

Policy



Property Compliance

Responsible Officer:	Assistant Chief Executive Asset Management
Approved:	January 2020 (Group Board)
Review Date:	January 2021
Regulatory Standards:	Home Standard Governance & Viability Standard
Version:	1
Scope:	Group Wide

1.0 Introduction

- 1.1 Our management systems for property compliance operate to ensure the safety of our staff, tenants and members of the public affected by Incommunities' activities. This policy statement confirms our commitment and intent to comply with all relevant health and safety law and statutory compliance standards.
- 1.2 This policy forms part of the wider organisational commitment to health and safety as detailed within the Health and Safety Policy and to driving a health and safety culture amongst staff and contractors.
- 1.3 Reference to 'Incommunities/Incommunities Ltd/the Group/the landlord/our/we' in this policy shall be deemed to apply to Group subsidiaries as appropriate unless specified otherwise.

2.0 Statement of Intent

- 2.1 The Board has overall and final accountability for property safety compliance. The Group Chief Executive who has executed this policy, exercises responsibility for property compliance on behalf of the Board and reports to the Board on these matters. The property compliance policy is developed and continuously monitored by the Group Head of Safety and Compliance. Both the Group Chief Executive and the Board are committed to maintaining a safe, healthy and sustainable environment for staff, tenants, and members of the public affected by Incommunities' activities.
- 2.2 This safe environment is cultivated by working in a way that fully complies with all relevant legislation, the Home Standard and any other relevant regulatory and statutory compliance standards. Incommunities is committed to complying with all relevant legislation and to meeting the standards set by external regulators and the high standards we set for ourselves as a responsible social landlord.

3.0 Legislative Framework

- 3.1 This policy statement and its constituent policies has been developed in line with relevant legislative requirements and guidance including (but not necessarily limited to);
 - Health & Safety at Work Act 1974
 - Landlord and Tenant Act 1985
 - Housing Act 1988
 - Gas Safety (Installation and Use) Regulations 1998
 - Building Regulations 2015
 - Health and Safety at Work Regulations 1999
 - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
 - The Gas Industry Unsafe Situations Procedures – 7th Edition
 - Regulatory Reform (Fire Safety) Orders 2005

- British Standard 7671 (Requirements for Electrical Installations) 18th Edition
- The Control of Asbestos Regulations 2012
- The Construction (Design and Management) Regulations 2015
- Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- The Water Supply (Water Fittings) Regulations 1999
- The Health and Safety Executive's Approved Code of Practice and Guidance L8 "Legionnaires' disease: the control of legionella bacteria in water systems"
- Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)
- The Regulator for Social Housing 'Homes Standard' and 'Governance & Viability Standard'
- Managing for Health and Safety, HSG65 (Health & Safety Executive Guidance)
- Leading health and safety at work, INDG417 (Health & Safety Executive Guidance).

3.2 These provide the basis for safe ways of working at a national level. It is Incommunities' responsibility to adopt good practice and adhere to the relevant legislation. The key to effective statutory compliance is safe and compliant systems of work, processes and procedures linked to active and regular monitoring of performance.

3.3 The Statutory Compliance function is there to ensure that the various services provided by Incommunities are complying with these safe ways of working and that we do not breach our duty of care or legislation.

4.0 Policy Statement

4.1 Statement Principles

4.1.1 Incommunities aims to ensure it complies with all property compliance legislation and regulatory standards by:

- Ensuring the health, safety and wellbeing of our staff and tenants is at the forefront of all decision-making processes, to meet the Home Standard and to be an exemplar landlord.
- Assessing the risk to health, safety and wellbeing of our employees, tenants and others who may be affected by our activities and implement controls to minimise those risks
- Effective communication of and consultation on property safety matters throughout the company.
- Ensuring continuous improvement in the performance of our property compliance management systems through the use of monitoring and auditing.
- Carrying out annual self-assessments to ensure that we are meeting all of the regulatory expectations of our regulator, our employees, tenants and other stakeholders
- Having a governance structure that is fit-for-purpose and allows any potential improvement actions to be implemented as required.

- Making clear to all parties who has responsibility for property compliance; empowering each person with the skills and knowledge to adequately fulfil the obligations of their role.
- Fostering a culture that actively encourages open reporting and seeks to learn from any failures. This will enable employees to accept and act upon their safety responsibilities

4.1.2 The emphasis of this Property Compliance Policy Statement is to set in place a positive culture of compliance with health and safety law. This will be characterised by communications based on mutual trust, a shared belief of the importance of exemplar service provision and by confidence in the efficiency of preventative measures.

