Consultation outcome

**Electrical safety in the Social Rented Sector: proposals to extend regulations – government response**

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# Executive Summary

1. Every social housing tenant deserves to live in a home that is safe, warm and decent. Tenants deserve to receive a high-quality service from their landlord, to have a strong voice and tools to hold their landlord to account, to have complaints dealt with swiftly and effectively, and to know that things will be put right when they go wrong.
2. The government is committed to working in partnership with social housing providers and tenants to ensure that all tenants live in safe, warm and decent homes, and to ensure that new homes can be built to house those in need of a safe and secure home. That is why we will improve standards in the social housing sector and make sure tragedies, like the devastating Grenfell Tower fire of 2017 and the tragic death of two-year-old Awaab Ishak due to damp and mould, are never allowed to happen again. It is also why have committed to an updated Decent Homes Standard and Minimum Energy Efficiency Standards.

1. This government is therefore introducing mandatory electrical safety checks into the social rented sector to elevate safety standards and bring further alignment between the social rented sector and the private rented sector, where these regulations already exist.
2. Following the formation of the Electrical Safety in Social Rented Homes Working Group in 2021[[1]](#footnote-2), a consultation sought views on extending existing private rented sector requirements for mandatory electrical installation inspections at least every five years to the social rented sector, and introducing mandatory appliance inspections on all electrical appliances that are provided by registered providers of social housing (also referred to as ‘social landlords’) as part of a tenancy. The consultation also included questions on the implementation and enforcement of these proposals.
3. In addition, the consultation included a call for evidence that considered whether the requirement to check electrical safety installations every five years should extend to owner-occupier leasehold properties within social housing blocks. Responses to the call for evidence on owner-occupied leasehold flats are subject to further consideration and will form part of a separate government response in due course.
4. The consultation received 119 responses from individuals and organisations. The proposals on mandatory inspection were strongly supported, with 97% of respondents agreeing with mandatory electrical installation checks, and 83% of respondents agreeing with testing of electrical appliances provided by the social landlord.
5. This government has reflected on these responses, and will introduce regulations to mandate these requirements in the social rented sector:
* Social landlords will be obliged to inspect and test electrical installations in their homes at least every five years;
* Social landlords will be obliged to issue a copy of the Electrical Installation Condition report (EICR) to social tenants within 28 days of an inspection, or to any new tenant before they occupy the property;
* Social landlords will be obliged to undertake in-service inspection and testing of electrical equipment provided as part of a tenancy (sometimes known as ‘PAT testing’)[[2]](#footnote-3); and
* Social landlords will be obliged to complete any remedial works following an inspection, within 28 days.
1. These requirements will relate to England only.
2. We are grateful to all of those who provided constructive engagement as part of this consultation. We will bring these changes forward [date TBC].

# Introduction

1. The government is determined to drive up safety standards in the social rented sector, including on electrical safety. The Grenfell Tower fire was started by an electrical fault, which makes improving electrical safety standards in the social rented sector vitally important and a moral imperative. As the government’s response to the Grenfell Tower inquiry (insert link here) makes clear, improving electrical safety standards in the social rented sector is an important part of making social housing tenants safer in their homes.
2. Since 2020[[3]](#footnote-4) private sector landlords have been required to inspect and test their electrical installations at least once every five years, but there are no such requirements for social landlords.
3. A consultation exercise[[4]](#footnote-5) was held between 8 June 2022 to 31 August 2022 under the previous government, inviting views on proposals to introduce mandatory checks for electrical installation, bringing parity with the private rented sector, and requiring mandatory checks of appliances provided by social landlords. This document sets out the findings of that consultation and this government’s response to the findings.
4. The proposed changes outlined in this consultation, namely mandating social landlords to conduct electrical safety checks at a minimum of every five years and the checking of electrical equipment at the start of every tenancy, are common sense ones that will help make tenants in the social rented sector safer and are overwhelmingly supported by tenants and stakeholders alike.

# The consultation: content

1. The consultation sought views on introducing mandatory electrical safety checks in the social rented sector and considered the inspection of both electrical installations and electrical appliances.
2. The consultation sought comments on the following proposals:

**Proposal A:** Mandatory checks on electrical installations for social housing at least every five years.

**Proposal B:** Mandatory In-service Inspection and Testing of Electrical Equipment (sometimes known as ‘PAT testing’, which was how it was described in the consultation) on all electrical appliances that are provided by social landlords as part of a tenancy.

# The consultation: approach

1. The consultation was open for 12 weeks from 8 June 2022 to 31 August 2022.
2. .
3. Respondents could respond via survey, email, or by post. They were asked 16 questions in total, ten of which considered proposals A and B, including in relation to their implementation and enforcement. All questions invited a ‘yes’ or ‘no’ response, with an option to elaborate further in a free text box.
4. The consultation adhered to the principles issued by the Cabinet Office.[[5]](#footnote-6) It was accompanied by an analysis of impact, which can be found in the consultation document.[[6]](#footnote-7)

# Summary of consultation responses

1. The consultation received 119 responses from individuals and organisations, including social housing tenants, social housing landlords, leaseholders, electrical safety industry professionals, and specialist groups. Respondents were not required to answer all the questions in the consultation.
2. In reporting the overall response to each question, ‘majority’ means more than 50% of respondents expressed a view, and ‘minority’ indicates less than 50%. ‘About half’ indicates an overall response within a few percentage points of 50% (either way).

