

Electrical Safety First Briefing

Building Safety Bill – House of Lords – Committee Stage

In support of Amendment: Duty of social landlords to undertake electrical safety inspections

Electrical Safety First is the only UK charity dedicated to reducing deaths, injuries and fires caused by domestic electrical accidents: www.electricalsafetyfirst.org.uk

Building Safety Bill – House of Lords Committee Stage

Amendment to improve electrical safety in High Rise Social Housing

Background

- Electrical Safety First is the charity committed to reducing the number of deaths, injuries and accidents caused by electricity.
- We fully support the new clause tabled by Lord Foster of Bath which aims to improve the safety of High-Rise Residential Buildings (HRRBs) by requiring all social landlords to undertake an Electrical Installation Condition Report (EICR) for their properties. This is legally required for privately rented homes in HRRBs but does not apply to social housing.

Why this is needed

- Home Office fire data shows that the number of fires in HRRBs with 10 or more flats has risen consistently year-on-yearⁱ.

Year	Number of Fires
2016/17	301
2017/18	309
2018/19	355

- 53% (the majority) of all accidental house fires are caused by electricityⁱⁱ.
- **There is support from the sector.** Electrical Safety First undertook a consultation of social landlords which showed overwhelming support - **98% of social housing providers** who responded supported mandatory five-yearly electrical safety inspectionsⁱⁱⁱ. Respondents included some of England's largest social housing providers.
- **It would ensure safety parity for all renters.** It cannot be right that in a mixed tenure block, a private renter will have electrical checks carried out by law, whilst the social tenant living next door will not. A fire in a tower block does not check the tenancy status of those it threatens.

The Government's Position

- In its Social Housing Charter, the Government said unequivocally that 'safety measures in the social sector should be **in line with the legal protections afforded to private sector tenants**. Responses to the social housing Green Paper showed overwhelming support for consistency in safety measures across social and private rented housing.^{iv}
- Regarding this Bill, Lord Greenhalgh said at Second Reading 'The Bill is unapologetically ambitious, creating a world-class building safety regulatory regime that holds **all to the same high standard**.'^v

The deficiency of existing legislation

- Social landlords are already required to keep electrical installations in repair due to their

obligations under the Landlord and Tenant Act 1985, and free of electrical hazards because of the Homes (Fitness for Habitation) Act 2018.

- However, these are general provision and **there is no requirement for social landlords to hold a valid electrical safety certificate on a periodic basis**, as there is with private landlords. The Government's stated aim is not being achieved.
- There is evidence to support this. Nine in ten social housing providers do not have in-date electrical condition reports for all properties^{vi}.
- **To level up, the Government must ensure that social landlords are required to undertake electrical safety inspections for their properties in HRRBs**, so all renters are afforded the same protections.

How the amendment will help

- The proposed new clause will require social landlords to have a valid electrical safety certificate for all their properties in HRRBs. This means that the testing will be carried out by a qualified and competent person and must be carried out at least every five years. **This will be an important step to achieving the Government's stated aim.**
- Without this amendment, social tenants in HRRBs will continue to be placed at risk and be less protected than those renting privately.
- Electrical faults will remain unidentified and unremedied. Given the nature of HRRBs and the spread of fire, **this undermines the safety of the entire building**. Not including this amendment will continue to place a significant number of residents at risk.

Contact Details:

If you would like further details about this briefing, please contact:

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ⁱ Electrical Safety First analysis <https://www.electricalsafetyfirst.org.uk/media-centre/press-releases/2020/04/charity-calls-for-electrical-safety-checks-white-goods-register-in-tower-blocks/>

ⁱⁱ Electrical Safety First analysis of Home Office Statistics 2018-19 <https://www.electricalsafetyfirst.org.uk/what-we-do/our-policies/westminster/statistics-england/>

ⁱⁱⁱ <https://www.insidehousing.co.uk/news/news/social-landlords-back-mandatory-five-yearly-electrical-safety-checks-70240>

^{iv} Charter for Social Housing Residents 22nd January 2021 para 13

^v Hansard 2nd February col 916

^{vi} [Inside Housing - News - Nine in 10 providers do not have in-date electrical condition reports for all properties](#)