4.1.3 In order to achieve success, Incommunities will, at the highest management level, promote a positive culture to ensure the property compliance policy is an integral element of managing business operations. To share this vision, managers and staff at all levels will provide the necessary support to ensure the Incommunities property compliance management system is fully implemented and regularly monitored.

4.1.4 The Group Chief Executive has delegated day-to-day responsibility for property compliance matters to the Assistant Chief Executive - Asset Management who is responsible for day to day compliance with Health and Safety law. The Assistant Chief Executive - Asset Management is supported, in relation to the Home Standard and landlord and property related statutory compliance, by the Director of Investment and Regeneration supported by the Senior Leadership Team and the Statutory Compliance team who will provide competent advice and support.

4.1.5 The Assistant Chief Executive Officer of Asset Management will act in accordance with the Board's requirements and will obtain legal advice from the Director of Legal and Governance or their delegate as required.

4.1.6 The Group Head of Safety and Compliance will have responsibility for monitoring and measuring compliance performance with this policy and assisting the Group Director of Investment and Regeneration and the Assistant Chief Executive - Asset Management respectively to ensure operational delivery in all property compliance areas.

4.1.7 Health and Safety Responsibilities are set out in detail in Appendix 1 and additional guidance in relation to Directors' health and safety duties is set out in Appendix 2

4.2 Policies

4.2.1 Appended to this policy statement are the five component policies Key compliance policies are appended to this document, which outline how Incommunities will meet key statutory and regulatory compliance obligations set in each area. The policies below relate to the most significant risks that Incommunities considers it faces and is not a reflection of all areas of risk.

Incommunities' safety management system is underpinned by further supporting documents including procedures, risk assessments and training documents etc.:

Appendix A – Gas Safety Management

Appendix B – Electrical Safety Management

Appendix C – Asbestos Control and Management

Appendix D – Fire Safety Management

Appendix E – Water Safety Management

Appendix F – Lifts and Lifting Equipment Safety Management

4.2.2 Other Health and Safety policies are contained within the organisations Policy framework and can be accessed on the internal intranet ICT system.

5.0 Implementation

5.1 Staff and Tenant Communication

The property compliance policy and all supporting documents will be made available to staff via the company intranet and to tenants through a variety of means such as:

- Newsletter & website information
- Signage
- Community Trust Panel
- Resident Group meetings
- Safety messages are posted to relevant tenants as and when required; and
- New customer sign up packs
- Customer Portal

5.2 Compliance Training

5.2.1 All training records for employees are to be electronically filled and added to the skills and training record which will be maintained by the Director of OD/HR. Any property safety or other training or skills gaps identified for staff will form part of an ongoing individual learning and development programme.

5.2.2 Staff will be trained in the implementation of the property compliance policy and accompanying procedures. This will include all staff who have any involvement in the organisation's property compliance processes and procedures.

5.3 Operational Reporting

5.3.1 Where arrangements are in place to utilise an external contractor performance indicators for the service area being delivered will be used to monitor safety performance which will be provided to Incommunities in a timely manner.

5.3.2 All employees who are involved in the commissioning and operational delivery of this policy should highlight any concerns about the timely delivery of the service, to their line manager.

5.3.3 All employees have a duty to co-operate so far as is reasonable with Supervisors and Managers on all property safety compliance matters.

5.4 Record Keeping

5.4.1 The Group will keep all necessary property compliance records in relation to the management of servicing, maintenance works, asset information and audit records in accordance with legislative and regulatory requirements.

5.4.2 Stock asset information is held on an in-house asset management database called IBS and cyclical servicing and compliance information is held within the Compliance 365 database. C365 allows bespoke reports which help Managers to interrogate asset information to ensure statutory obligations are being appropriately discharged by the Group

6.0 Related Documents

6.1 This policy should be considered in conjunction with the following policies and procedures;

- Incommunities Group Health & Safety Policy

7.0 Performance Monitoring

7.1 Performance Monitoring

Performance monitoring will be undertaken in line with key performance indicators as set out under each compliance area. The table below sets out the frequency of performance reporting to the various elements of Incommunities Governance Structure.