# Government response to the consultation on electrical safety in the social rented sector

# Proposal A: Extending mandatory electrical installation checks at least every five years to social housing

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| **Q1a. Do you agree that mandatory inspection and testing at least every five years of electrical installations should be a legal requirement in the social rented sector?**Yes/No. If yes, please answer question 1(b). Please provide supporting details.  | **Totals**  |
| Yes | 114 (97%) |
| No | 4 (3%) |
| **Total**  | 118 |

1. The consultation sought views on whether mandatory inspection and testing at least every five years for electrical installations should be a legal requirement in the social rented sector. A significant majority of respondents supported the proposal to do this.
2. 104 respondents provided a response in the free text. Many respondents were supportive of setting a point in time for inspections, including the five-year timescale. Some answers acknowledged that this approach is currently best practice in the sector and legislating would ensure all tenants receive the same protections from their social landlord. Some respondents commented on the benefits of achieving parity across rented sectors throughout the home nations of the United Kingdom (recognising that this policy is devolved) and with existing legal requirements for gas safety (all landlords, across the sectors, must regularly inspect gas installations). Some respondents remarked that making electrical safety checks a legal requirement would incentivise tenants to provide landlords with access to properties to complete checks, whilst others felt that any new legal requirements must be accompanied with strengthened legal powers to ensure landlords can access social homes and complete checks.

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| **Q1b. Should it be a requirement that a copy of the EICR report be issued to social tenants within 28 days, or to any new tenant before they occupy the property?**Yes/No. Please provide supporting details.  | **Totals**  |
| Yes | 80 (69%) |
| No | 36 (31%) |
| **Total**  | 116 |

1. The consultation sought views on whether it should be a requirement that a copy of the electrical installation condition report (EICR) report be issued to social tenants within 28 days of an inspection, or to any new tenant before they occupy the property. A majority of respondents supported this proposal.
2. 101 respondents provided a response in the free text. Some respondents said that this would provide assurance to tenants and providers that their properties are safe. Some respondents also commented that 28 days is a reasonable time frame for the EICR report to be issued to social tenants. A few respondents said that this would be an unnecessary burden on providers, suggesting that it should instead only be supplied upon request from the tenant. A few respondents disagreed with the proposed requirement to issue the EICR within 28 days of every inspection but agreed that it should be supplied to new tenants at the start of their tenancy. Some respondents suggested that the EICR report is not accessible to laypersons and that it would be more useful to issue a summary sheet or a certificate confirming that the check has been carried out. A few respondents raised concerns regarding the 28-day timeframe, suggesting that this could add an administrative and financial burden on providers.

## Government response

1. We recognise the strong support for mandatory checks on electrical installations for social housing at least every five years. We recognise that this will improve electrical safety in social homes and will bring social homes into parity with existing requirements in the private rented sector.
2. We intend to introduce mandatory electrical safety checks at least every five years in the social rented sector and make it a requirement that a copy of the EICR report is issued to social tenants within 28 days, or to any new tenant before they occupy the property. A copy of the EICR report can be issued to the tenant in person, by post or electronically.
3. Mandatory five yearly checks on electrical installations means registered providers of social housing (also referred to as ‘social landlords’) must:
* Make sure the electrical installations in their rented properties are inspected and tested by a qualified and competent person at an interval of at least every five years (or a shorter period if specified);
* Obtain an EICR from the person conducting the inspection which shows the results and sets the date for the next inspection;
* Provide a copy of this report to the tenant within 28 days of the inspection being carried out, and to any new tenant before they occupy the property; and
* Complete any remedial or further investigative work identified on the EICR as C1, C2 or FI within 28 days (or a shorter period if specified).[[7]](#footnote-8)
1. The requirement that a copy of the EICR report be issued to social tenants within 28 days or at the start of the tenancy will achieve consistency with requirements in the private rented sector and will provide clarity for landlords and tenants on their rights and responsibilities.
2. We appreciate concerns raised about EICR reports being technical and potentially confusing for tenants, however we believe that this will provide assurance of safety to tenants. We encourage landlords to provide a summary sheet or cover letter alongside the report that explains the content to tenants.
3. We recognise that conducting regular safety checks is already best practice, however we believe that making this a legal requirement will provide reassurance and peace of mind for tenants, provide social landlords with clarity on the actions they are expected to take, and address the disparity in standards between the rented sectors. Landlords have indicated that mandating inspection and testing as a legal requirement may also encourage tenants to provide access to properties where they have previously refused to do so. Access issues are addressed further in the responses below.
4. We note the concern raised by a few respondents in relation to the costs incurred by the industry to carry out mandatory testing and issue EICR reports within 28 days. An assessment of the costs and monetised benefits was included in the consultation document. However, the majority of social landlords already carry out electrical safety checks at least every five years and so we do not anticipate that this will be a huge burden on the industry. We believe that above all it is important that tenants feel safe in their homes.
5. We will bring forward these changes in October 2025 for new tenancies and April 2026 for existing tenancies. The regulations will be subject to the affirmative procedure and will need to be debated and approved in both Houses of Parliament before they can be brought into force.

