK – Property Safety The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020



Electric

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

The Government's intention for new mandatory regulations is set to come into force on **1 June 2020 – or after**.

The regulations will require electrical installation inspections and testing to be carried out by a qualified person every five years.

Landlords must obtain a report of the results and supply it to new tenants before they move in. They must also supply it to any prospective tenant within 28 days if they ask. The latest report should be retained for the qualified person who will carry out the next inspection and test.

Even before these new regulations were proposed failing to make sure that electrical equipment and appliances are safe has always been a criminal offence.

It is good practice for Landlords to have all electrical appliances and electrics (wiring, plugs and sockets, etc.) checked before the start of a tenancy and regularly thereafter. Under the new regulations – this will be a mandatory check every 5 years. Many Landlords already operate this as it has been best practice for a number of years.

It is good practice to provide instruction booklets and guarantees for tenants.

In summary, the following guidelines apply to all electrical appliances supplied for the tenancy:

- live parts should not be accessible



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- leads should not be worn or frayed and be complete with no joins
- trailing leads and the use of multiple plug adaptors should be avoided
- correct plugs should be fitted and correctly fused
- plug sockets should be firmly fastened to the wall or skirting
- any moving parts should be guarded
- microwave doors should be clean, free from corrosion and effective
- washing machines, cookers, etc., should be serviced and in good working order
- electrical heaters and central heating appliances should be serviced annually
- fireguards should meet BS3248; and any fire extinguishers should be marked 'BS6575 1985'
- new goods must have instructions – unless brand new all goods are “second hand”

The best way to check is using CE markings, as these show they comply with regulations. Some agencies offer PAT testing for small appliances as a method of checking and demonstrating safety. Check your company policy – it may be that you don't include small appliances such as kettles or toasters in your properties, as they are cheap enough for tenants to buy and avoid the Landlord obligations.

In summary the regulations state equipment must be safe, be made in line with safety regulations and meet safety objectives.

Best practice advice to offer Landlords, is to have electrical systems formally checked and tested every 5 years and keep records of these checks for 5 years, although this is expected to become mandatory in June 2020.

The Electrical Equipment Regulations

The Electrical Equipment Regulations impose the obligation on the supplier (often an Agent or Landlord) of electrical goods to ensure that they are '**safe**' as defined by Section 19 of the Act, so that there is no risk of injury or death to humans or pets, or risk of damage to property.

The Regulations cover: all mains voltage household electric goods including cookers, kettles, toasters, electric blankets, washing machines and immersion heaters, but under the Consumer Protection Act 1987, Section 11, the Regulations do not apply to items attached to land, for example central heating systems.

In measuring safety, the Supplier needs to ascertain whether the product will comply with the current UK requirements for safety of domestic electrical products. Without detailed technical knowledge, there is no simple way to define which electrical products conform and which do not.



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The Department of Trade and Industry's guide states:

'As with other second-hand equipment, there is no mandatory requirement to undergo any safety testing but a supplier may wish to arrange for testing to check the safety of any equipment to ensure that the equipment is safe so as to avoid commission of any offence.'

The Landlord or Managing agent should...

... check all electrical appliances in all managed properties for obvious defects, including frayed wiring and badly fitted plugs, and remove unsafe items.

They should maintain records of the checks carried out for all the above appliances in each property **and also** inform Landlords of the new Regulations and their obligations.

In addition it is also recommended that you:

- Have appliances checked by a qualified electrical engineer
- You should ensure that instruction booklets are available at the property for all appliances and that any necessary safety warnings are given to tenants
- You should refer to the Regulations within the agency agreement/Terms of Business with your Landlord
- Avoid purchasing second-hand electrical appliances for rented properties and advise owners likewise. If used appliances are installed, it is necessary to have them checked by a qualified engineer

Part P & the Building Regulations

Building regulations ensure the health and safety of people in and around buildings by providing functional requirements for building design and construction.

The 'Part P' requirement applies to fixed electrical installations in property in England and Wales, such as wiring.

All work that involves adding a new circuit to a property needs to be either notified to building control, who will then inspect the work, or carried out by a competent person who is registered with a **Part P Self-Certification Scheme**.

Persons registered with Part P Self-Certification Schemes will be fully qualified electrical contractors with the ability to thoroughly check a circuit for safety and will be able to issue Building Regulations certificates of compliance.



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Small jobs such as replacing a socket-outlet or a light switch on an existing circuit will not need to be notified to a building control body, although there will be some exceptions for high risk areas such as kitchens and bathrooms.

Most jobs carried out by 'DIYers' will be small jobs that do not need to be notified to building control, but Government guidance recommends that they should still be checked by a qualified or competent electrician.

Work in a special location* needs to adhere to the Part P regulations. Such as: -

- Locations containing a bathtub, or shower basin, swimming pools or paddling pools, hot air saunas
- Electric floor or ceiling heating systems. Garden lighting or power installations

It is vital that letting agents and Landlords, in the course of business, ensure the safety of anyone that may be entering a property. It is highly recommended that every member of staff in the lettings team are fully aware of the electrical safety regulations and the necessary actions required to comply.