Body	Frequency
Group Board	Annually: Full Compliance Report: Annually To each meeting: within the Performance Report About specific issues where necessary by exception
Audit & Risk Committee	Three times per year
Operations Committee	Quarterly
Senior Leadership Team	Bi-monthly

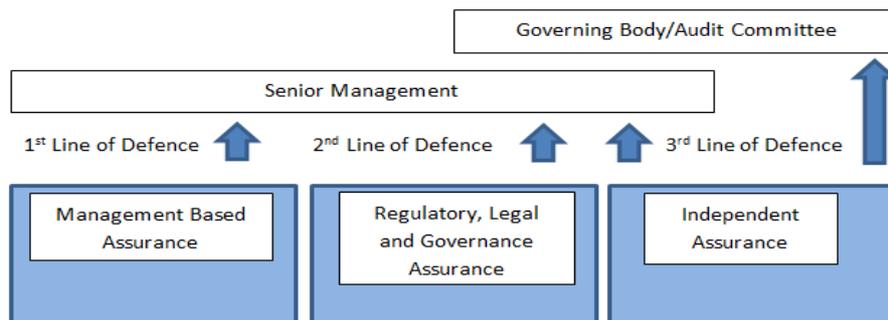
7.1.2 This effectively gives 'Three lines of Defence':

- **First Line of Defence** – Reports from Heads of Department to the Group Head of Safety & Compliance who in turn reports to the Assistant Chief Executive of Asset Management, and Management Compliance Reports from the Group Director of Investment and Regeneration to the Assistant Chief Executive of Asset Management, who in turn reports to the Group Chief Executive, Group Board and Audit & Risk Committee
- **Second Line of Defence** – Internal policies and procedures will be considered by the Senior Leadership Team and Operations Committee following legal advice from the Company Secretary or their delegate.
- **Third Line of Defence** – Internal audit, specialist advisors, Gas Safe and NICEIC.

The operation of this approach is summarised in Figure 1 below.

7.1.3 In addition all employees who become aware of any property compliance concerns must report this to their Line Manager or the Group Head of Safety & Compliance as soon as possible or in accordance with the Group's Health & Safety Policy and/or Whistleblowing policy.

Figure 1: Monitoring – Three Lines of Defence



7.2 Corporate Reporting

7.2.1 The relevant operational managers will provide a report on their area of property compliance to the Group Head of Safety & Compliance on a monthly basis. The Group Head of Safety and Compliance will in turn report to the Director of Organisational Development and Human Resources in respect of non-property safety matters and to the Group Director of Investment and Regeneration in respect of property safety matters.

7.2.2 The Group Director of Investment and Regeneration will provide a detailed property safety compliance report to the Assistant Chief Executive of Asset Management monthly, including a forecast as to the following month's service requirements and potential areas of improvement, lessons learned, or areas requiring wider Incommunities assistance.

7.2.3 The Group Chief Executive exercising responsibility for property compliance on behalf of the Group Board will ensure a detailed compliance report is presented to the Audit and Risk Committee three times per year and annually to Group Board. Operational performance will be reported to the Operations Committee on a quarterly basis. In addition, any non-compliance issues are to be reported to the Group Chief Executive and the Chair of Group Board, as and when this occurs. The Group Chair may inform Board members and will instruct the Group Chief Executive to report to the Regulator and/or Audit and Risk Committee as appropriate.

8.0 Review

- 8.1 All policies will be reviewed on an annual basis or in line with legislative or regulatory changes whichever is the earliest. Incommunities will also conduct audits of operational procedures and supporting resources which will be used to inform continuous improvement. These audits may be completed internally or by external, independent third parties.
- 8.2 Any changes to the key property compliance policies and the overarching statement must be approved by the Group Board.

Appendix 1 Health and Safety Roles and Responsibilities

These responsibilities aim to ensure that everyone understands their legal responsibilities, to work together to ensure a high standard of health and safety throughout the company and to ensure that employees are aware of who is accountable and who they can contact to provide feedback.

The Group Board

The Board has overall and final accountability for Incommunities' landlord property compliance.

Group Chief Executive

The Group Chief Executive exercises responsibility for property compliance on behalf of the Board.

The Group Chief Executive has delegated day to day responsibility for property compliance to the Assistant Chief Executive Officer of Asset Management who must report to the Board in accordance with the reporting standards.

Assistant Chief Executive - Asset Management

The Assistant Chief Executive of Asset Management has been appointed as the Executive lead for property safety and has day-to-day responsibility for overseeing property compliance on behalf of the Board. The Assistant Chief Executive of Asset Management is accountable to the Group Board and the Group Chief Executive for all operational matters relating to property safety.