# Proposal B: Introducing mandatory In-service Inspection and Testing of Appliances (PAT testing) provided by social landlords as part of tenancy

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| **Q2a. Do you agree that PAT testing of appliances provided by social landlords should be a legal requirement?**Yes/No. If yes, please answer 2(b). Please provide supporting details.  | **Totals**  |
| Yes | 97 (83%) |
| No | 20 (17%) |
| **Total**  | 117 |

1. The consultation sought views on whether to mandate Portable Appliance Testing (PAT) on all electrical appliances that are provided by social landlords as part of a tenancy. The majority of respondents supported this proposal.
2. 99 respondents provided a free text response. Some respondents mentioned that this would provide assurance for both tenants and landlords that their appliances were safe and ensure a consistent approach across social housing as some landlords are already testing appliances. A few respondents mentioned that this would mirror legal requirements in Scotland. Some respondents said landlords should be responsible for the continued safety of appliances supplied by them, whilst others thought all appliances should be tested, even if supplied by tenants. A few respondents mentioned the difficulty in discerning which appliances are landlord owned, and which belong to tenants and that excluding tenant owned appliances does not achieve the aim of preventing risk. Some respondents commented that portable appliances are already tested in supported housing and emergency accommodation. A few respondents said that getting access to properties to carry out mandatory testing of appliances would be a challenge. A few respondents said that the timeframe for testing and the types of appliances to be tested should be determined based on level of risk. A few respondents said that mandating testing of appliances would discourage landlords from supplying appliances and may increase the common practice of landlords ‘gifting’ appliances to tenants to avoid responsibility.

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| **Q2b. Do you agree that the frequency of PAT testing should be determined according to risk assessment, but that evidence of PAT testing must be provided with an EICR certificate to ensure PAT testing is completed at least every five years?**Yes/No. Please provide supporting details.  | **Totals**  |
| Yes | 82 (75%) |
| No | 28 (25%) |
| **Total**  | 110 |

1. The consultation sought views on how often appliances should be tested. Evidence of appliance testing would be provided at the same time as the certificate showing that the electrical installation had been inspected and tested, which would mean appliances would be tested at least every five years. But the tester will decide how often appliances should actually be tested, based on risk and taking into account the circumstances of the particular property.
2. The majority of respondents supported this proposal. 84 respondents provided a free text response. Some respondents agreed that the frequency of testing should be determined according to risk assessment, but not that evidence should be provided with an EICR, and some disagreed with the risk assessment approach but thought testing should be completed alongside the EICR. Some respondents said that the frequency of testing should be determined by standardised guidance not according to risk assessment and some felt it should be more frequent than five years, including annually. A few respondents continued to highlight the barriers to conducting these assessments including access issues, and resource pressures on providers. A few respondents disagreed with the conflation of the EIRC and the testing of appliances, indicating that EICR and appliance testing require different levels of expertise and should therefore be separated.

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| **Q3. Do you agree that PAT testing of tenants’ personal appliances should *not* be a legal requirement?**Yes/No. Please provide supporting details.  | **Totals**  |
| Yes | 98 (84%) |
| No | 18 (16%) |
| **Total**  | 116 |

1. The consultation sought views on whether respondents agreed that testing of tenants’ personal appliances should *not* be a legal requirement. The majority of respondents supported this proposal.
2. 92 respondents provided a free text response. Many respondents agreed that tenants’ appliances should not be tested, emphasising that this would be impractical due to cost, access issues, difficulty monitoring and costs on tenants to replace their personal appliances. A few respondents disagreed, stating that omitting tenants’ personal appliances from testing leaves a gap in the provision of safety in the premises. A few respondents agreed, highlighting difficulties of enforcing testing of tenants’ appliances, including removing tenants’ appliances that fail tests and who pays to replace them. A few suggested that there should be guidance issued to tenants to encourage them to test their own appliances.

## Government response

1. The consultation response showed that there was strong support for mandatory In-service Inspection and Testing of Electrical Equipment (ISIT) on all electrical appliances provided by social landlords as part of a tenancy (this is often known as ‘PAT testing’ and this is how we described it in the consultation), and we will introduce regulations to make this a legal requirement. The frequency will be determined according to risk assessment, but the evidence of testing of appliances must be provided with an EICR certificate to ensure testing of electrical equipment is completed at least every five years.
2. This will mean that when a competent person carries out a five yearly check, they should confirm that ISIT is up to date for appliances provided as part of a tenancy. In practice, this means that in-service inspection and testing of electrical equipment will be required at least every five years, because when an EICR is carried out electricians have to confirm ISIT is up to date. The period needed between ISIT will vary according to the type of appliance and conditions of use, and the qualified inspector will recommend the frequency according to these factors.
3. ISIT is considered the most effective way to ensure safety of electrical appliances by identifying faults. ISIT provided by landlords is already practised widely across the social rented sector. Mandating these tests will address the small number of social landlords that do not already carry out ISIT and ensure that all social tenants have the same protections with regard to electrical appliances provided by their landlords.
4. Although only a small portion (2%) of social tenancies are furnished[[8]](#footnote-9), we acknowledge the strong support for introducing ISIT in the consultation responses and agree that this will ensure that any appliances provided by social landlords are and will remain safe for use.
5. We believe that costs incurred for ISIT will be minimal, as a limited number of social tenancies are furnished with any appliances. The cost for a registered provider to carry out ISIT was estimated at £67.21 plus a cost of £0.88 per item tested. Approximately only 2% of social rented properties are let furnished. In most cases, furnished tenancies will be provided to particularly vulnerable tenants such as those in supported housing, and those landlords are already conducting ISIT.
6. We acknowledge that these new requirements for the social rented sector go beyond current legal requirements in the PRS, where ISIT is encouraged as best practice for furnished tenancies in the PRS but is not a regulatory requirement. This reflects the fact that there is a smaller proportion of furnished properties in the social rented sector and that furnished tenancies are usually offered to particularly vulnerable tenants such as those in supported housing. It is therefore considered proportionate to ensure that the most vulnerable social tenants are protected through mandatory ISIT.
7. We do not intend to make it a legal requirement for landlords to inspect appliances that belong to tenants because this could be disruptive and invasive, especially if personal appliances are found to be faulty and removed. Mandating ISIT of tenants’ personal appliances would also raise questions about landlord responsibility for replacement. We believe that a more workable solution would be to make sure that tenants understand how to verify the safety of their appliances through safe use, visual checks, registration of appliances and the purchasing of safe and reputable electrical goods. We intend to work with the sector to raise awareness of the new regulations and ensure that social housing tenants understand how to keep their electrical appliances safe.
8. In response to concerns that mandating ISIT may increase the practice of landlords ‘gifting’ appliances to tenants to avoid responsibility, we will make it clear in guidance that we expect landlords to test any gifted appliances prior to gifting and to advise their tenants to verify the safety of their appliances on a regular basis.
9. We intend to introduce this legal requirement as soon as possible. The regulations will be subject to the affirmative procedure and will need to be debated and approved in both Houses of Parliament before they can be brought into force.

