



WILLIAMSBURGH

HOUSING ASSOCIATION LTD

Compliance Policy

Policy Approval and Review Dates

Date Approved by

Management Committee: July 2022

Next Review Date: July 2025

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## 1.1 Statement of Objectives

**The Association's vision is:** To be a leading and innovative provider of quality homes and housing services.

**Our Mission Statement is:** To provide and develop high quality affordable homes and to maintain our commitment to continuous improvement in our service delivery and in the regeneration of our communities.

The Association needs to ensure that our customers can live safely in their homes. All landlords need to confirm they meet legal and regulatory requirements for Compliance functions. The five key compliance areas which landlords need to manage are:

- Fire Safety
- Gas Safety
- Electrical Safety
- Asbestos Management
- Legionella Management

Policies for each of the five compliance areas have been reviewed or are under development. These draft policies will form the appendices to this summary document. The five individual policies will be presented for Committee's consideration and approval at a future meeting.

Our objectives include:

- ensuring that all properties are safe, secure and meet relevant standards.
- maintaining our stock in accordance with the relevant and applicable legal requirements placed on us and our responsibilities set out in our tenancy agreement.
- taking positive steps to inform and listen to tenants about the Health and Safety requirements in their homes.

## 1.2 Compliance with Regulatory Standards

The Scottish Housing Regulators (SHR) Regulatory Framework sets out what Landlords must ensure that they meet all of their legal duties and responsibilities and that they adhere to relevant guidance and the requirement of other regulators.

SHR requirement relating to Annual Assurance and legal obligations are relevant to these policies and set out in chapter 3 of the framework: 'There is a requirement to notify the SHR of any tenant and resident matters which have been reported to, or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.' 'Notify us (SHR) of any tenant and resident matters which have been reported to, or are being investigated by the Health & Safety Executive or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.'

A summary of the health and safety requirements for each of the five key compliance areas are as follows:

### **Fire Safety**

The Association is responsible for carrying out fire risk assessments, and taking action to identify, manage and mitigate risks associated with fire within the communal areas of buildings the Association own and manage.

The policy sets out how the Association will carry out periodic fire risk assessments using competent risk assessors, take action to deal with recommendations coming from these risk assessments and carry out regular inspections to identify any potential hazards in these areas.

The policy aims to ensure that all persons are protected from harm caused by fire on the Organisation's premises or on adjoining premises.

The policy also aims to ensure that management and employees comply with the procedures within the adopted Fire Safety Policy.

References:

- Health & Safety at Work etc. Act 1974
- Fire (Scotland) Act 2005
- Fire Safety (Scotland) Regulations 2006, as amended
- Fire safety – An Employers Guide ISBN 011 341 2290
- Scottish Executive, Fire Safety Guidance Booklet: Are You Aware of Your Responsibilities, August 2006, ISBN 0 7559 4965 X.
- Practical fire safety for existing specialised housing and similar premises: guidance. January 2020. ISBN: 978-1-83960-510-9 (Scottish Government)

## **Gas Safety**

The Association has a legal obligation and a duty of care to ensure that gas appliances and installations within its residential and commercial properties are safe for use and are properly maintained and inspected.

The aim of this policy is to ensure an effective management system is in place to ensure that the required gas appliances are installed and maintained during their use with regular inspections and maintenance undertaken to the appliances to ensure the Association complies with its legal obligations for gas safety as a landlord, under the Gas Safety (Installation & Use) Regulations 1998.

The Association must ensure that:

- All gas fittings and flues are maintained in a safe condition.
- An annual safety check is carried out on each gas appliance / flue.
- All maintenance and safety checks are carried out by a Gas Safe registered engineer.
- It keeps a record of each safety check for a minimum of two years.
- It issues a copy of the latest safety check record to existing tenants within 28 days of the check being completed.

## **Electrical Safety**

The Association has a duty of care to ensure that the electrical installations within tenant's homes are regularly tested to ensure that they are maintained to a safe standard for use by its residents.

The purpose of this policy is to set out how the Association will ensure that its domestic and non-domestic properties are tested and maintained in a safe condition.

This will ensure compliance and provide information on the future decisions regarding electrical installations that guides our planned maintenance programmes. The policy applies to all of the Association's domestic and non-domestic properties. It is supported by a Procedure on Electrical Safety.