Director of Legal and Governance

The Director of Legal and Governance is accountable to the Group Chief Executive and Group Board for providing legal advice in the interpretation of legislation, statutes and guidelines in respect of property compliance.

Director of Organisational Development and Human Resources

The Director of OD/HR is accountable to the Assistant Chief Executive - Resources for all matters relating to non-property compliance including staff health & wellbeing/occupational health provision, accident data and associated sickness absence reporting and ensuring appropriate provision of health and safety training to members of staff within the workplace.

Director of Investment & Regeneration

The Director of Investment and Regeneration is accountable to the Assistant Chief Executive - Asset Management for all matters relating to property compliance and ensuring that the Head of Services within their control are provided with the

necessary tools, equipment, training and data management systems to undertake their roles effectively;

Group Head of Safety and Compliance

- Supports the Director of Investment and Regeneration in all property compliance matters;
- Acts as the competent person (being the legally defined person with relevant and appropriate qualifications) for the business and identify, plan and ensure operational delivery of compliance ensuring statutory compliance with relevant compliance law and best practice;
- Is responsible for monitoring and measuring operational property safety performance;
- Ensures that the Specialist Technical Team are provided with the necessary tools, equipment, training and data management systems to undertake their roles effectively;
- Ensures deadlines are met so far as is reasonably practicable;
- Provides technical and procedural advice and reports on operational performance; and
- Reports property compliance concerns and/or examples of service improvement areas in relation to statutory and non-statutory service contracts to their Line Manager, or in accordance with the Group's Whistleblowing policy.

Specialist Technical Managers

- Supports the Group Head of Delivery and Operations;
- Ensures that statutory and non-statutory servicing and maintenance contracts (in-house and external) are monitored, including inspections, checks, audits and surveys;
- Reports property safety concerns and examples of service improvement in relation to statutory and non-statutory service contracts to their Line Manager, or in accordance with the Group's Whistleblowing policy;
- Ensures that staff in their control are provided with the necessary tools, equipment, training and data management systems to undertake their roles effectively;
- Ensures that the records in relation to statutory and non-statutory servicing contracts are maintained and reviewed periodically;
- Allocates as appropriate, remedial actions in relation statutory and non-statutory service reports to the appropriate person;
- Ensures risk assessments and safe systems of work are completed, implemented and adhered to;
- Develops policies and procedures relating to their operational areas;
- Provide technical and procedural advice in relation to service area and provide operational performance information; and

- Ensures that any contractors working on Incommunities properties provide evidence that they are suitably qualified to carry out the work, that performance information is provided and certification (where relevant) is provided in a timely and accurate manner.

Premise Managers

- Defined as the employee with responsibility for Complex Buildings which require a named Building Safety Manager
- Supports the Specialist Technical Managers;
- Has responsibility for property compliance for their premises and ensuring that all statutory and non statutory inspections, checks and audits take place and that these are recorded at site;
- Reports property safety concerns and/or examples of service improvement in relation to statutory and non-statutory service contracts to their Line Manager, or in accordance with the Group's Whistleblowing policy;
- Ensures that key documents such as fire safety risk assessments, asbestos risk assessments and registers are completed and up-to-date in respect of their premises;
- Ensures that staff in their control are provided with the necessary tools, equipment, training and data management systems to undertake their roles effectively; and
- Ensures contractors working on their sites are given the relevant property safety information for the building.

Operational Staff

- Defined as the employees with responsibility for front line operational services
- Support their Managers;
- Carry out their assigned duties and tasks as allocated by their Manager;
- Report property compliance concerns and/or examples of service improvement in relation to statutory and non-statutory service contracts to their Line Manager, or in accordance with the Group's Health and Safety Policy and/or Whistleblowing policy.
- Ensure they follow Risk Assessments and Safe Systems of Work