# Implementation and enforcement considerations for Proposal A and Proposal B

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| **Q4. Do you think a legal requirement for electrical safety checks would improve landlord access to properties to carry out checks?**Yes/No. Please provide supporting details. | **Totals**  |
| Yes | 96 (83%) |
| No | 19 (17%) |
| **Total**  | 115 |

1. The consultation sought views on whether a legal requirement for electrical safety checks would improve landlord access to properties to carry out checks. The majority of respondents agreed that it would.
2. 100 respondents provided a free text response. Many respondents cited access as the biggest issue facing landlords when completing checks and that access is more likely to be granted if a legal requirement needed to be fulfilled, like gas safety checks. Some landlords who responded to the consultation disagreed stating that they are still experiencing access issues even when conducting legally required checks such as gas safety. A few respondents said that landlords should have more powers to gain entry and not have to resort to the court injunction process which takes time and incurs extra cost. A few respondents also suggested that any change in the law should be accompanied by an information campaign to inform tenants of the importance of granting access. A few respondents said that any new requirements should be accompanied by clearer enforcement guidance.

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| **Q5. Do you think there is more that government could do to ensure social landlords are able to access properties and carry out these checks?**Yes/No. Please provide supporting details and/or recommendations.  | **Totals**  |
| Yes | 101 (88%) |
| No | 14 (12%) |
| **Total**  | 115 |

1. The consultation sought views on whether the government could do more to ensure social landlords are able to access properties and carry out these checks. The majority of respondents answered yes to this question.
2. 103 respondents provided a free text response. Some respondents said landlords should have a legal right of access and a clear legal enforcement process and a few suggested that there should be penalties on tenants for refusing access. A few respondents disagreed, stating that landlords already have sufficient powers of access that balance the right of a tenant to quiet enjoyment of their home and a landlord’s duty to ensure the home is safe. A few respondents suggested a national information campaign to raise awareness among tenants of the importance of granting access for electrical safety checks and a few respondents said that there should be a legal right of entry that covers all safety checks, not just electrical safety. A few respondents said that the government should make the court process for gaining access to social homes easier and cheaper.

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| **Q6. Do you agree that the guide for landlords offers suitable advice for landlords to identify competent and skilled inspectors, and could be applied to the social rented sector?**Yes/No. Please provide supporting details and recommendations.  | **Totals**  |
| Yes | 87 (79%) |
| No | 23 (21%) |
| **Total**  | 110 |

1. The consultation sought views on whether the guide for landlords offers suitable advice for landlords to identify competent and skilled inspectors, and could be applied to the social rented sector. The majority of respondents agreed with this proposal.
2. 74 respondents provided a free text response. Some respondents agreed that this would achieve parity with the PRS and ensure the same guidance is followed by landlords across tenures, and some commented that some local authorities already use the Guide for Landlords[[9]](#footnote-10) to identify competent and skilled inspectors. Some respondents suggested that all inspectors should belong to a single body of qualification and be vetted by a competency scheme to provide consistency. A few respondents said that social landlords have internal processes in place to identify competent and skilled inspectors. A few respondents commented that there is a skills shortage in the sector that prevents landlords from completing checks. A few respondents said that a guide for the social rented sector should mirror the gas safety guide.

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| **Q7. Should any requirements be introduced in a phased way as exampled above?**Yes/No. Please provide supporting details. | **Totals**  |
| Yes | 88 (79%) |
| No | 24 (21%) |
| **Total**  | 112 |

1. The consultation sought views on whether any requirements should be introduced in a phased way. The majority of respondents supported this proposal.

1. 90 respondents provided a free text response. Some respondents reiterated that following the same approach taken for PRS requirements and giving landlords time to prepare for any changes would be the best approach. Some commented that there is a shortage of skilled electricians in the industry and a phased approach would minimise a sudden spike in demand and allow time to build up capacity and skills. A few suggested that a phased approach of 3-5 years would be more appropriate. A few respondents disagreed on the basis that landlords should already be adopting this approach. A few respondents said that PAT testing should be phased in over a longer period. A few respondents said that requirements should apply first to high-risk properties and vulnerable tenants.