This policy aims to ensure that the Association effectively administers compliance with its landlord obligations in respect of electrical inspections by completing an Electrical Installation Condition Report for each dwelling every 5 years.

References:

- The Health & Safety at Work Act 1974
- The Housing (Scotland) Act 1987, 2001 & 2010
- BS 7671:2018 Requirements for Electrical Installations, IEE Wiring Regulations 18th Edition
- The Electricity at Work Regulations 1989 [1]

### **Asbestos Management**

The Association have previously arranged for asbestos surveys to be undertaken in the common areas of buildings and sites under their responsibility. The findings of the surveys are available via hardcopy asbestos reports and registers.

The Association recognises that exposure to respirable asbestos fibres has the potential to cause serious and irreversible disease. It will, however, be necessary to periodically remove or maintain asbestos containing materials (ACM's). It is the policy of the Association to prevent the exposure of our employees, contractors and any other persons to asbestos fibres.

It is the responsibility of all relevant personnel to be familiar with the procedures contained within the Asbestos Management Plan, to comply with these procedures, current legislation, official guidance and good practice.

In this way, the Association will ensure that the health and safety of all our staff and other persons is not put at risk from exposure to asbestos fibres.

This management plan forms the basis of the Association's arrangements for satisfying the relevant legislation and is in keeping with the statements contained within the Association's Health & Safety Manual, section 4.9 Asbestos.

To achieve the purposes of this policy, Williamsburgh Housing Association shall ensure, as far as reasonably practicable, that the risk from exposure to asbestos is kept to a minimum by:

- Arranging for competent persons to undertake surveys of its premises in line with HSE guidance document HSG 264, using 'Management Surveys' unless refurbishment is being undertaken, in which case, a 'Refurbishment Survey' shall be conducted.
- Ensuring that all surveys are recorded and the findings readily available to those who may be at risk of exposure.
- Ensuring the asbestos register is kept up to date
- Arranging for competent persons to deal with any damaged or friable ACMs by removal and replacement with a non ACM based product, or encapsulation; whichever method presents the least risk of asbestos fibre release. Conducting planned audits on these activities to ensure compliance.
- Defining and communicating work with ACM's which are 'Notifiable' to the HSE and those which are 'licensable' and 'non licensable' throughout the business to ensure compliance.
- Ensuring that where ACMs are found to be in sound condition and not subject to damage, they are left undisturbed until they are removed as part of a refurbishment or other planned removal project. In all cases their condition shall be periodically monitored.
- Ensuring warning labels are used to identify ACMs found within buildings, particularly on pipe lagging and in Plant/Boiler rooms.
- Ensuring, where work with ACMs must be undertaken, that safe working practices are adopted.
- Periodically reviewing its asbestos management plan to ensure that it is adequate and continues to meet both legal requirements and the needs of the business.

## **Legionella Management**

The policy of the Association will ensure that under the Health and safety at Work Act 1974, so far as is reasonably practicable, the health, safety and welfare of its employees, service users, contractors, the general public and others who may be affected by its undertakings in any of the properties it owns or occupies is properly managed with regard to legionella.

The Association's Legionella policy will conform to the legionella management duties defined and implied in the Control of Substances Hazardous to Health Regulations 2002, as amended, The control of

legionella bacteria in water systems, Approved Code of Practice and Guidance (L8) and Scottish Water Byelaws 2004.

The policy and procedures will apply to all buildings and all individuals employed by the Association, and to contractors / subcontractors engaged by the Association without exception.

References:

- Health and Safety at Work Act. 1974
- L8 Legionnaires' Disease – The control of Legionella bacteria in water systems, Approved Code of Practice and Guidance IAC27 (rev2)
- Legionnaires' Disease – A Guide for Employers Scottish Water Byelaws 2014
- Legionnaires' Disease – Technical Guidance (in 3 parts) (2013) INDG58
- Legionnaires' Disease – A Brief Guide for Duty Holders (2012) Approved Code of Practice and Guidance:
- Legionnaires' Disease – The Control of Legionella Bacteria in Water Systems

### **1.3 Expected Outcomes**

These policies address the Association's duty to reduce the risk of serious harm to staff, tenants, residents, contractors and visitors.

Committee are asked to note that the Association will operate in accordance with the policies. To ensure compliance, Committee will be provided with regular information/reports/evidence, delivering the necessary assurances that the Association is compliant with these policies.