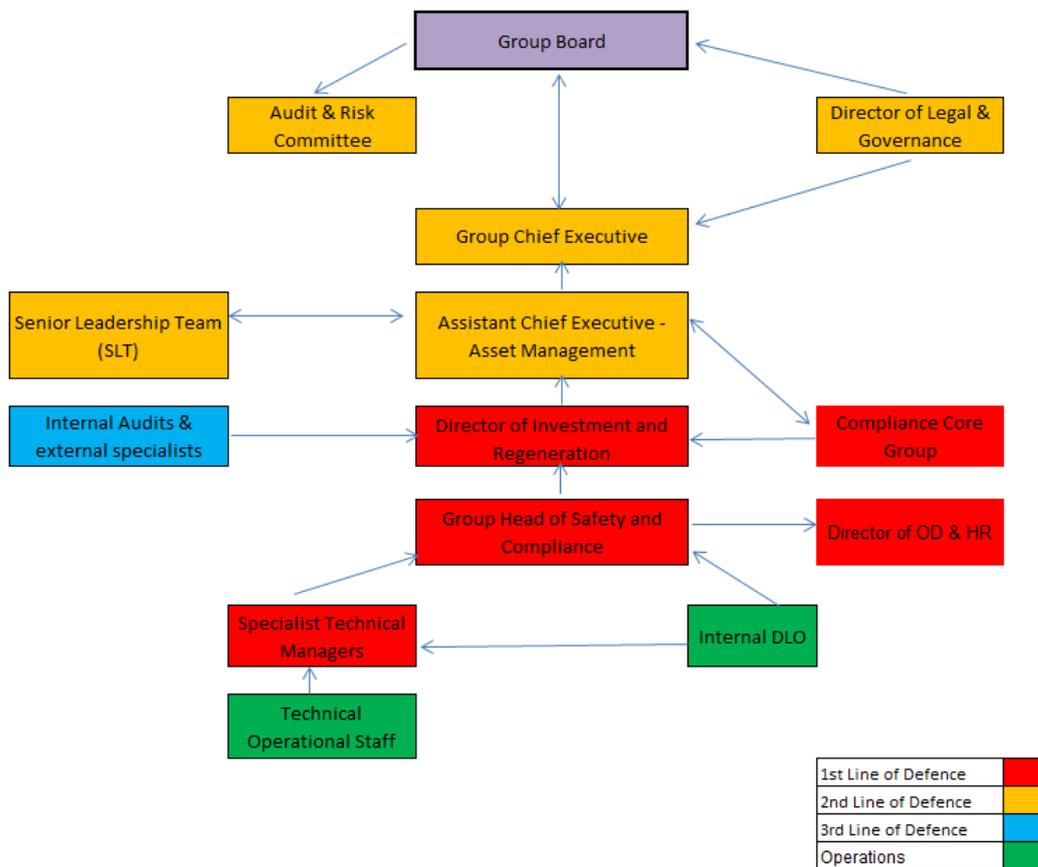
Tenants/Customers

All tenants must:

- Ensure they operate gas and electrical appliances in accordance with the manufacturer's guidelines.

- Provide reasonable access to their premises in accordance with the terms of their lease or tenancy agreement in connection with any necessary health and safety requirements; and
- Provide reasonable access to Incommunities appointed Gas Safe operative to enable gas appliance servicing, gas testing and repairs within prescribed time limits.

Diagram: Compliance Responsibilities



Appendix 2 Health and Safety at work – directors' duties

Primary legal responsibility for Health and Safety in a company lies with the company rather than individual directors. Whilst there are no specific statutory duties placed upon directors or senior managers of companies in relation to Health and Safety obligations, directors can be personally criminally liable when 'company' duties are breached if they consented to, turned a blind eye to, or neglected to take action to correct, the breach. This can lead to unlimited criminal fines, imprisonment for up to 2 years, and disqualification from being a director.

Company directors must ensure that they know their responsibilities and obligations to act when they identify Health and Safety risks in the workplace; a director's failure to take action in circumstances where a company owes a duty of care may result in severe personal consequences including disqualification, an unlimited fine and even imprisonment. A company's board members therefore have both collective and individual responsibility for Health and Safety in the workplace.

This article provides an overview of directors' duties in the context of the Health and Safety at Work etc. Act 1974 (**the Act**). We also look at the guidelines provided by the Health and Safety Executive (**HSE**) which outline best practice for company directors in managing Health and Safety risks at work.

Offences under the Health and Safety at Work etc. Act, 1974

As a brief overview, the HSWA covers duties owed by employers to both employees and non-employees (i.e. the general public, contractors etc.) to ensure these individuals are protected from Health and Safety risks in the workplace.

Section 2 of the Act covers general duties of employers to protect the health, safety and welfare at work of all employees "so far as is reasonably practicable" and includes requirements to provide a safe working environment, necessary information and training and appropriate supervision.

Section 3 of the Act covers duties on employees owed to non-employees, such as the general public, contractors and third party staff. The employer's duty in this regard is to ensure that non-employees do not have their Health and Safety adversely affected by the employer's actions.