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| **Q8. Would 28 days be a sufficient period for social landlords to complete any remedial works?**Yes/No. Please explain further and/or recommend what would be a sufficient period.  | **Totals**  |
| Yes | 59 (53%) |
| No | 53 (47%) |
| **Total**  | 112 |

1. The consultation sought views on whether 28 days would be a sufficient period for social landlords to complete any remedial works. About half of respondents supported this proposal.
2. 98 respondents provided a free text response. Some respondents agreed but said more time would be required for more complex work and only if clear access powers were in place to avoid non-compliance with requirements. Some respondents disagreed worrying that a skills shortage in the industry would make 28 days difficult and that remedial works sometimes depended on availability of third-party contractors. Some respondents said a better approach would be to risk-rate remedial works and complete to a timeframe according to the level of risk.
3. Guidance will make it clear that a landlord is not in breach of their duty to comply with a remedial notice if they can show they have taken all reasonable steps to comply.

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| **Q9. Should any regulations introduced be enforced by local housing authorities?**Yes/No. Please provide supporting details. | **Totals**  |
| Yes | 82 (73%) |
| No | 30 (27%) |
| **Total**  | 112 |

1. The consultation sought views on whether any regulations introduced should be enforced by local housing authorities. The majority of respondents supported this proposal.
2. 78 respondents provided a free text response. Some respondents agreed stating that this makes sense given that local authorities already enforce other housing standards and that this would achieve parity with the PRS. Some respondents highlighted issues with stock owning local authorities enforcing against themselves and said that an alternative body should enforce regulations such as the Regulator of Social Housing (RSH/’the Regulator’) or the Health and Safety Executive (HSE). Some respondents said that local authorities would require further funding and resources if they are required to enforce more regulations.

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| **Q10. Do you agree that the penalty for non-compliance of any regulations introduced should be a civil penalty of up to £30,000?**Yes/No. Please provide supporting details. | **Totals**  |
| Yes | 69 (66%) |
| No | 36 (34%) |
| **Total**  | 105 |

1. The consultation sought views on whether the penalty for non-compliance of any regulations introduced should be a civil penalty of up to £30,000. The majority of respondents supported this proposal.
2. 84 respondents provided a free text response. Some respondents agreed that this would be a sufficient deterrent and suitable punishment for landlords putting tenants’ safety at risk. A few respondents said that penalties should be a percentage of the annual turnover of the rent taken on the property or proportionate to the risk caused by the breach. Some disagreed, suggesting alternative penalties and stating that any financial penalties on social landlords will ultimately reduce the amount available to reinvest to tenants. A few respondents said that penalties should be determined and enforced by the RSH. A few respondents said that there should be an exemption for landlords who can demonstrate attempts to gain access.

## Government response

1. The consultation response showed strong support for the proposed measures to implement and successfully enforce any new regulations. The response to implementation considerations is set out below.
2. We will bring forward these changes as soon as possible. The regulations will be subject to the affirmative procedure and will need to be debated and approved in both Houses of Parliament before they can be brought into force.

Access

1. We note the concerns raised by some respondents that social landlords often face difficulty gaining access to tenants’ homes to complete electrical safety checks. We note that the majority agreed that making electrical safety checks a legal requirement would improve landlord access to properties to carry out checks.
2. We agree that keeping tenants informed on the importance of electrical safety could encourage them to grant access to landlords to carry out checks. Social landlords should make best efforts to engage with tenants and provide information to explain why access should be granted to carry out safety checks and what they can expect from the inspection(s).
3. Social landlords have statutory rights of access to the properties they rent out for the purpose of assessing the condition of the property and conducting any repairs. These rights are also usually set out as express terms in tenancy agreements. Where access is refused by tenants, their landlords could pursue action in court to gain access. We encourage tenants and social landlords to work together to find a suitable time for the landlord to visit to conduct checks and any necessary remedial works.
4. The regulations will stipulate that where landlords can provide evidence that they have taken all reasonable steps to carry out the electrical safety checks and any necessary remedial work, they are not in breach of their duty to comply. Guidance will set out how landlords can show they have taken reasonable steps to comply. For example, a landlord could show reasonable steps by keeping copies of all communications they have had with their tenants and with electricians as they tried to arrange the work.

Workforce capacity and skills

1. We agree with the majority view that the Guide for Landlords offers suitable advice for landlords to identify competent and skilled inspectors, and we will update and apply this guide to the social rented sector.
2. We believe that applying the guide to the social rented sector will ensure consistency across tenures and that all electrical safety inspections are being carried out by a competent person. The guide advises landlords commissioning an electrical safety inspection to check if the inspector is a member of a competent person scheme and/or require the inspector to sign a checklist certifying their competence. The checklist includes their experience, whether they have adequate insurance and if they hold a qualification covering the current version of the Wiring Regulations and the periodic inspection, testing and certification of electrical installations.
3. We note concerns raised about whether the sector has the skills and capacity to meet the demands of mandatory electrical safety checks given evidence of skills shortages across the electrotechnical sector workforce.[[10]](#footnote-11) Social landlords will not be in breach of regulations if they can clearly evidence reasonable attempts to secure a qualified and competent person to carry out inspections and complete remedial works within the timescales specified. They will, however, still be expected to take all reasonable steps to ensure the inspections and necessary remedial work are completed as soon as possible. The regulations will be introduced in a phased approach to allow landlords time to implement the changes. Changes will first be introduced for new tenancies and then six months later for existing tenancies.

Timing: implementation and remediation

1. We agree that a phased implementation of new requirements will help manage increased demand on the electrotechnical sector and peaks in demand for competent electricians every five years. That is why the new requirements will come into force for new tenancies a month after regulations are made, and for all tenancies six months later. Properties with an existing electrical installation condition report (EICR) will not be required to replace it for five years from its date. For new and fully rewired properties, an Electrical Installation Certificate can be presented in place of an EICR provided that the date of next inspection indicated on the certificate has not elapsed. This follows the approach taken for PRS requirements and gives landlords an opportunity to prepare for any changes.
2. We believe that this strikes the right balance between giving landlords time to implement the changes and preventing delay that could impact on tenant safety and put lives at risk. The process of passing the new regulations through Parliament will provide an additional period for landlords to prepare to meet new requirements before they become law. We anticipate that many providers will not need additional time as they are already conducting regular electrical installation inspections as best practice.
3. We acknowledge that about half of respondents agreed that landlords must complete remediation work within 28 days with about half of respondents disagreeing. We have considered the responses in detail and concluded that 28 days is sufficient in line with requirements in the PRS. We will mandate that if an electrical installation is found to require further investigative work or remedial action, landlords must complete this work within at most 28 days, or a shorter period if specified as necessary in the report. Landlords must provide written confirmation that the work has been carried out to their tenant and to the local authority within 28 days of completing the work.
4. This requirement is in addition to ‘Awaab’s Law’, introduced through the Social Housing (Regulation) Act 2024, which will set requirements for social landlords to investigate and address hazards in social homes within fixed timeframes. .
5. We note concerns raised by respondents in relation to difficulty gaining access to tenants’ homes to complete remedial work. A landlord will not be in breach of their duty to comply with a remedial notice if they can show they have taken all reasonable steps to comply. Equally, tenants must facilitate reasonable access for necessary remedial work.
6. A landlord could show reasonable steps by keeping copies of all communications they have had with their tenants and with electricians to arrange the work, including any replies. Landlords may also want to provide other evidence they have that the installation is in a good condition while they attempt to arrange works. This could include the servicing record and previous safety reports.
7. We also note concerns raised by respondents that more complex remediation work may require a longer period to complete. We recognise there may be cases with external factors that make this difficult. Nonetheless we think that if a tenant of social housing is living with an electrical/fire risk this should be addressed promptly. The 28-day period sets the right balance between giving tenants the confidence that health and safety works will be completed in good time but allowing landlords an appropriate period to arrange works by a qualified and competent person.

Enforcement

1. We note the support for regulations to be enforced by local housing authorities and that the maximum penalty for non-compliance of regulations introduced should be a civil penalty of up to £40,000. We will introduce these measures as part of the regulations.
2. We recognise that local authorities who are also social landlords are not able to take enforcement action against themselves if they do not comply with regulatory standards, such as our electrical safety standards proposals. They will be required to meet the standards in the regulations and to take a proactive approach to ensuring their housing is safe.
3. In addition, if rented houses and flats are not ‘fit for human habitation’ (including for reasons due to electrical safety), tenants of local authorities can take their landlords to court under the Landlord and Tenant Act 1985 because of amendments made to that Act by the Homes (Fitness for Human Habitation) Act 2018. The court can make the landlord carry out repairs or put right health and safety problems and can also make the landlord pay compensation to the tenant. As public bodies, local authorities can also be challenged by way of judicial review.
4. Registered providers of social housing are obliged to comply with the regulatory consumer standards set by the Regulator of Social Housing[[11]](#footnote-12). The Regulator has recently brought into force new consumer standards, including a requirement for registered providers to ‘identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas’.[[12]](#footnote-13) As of April 2024, the Regulator has introduced a new integrated regulatory approach, including proactive regulation of the consumer standards. In April 2023, the Regulator introduced the tenant satisfaction measures (TSMs). Registered providers must report and publish their performance against the TSMs annually. These will help tenants to understand how their landlords are performing. The first TSM results were published in November 2024. The Regulator has committed to introducing a TSM in relation to electrical safety in due course which will contribute to landlord monitoring and transparency.
5. The Regulator cannot help to resolve individual tenant complaints but can consider whether complaints are evidence of systemic (widespread) failings by the landlord. The Regulator works closely with the Housing Ombudsman, who can play a role in resolving individual complaints between tenants and landlords and can also refer issues to the Regulator when it finds evidence to suggest individual cases are indicative of wider failings.
6. We agree that there needs to be a sufficient deterrent to landlords failing to comply with regulations and will therefore impose a financial penalty on landlords who are in breach of their duties, in line with the PRS electrical safety measures.[[13]](#footnote-14) Before a financial penalty is imposed, non-compliant landlords will be issued with a remedial notice requiring them to arrange for an electrical installation safety check. We propose to amend the current maximum £30,000 fine limit to £40,000 to bring this policy in line with the increase to the maximum fine under the 2004 Act through the Renters’ Rights Bill.

1. We note concerns raised by some respondents about financial burdens on local authorities enforcing new regulations. We have considered costings relating to enforcement as part of our assessment of local authority new burdens. We estimate that there will be minimal additional costs to local authorities associated with this enforcement. The majority of social landlords comply with standards, so will carry out remedial work without local authority involvement. Local authorities have the power to serve a Financial Penalty of up to £30,000 (which will be raised to £40,000) for non-compliance with regulations and local authorities will also retain any funds raised through financial penalties to enable further enforcement.

# Glossary

**Consumer standards:** Standards set by the Regulator for Social Housing under powers in s. 193 of the Housing and Regeneration Act 2008. The Regulator may take action against providers if these standards are breached. These standards have recently been reviewed by the Regulator for Social Housing and were brought into force on 1 April 2024.

**Electrical Appliance:** A portable electrical good, including electrical white goods (e.g. cookers, refrigerators and washing machines). Portable appliances generally have a cable and a plug.

**Electrical Installation:** Electrical installations cover all aspects of the supply, distribution and use of electrical power in the house from the consumer unit (where the electric supply connects to the wiring in the house) to the point of use at the switch or socket-outlet.