Whilst a 'body corporate' may commit a Health and Safety offence, section 37 of the Act provides that a director may be liable for the same offence if it has been committed with consent (where a director knows the circumstances and the risks), connivance (where a director knows the risks, but fails to act) or if the offence is attributable to any neglect on the part of the director (neglect in this context is an unreasonable breach of a duty of care).

The consequences for directors of falling foul of section 37 can be severe: an offence under that section is punishable by up to two years imprisonment and an unlimited fine. Conviction can also lead to disqualification from being a director.

Guidance from the HSE

In published guidelines entitled "Leading Health and Safety at Work"¹ the HSE outline their view that *"protecting the Health and Safety of employees or members of the public who may be affected by your [the Company's] activities is an essential part of risk management and must be led by the board"*.

This highlights the importance that the HSE places on directors taking a pro-active approach to assessing risks to those who could be affected by the company's activities and to monitor, review and implement preventative and protective measures.

HSE guidance indicates that Health and Safety should be led from the top (i.e. board level) and that a company should proactively engage on health and safety matters to meet its legal obligations.

There are 4 elements expected from a Board to comply with HSE's guidance. We summarise them below:-

Plan

The Board:

- Sets the direction for Health and Safety
- Creates a policy which reflects and leads on organisational culture, values and performance standards.
- Makes clear that all Board members have responsibility for communicating this with the Executive Directors responsible for ensuring that Health and Safety is managed and Non-Executive Directors responsible for holding them to account.

Key features include Health and Safety appearing regularly on the Board's Agenda, naming a Health and Safety "Champion", Setting Targets, and the Board scrutinising Health and Safety performance.

Do

This means implementation of a safety management system.

¹ <http://www.hse.gov.uk/pubns/indg417.pdf>

For the Board this means:-

- adequately resourcing Health and Safety,
- obtaining competent advice,
- ensuring Health and Safety impact is a key feature of all Board decision making,
- ensuring Risk Assessments are carried out, and
- consulting with the workforce.

Features include Board visibility, creating a dedicated Board sub-group dedicated to Health and Safety issues, Safety training for Board members, observing Health and Safety rules and supporting worker participation and consultation.

Check

This is means monitoring and reporting to ensure the efficacy of the safety management system.

For the Board this includes ensuring that:-

- safety data is provided and reviewed,
- safety audits are carried out,
- safety issues are reported to the Board, and
- new legal developments are monitored and reviewed.

Features include monitoring absences, collecting key safety data, building Health and Safety into senior management appraisals, etc.

Act

This involves reviewing and acting on evidence relating to Health and Safety performance generally to ensure that findings are fed back into improved control measures.

Board level involvement should include:-

- reviewing the Health and Safety policy,
- considering reporting effectiveness,

- considering any Health and Safety shortcomings,
- determining steps to address any deficiencies and
- identifying how they should be implemented.

Examples would include identifying the trends from the Check stage and evidencing how the Board took action in response

Practical tips to ensure compliance with Health and Safety obligations

- (i) *Employee engagement* – it is vital to engage employees in the promotion and achievement of safe working conditions. This may involve consulting with employees about the risks they face at work and the measures implemented by the company to address these concerns.
- (ii) *Leadership* – visible and active leadership on Health and Safety matters is important in establishing effective communication to employees on the importance of Health and Safety. Integrating Health and Safety management with business decisions will ensure compliance with the Act.
- (iii) *Training* – quality Health and Safety training should be mandatory for employees.
- (iv) *Policies and Procedures* – organisations with five or more employees are required to have a written and accessible Health and Safety policy.
- (v) *Assessment and review* – a business is expected to identify and manage Health and Safety risks, assess (and follow) competent advice, report on any incidents and continually review policies and procedures.

Whilst Health and Safety requirements are often given secondary importance to the day to day running of the business, implementation is as important as having policies and procedures in place; failure to implement appropriate policies and procedures to address Health and Safety issues can have severe consequences. In some instances, directors can be held criminally liable in the event of a Health and Safety incident, which may result in long term detrimental impact being felt by the company and directors individually.

Comment

HSE makes it very clear that the Health and Safety of employees (and others who may be affected by a company's activities, including but not limited to contractors, visitors and members of the public) are an essential part of risk management activities by a company.

It is the responsibility of the board and of individual directors to ensure that the company appropriately deals with Health and Safety risks, and a company must take the time to plan and deliver a Health and Safety policy and engage with its employees on Health and Safety issues.

Whilst putting in place policies and procedures will go some way to discharging a company's obligations under the Act, it is equally important that a business monitors compliance with the procedures that have been put in place and also ensures that employees (or non-employees) attend quality training as a mandatory requirement.

Appendix A – Gas Safety Management Policy

1.0 Gas Safety Policy Statement

Incommunities recognises its duties under the Gas Safety (Installation and Use) Regulations 1998 as amended, which specifically deal with the installation, maintenance and use of gas appliances, fittings and flues in domestic and certain commercial premises. The Regulations place duties on landlords to ensure that gas appliances, fittings and flues provided for tenants' use are in a safe condition.

2.0 Duty to Manage

To ensure compliance and mitigate risk, Incommunities will ensure that (for those premises for which it has the legal responsibilities for gas compliance):

- All landlord owned, tenanted domestic property gas installations and appliances are subject to a documented annual safety check and are serviced in accordance with manufacturers' instructions. A record of such checks will be kept for at least two years;
- All gas installations and appliances will be subject to a documented annual safety check within a period of 12 months before a new lease/tenancy commences;
- Each Landlord Gas Safety Record (LGSR) contains all nine mandatory (salient) points;
- All tenants' own gas appliances are visually checked and a Landlord inspection carried out to tenants' own gas fires. If a tenant owned gas appliance is deemed unsafe, they will be disconnected from the mains gas supply before the Gas Safe engineer leaves the site;
- The Group Head of Safety & Compliance will ensure that all non-domestic or community/communal heating schemes have been annually safety checked and serviced by an appropriately qualified Gas Safe contractor with commercial appliance experience;
- Only Gas Safe Registered Contractor(s) and Operatives are authorised to carry out gas safety checks or appliance servicing within Incommunities' properties;

- Gas Safe Contractor(s) maintain and provide on request training records and operative qualifications for all operatives working on Incommunities' properties;
- Gas Safe Contractor(s) conduct Quality Control Checks and protocols which meet Gas Safe recommended standards;
- During the LGSR, the gas safe operative will test all smoke alarms and Carbon Monoxide Detectors where these are accessible and where access is provided;
- All non-tenanted empty properties will be capped off within 24 hours of the keys being returned/access gained or from the date when Incommunities are informed or are made aware that the property is empty;
- All new build properties will be capped off at the point of handover;
- Each tenant will be supplied with a copy of the LGSR by the Gas Safe engineer within 28 days of the inspection being completed. New tenants will be provided with a copy of the LGSR before the time the tenant moves into the property;
- Any properties which have no gas supply and where there are concerns that the gas supply may potentially have been connected without Incommunities' knowledge, will be checked to confirm that there are no LPG, oil or solid fuel devices in use;
- Where properties are isolated off grid or have been disconnected by the supplier, we will conduct gas carcass testing.
- Any vulnerability issues are taken into account before initiating legal action against a resident who fails to allow access for gas carcass testing;
- There are appropriate processes and procedures to gain access to properties to allow Incommunities to comply with the Gas Safety Regulations. In the event of an emergency situation, Incommunities will consider the risk posed by the emergency and may undertake controlled access once approval has been given by an appropriate ACE; such decision is to only be made in light of advice from the Director of Legal and Governance or their delegate.

3.0 Best Practice

Incommunities is committed to compliance with health and safety standards and has committed, as far as is reasonably practicable to: -

- Complete Desk Top Quality Assurance checks of all LGSR / CP12 Certificates;
- Complete 4% on site independent Service Quality Assurance Inspection of works in progress;
- Complete 6% on site independent Service Quality Assurance Inspection post LGSR;
- Complete Customer Satisfaction Surveys of 5% of completed services / safety checks on a rolling basis;

- Ensure that any Solid Fuel or Biomass heating or cooking sources within Incommunities' ownership and control are annually safety checked, serviced and flues/ chimneys swept in accordance with HETAS Certificate of Compliance Accreditations. Residential tenant appliances will also be checked;
- Ensure that any oil heating or cooking sources within Incommunities' ownership and control are annually safety checked, serviced and maintained by an OFTEC Qualified Engineer. Residential tenant appliances will also be checked;
- Ensure that any renewable or green energy heating or cooking sources within Incommunities' ownership and control are annually safety checked as per the manufacturers' instructions, serviced and maintained in accordance with the contemporary applicable standards including IEEE 1013, 1361, 1526, 1547, 1561 & P2030 Standards and ESS WG and EDS Best Practice.