**Electrical Installation Condition Report (EICR):** A report carried out by a skilled person that confirms that the electrical installation is satisfactory for continued use and where identified details any remedial works required.

**The Electrical Safety in Social Rented Homes Working Group:** (Also known as the SRS Electrical Safety Working Group) The Electrical Safety in Social Rented Homes Working Group was a stakeholder working group formed by the department to inform the content of this consultation. ‘Members’ and ‘the working group’ are also used throughout the consultation to refer to this working group.

**The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020:** The regulations require that landlords have property electrics checked at least every five years by a properly qualified person. The electrics must meet standards and landlords must give their tenants proof of this.

**Electrical Safety Standards:** Standards specified in, or determined in accordance with, the regulations in relation to the installations in the premises for the supply of electricity, or electrical fixtures, fittings or appliances provided by the landlord.

**Electrical Safety Standards Working Group:** The working group for electrical safety in the private rented sector. The group met 4 times in 2016 and was chaired by MHCLG officials.

**Hazard:** As set out in the Housing Health and Safety Rating System (HHSRS) Operating Guidance[[14]](#footnote-15), a hazard is any risk of harm to the health or safety of an actual occupier of accommodation that arises from a deficiency in the dwelling. This includes hazards at both the category 1 and category 2 levels.

**Health and Safety Executive (HSE):** The independent regulator for work-related health, safety and welfare, and for research into occupational risks.

**Housing Association:** Non-profit organisation set up to provide affordable homes for those in need.

**Housing Ombudsman Service (HOS):** An executive non-departmental public body of the government of the United Kingdom, sponsored by the Ministry of Housing, Communities and Local Government. The Housing Ombudsman Service looks at complaints about registered providers of social housing, for example housing associations, and other landlords, managers and agents. The service is free, independent and impartial. The Ombudsman can also look at complaints about the handling of housing issues by local councils.

**Inspection:** Examination of an electrical installation using all the senses as appropriate.

**In-service Inspection and Testing (ISIT):** The process of checking electrical appliances for safety, can include a series of visual inspections and electronic tests. Set out in the Institute of Engineering and Technology (IET) Code of Practice: In-service Inspection and Testing of Electrical Equipment (5th Edition). Also known as ‘PAT testing’.

**Leasehold:** A form of ownership normally used for flats (but occasionally for houses) that is a long tenancy, providing the right to occupation and use of the property for a long period – the ‘term’ of the lease. A long lease is a lease originally granted for a term of more than 21 years. The building structure and any common parts are usually owned by the freeholder who is likely to be the landlord.

**Leaseholder:** A person who buys a leasehold property on a long lease.

**Local Housing Authority:** In England and Wales, local housing authorities are the unitary authorities, district councils, the Council of the Isles of Scilly, the London Borough councils and the Common Council of the City of London.

**Office for Product Safety and Standards (OPSS):** OPSS is the UK Government’s enforcement authority for a range of goods-based and standards-based regulations.

**Owner-Occupier Leaseholders:** An owner-occupier leaseholder is a person who owns the property in which they live on a leasehold basis.

**Portable Appliance (PAT) Testing**: The process of checking electrical appliances for safety, can include a series of visual inspections and electronic tests. The technical term for this process is ‘In-service Inspection and Testing of Electrical Equipment (ISIT), which is set out in the Institute of Engineering and Technology (IET) Code of Practice: In-service Inspection and Testing of Electrical Equipment (5th Edition).

**Private Registered Provider:** A registered provider of social housing in England that is registered with the Regulator of Social Housing and is not a local authority. Most are housing associations.

**Private Rented Sector (PRS):** The housing tenure consisting of properties owned by private landlords and rented to tenants.

**Registered Provider (of social housing):** A social landlord registered with the Regulator of Social Housing. They may be local authorities or private registered providers of social housing.

**Regulatory Standards:** Economic and consumer standards that registered providers must comply with.

**Repair works:** Action taken to address and eradicate hazards identified within a home.

**Scottish Housing Quality Standard (SHQS):**The SHQS was introduced in February 2004 and is the main way housing quality is measured in Scotland. It applies to all social landlords in Scotland.

**Social Landlord:** A local authority landlord or private registered provider of social housing (such as a housing association).

**Social Rented Sector (SRS):** Homes for rent that are owned and managed by local authorities and private registered providers. This includes general needs, affordable rent and self-contained supported housing. This does not include shared ownership homes, rent to buy, or similar schemes. It also does not include other types of housing which have their own safety standards such as Houses in Multiple Occupation (HMOs), care homes, student halls of residence, hostels, hospices and other accommodation relating to healthcare provision.

**Social Tenant:** In this consultation response, social tenant or ‘tenant’ refers to someone who rents their home from a social landlord.

**Stock-Owning Local Authorities:** Local authorities who own and manage their council housing.

**Tenancy:** Agreement between a tenant and a landlord.

**Tenant:** Someone who rents their home from a social or private landlord, including those who own a percentage of the home and rent the remaining share from a social landlord (i.e. shared owners).

**The Regulator of Social Housing (RSH):** An independent regulator which regulates providers of social housing (including local authority and private registered providers) in England. Its principal role is to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.

**Annex A: Breakdown of respondents and lists of organisations that responded**

|  |  |
| --- | --- |
| **Details of respondents**  | Totals |
| Individuals | 27 (23%) |
| On behalf of an organisation  | 90 (74%) |
| Not provided  | 2 (3%) |
| **Total** | 119 |

**List of Organisations who responded**

* Abri
* Anchor
* Ashfield District Council
* BEAMA
* believe housing
* Blackpool Borough Council
* Blackpool Coastal Housing
* My Blackpool Home
* Lumen
* Blenheim Gardens Resident Management Organisation
* Brent Housing Management, Brent Council
* Bristol City Council
* Broadland Housing Association
* CBM Group Ltd
* Certsure (NICEIC)
* Chartered Institute of Housing
* Chartered Institution of Building Services Engineers
* CHP
* Citizen
* Clarion Housing Group
* Connected Innovations
* Connexus Housing Association Ltd
* Crawley Borough Council
* Curo
* Dudley Metropolitan Borough Council
* Electrical Contractors Association
* Electrical Safety First
* Electrical Safety Roundtable
* emh
* Epping Forest District Council
* Flagship Group
* ForHousing
* Futures Housing Group
* G15
* Grand Union Housing Group
* Greatwell Homes
* Halton Housing
* Housemark
* Institution of Engineering and Technology
* L&Q
* Langstane Housing Association ltd
* Leeds City Council
* LiveWest Homes Limited
* London Borough of Hammersmith and Fulham Council
* London Borough of Lambeth
* Magna Housing Ltd
* Manchester City Council
* Mendip District Council
* Mid-Bucks Electrical Training Ltd
* Midland Heart
* Moat Homes
* NAPIT
* National Federation of ALMOs
* National Housing Federation
* National Housing Maintenance Forum
* North Kesteven District Council
* North Tyneside Council
* Norwich City Council
* Notting Hill Genesis
* Nottingham City Homes
* Paradigm Housing Group
* Penge Churches Housing Association
* Places for People
* Planet Gas and Electrical Solutions
* Platform Housing Group
* Progress Housing Group
* Redkite Community Housing
* Rochdale Boroughwide Housing
* Safety-Logic (Health, Safety and Compliance) Ltd
* Saffron Housing Trust
* Silva Homes
* South Gloucestershire Council, Private Sector Housing
* South Kesteven District Council
* Sovereign Housing
* Sovini Group (Incorporating One Vision Housing and Pine Court Housing Association)
* St Leger Homes Doncaster
* Stockport Homes Group
* Thanet District Council
* The Pioneer Housing & Community Group Ltd
* Thirteen
* Thrive Homes
* Thurrock Council
* Together Housing Association
* Unitas Stoke on Trent Limited
* VIVID
* Walsall Housing Group Limited
* Wandsworth Council
* Watford Community Housing
* Wealden District Council
* West Kent Housing Association
* Wirral Metropolitan Borough Council
* Yorkshire Housing
* Your Housing Group
1. <https://www.gov.uk/government/groups/electrical-safety-in-social-rented-homes-working-group> [↑](#footnote-ref-2)
2. The electrical safety requirements will apply to properties occupied under a tenancy or licence and, in relation to these measures, “tenant”, “tenancy” and “landlord” should be read accordingly. [↑](#footnote-ref-3)
3. The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 [www.legislation.gov.uk/uksi/2020/312/contents/made](http://www.legislation.gov.uk/uksi/2020/312/contents/made) [↑](#footnote-ref-4)
4. <https://www.gov.uk/government/calls-for-evidence/electrical-safety-in-social-housing-consultation-and-call-for-evidence/consultation-and-call-for-evidence-on-electrical-safety-in-the-social-rented-sector> [↑](#footnote-ref-5)
5. Consultation Principles: guidance [www.gov.uk/government/publications/consultation-principles-guidance](http://www.gov.uk/government/publications/consultation-principles-guidance)  [↑](#footnote-ref-6)
6. Social Housing Regulation Act 2023 Impact Assessment [1906 (parliament.uk)](https://bills.parliament.uk/publications/46714/documents/1906) [↑](#footnote-ref-7)
7. C1, C2 and FI are classification codes. For more information please refer to page 9 of Electrical Safety First’s [Best Practice Guide 4 (Issue 4): Electrical installation condition reporting: Classification Codes for domestic and similar electrical installations (2015)](https://www.electricalsafetyfirst.org.uk/media/1200/best-practice-guide-4-issue-4.pdf) [↑](#footnote-ref-8)
8. End Furniture Poverty analysed [Understanding Society data](https://endfurniturepoverty.org/too-many-people-find-social-housing-provides-no-place-like-home/), which suggested 2% of social housing tenancies are offered furnished or part furnished. [↑](#footnote-ref-9)
9. <https://www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities> [↑](#footnote-ref-10)
10. Pye Tait Consulting, 2019, [The Electrotechnical Skills Partnership Labour Market Intelligence Research](https://www.the-esp.org.uk/wp-content/uploads/2019/11/TESP-LMI-Report-2019.pdf)  [↑](#footnote-ref-11)
11. <https://www.gov.uk/government/organisations/regulator-of-social-housing> [↑](#footnote-ref-12)
12. Consumer standards consultation – Reshaping consumer regulation, July 2023 [/www.gov.uk/government/consultations/consultation-on-the-consumer-standards](https://www.gov.uk/government/consultations/consultation-on-the-consumer-standards) [↑](#footnote-ref-13)
13. This penalty is also in line with housing offences introduced under the Housing and Planning Act 2016 [Housing and Planning Act 2016](https://www.legislation.gov.uk/ukpga/2016/22/contents/enacted) [↑](#footnote-ref-14)
14. <https://www.gov.uk/government/collections/housing-health-and-safety-rating-system-hhsrs-guidance> [↑](#footnote-ref-15)