4.0 Key Performance Indicators

Performance monitoring will be undertaken in the following areas to assess the impact of the policy and meet industry standards. Reporting to the Assistant Chief Executive – Asset Management will take place weekly providing the number of:

- Properties with a valid LGSR (100%)
- Properties overdue at legal stage (0%)

APPENDIX B - Electrical Safety Management Policy

1.0 Electrical Safety Policy Statement

Incommunities recognises its duties under the Electricity at Work Regulations 1989 (EAWR) as amended and British Standard, BS 7671. The regulations apply to all electrical systems and equipment and the British Standard applies to the design, selection, erection, inspection and testing of electrical installations, whether permanent or temporary, in and about buildings.

Incommunities will comply with Landlords and Tenants Act 1985, Occupiers' Liability Acts 1957 & 1984, S96 Housing Act 1985 (1), BS7671 and all other relevant legislative and regulatory standards, including, but not limited to, Guidance Note 3 of the Institute of Engineering and Technology (IET) Wiring Regulations 18th Edition, CDM impact on voids and major works, R8 of GSIUR for reinvestment work, the Smoke & Carbon Monoxide Alarm (England) Regulations 2015 and the Health and Safety at Work etc. Act 1974.

2.0 Duty to Manage

To ensure compliance and mitigate risk, Incommunities will ensure as far as is reasonably practicable that our homes will be subject to a full electrical condition report (EICR) test. This has previously been completed on a 10 year cycle but to move in line with best practice this will now be delivered at 5 yearly intervals. Incommunities expect to reach this target by end of FY2022.

- New build - first inspection carried out 10 years after installation, thereafter every five years;
- Rewires - first inspection carried out 10 years after installation, thereafter every five years
- All other general needs stock to be inspected every five years;
- at a change of tenancy;
- following any major upgrade works where electrical installations are affected;
- at the time of a mutual exchange (if there is no power supply to carry this out, the work will be carried out as an urgent repair priority as soon as the power supply connection has been arranged by the new tenant);
- after any significant fire, flood or activity or occurrence that would warrant inspection.

Only NICEIC Part “P” qualified Electrical Contractor(s) and Operatives will work on Incommunities’ domestic properties. Contractor(s) and operatives working on Incommunities’ commercial premises would also require City & Guilds 2391 (or equivalent) as an additional qualification.

3.0 Portable Appliance Testing

All equipment owned/managed by Incommunities and their operatives will be subject to regular portable appliance testing (PAT) in line with HSG107 “Maintaining Portable Electrical Equipment”. Appropriate labelling of equipment and recording of all equipment will be undertaken in accordance with the Electrical Equipment (Safety) Regulations 1994 and the Electricity at Work Regulations 1989.

Incommunities does not normally issue electrical appliances to tenants but there are instances where an appliance may be issued in the short term for example a heater issued in severe cold weather. Any electrical appliance issued will have the CE Mark, the British Standard Kitemark or the ‘BEAB Approved’ mark.

4.0 Best Practice

Incommunities is committed to the delivery of exemplary compliance standards and has committed to, as far as is reasonably practicable:

- Complete Desk Top Quality Assurance check of all EICR Certificates;
- Complete 4% on site independent Service Quality Assurance Inspection of works in progress;

- Complete 6% on site independent Service Quality Assurance Inspection post EICR;
- Complete Customer Satisfaction Surveys of 5% of completed services / safety checks on a rolling basis;
- Carry out a rolling programme of EICR testing to all domestic properties every 5 years by end of FY2022;
- Complete all Category (CAT) 1 and CAT 2 works at the time of EICR Test;
- CAT 3 works will be captured as part of EICR testing and monitored. If there is any deterioration between tests, the necessary works will be completed;
- Where properties are identified as “electric only” we will visit annually and, subject to access being allowed, we will test smoke detectors and make sure that the tenant(s) are not using Liquid Petroleum Gas appliances. If an appliance is found in situ we will arrange for a Landlord Gas Safety Record visit urgently and direct that the device is not to be used until it has been certified as safe.
- Have in place appropriate processes and procedures to gain access to properties to allow Incommunities to comply with the Electrical Safety Regulations. In the event of an emergency situation, Incommunities will consider the risk posed by the emergency and may undertake controlled access once approval has been given by an appropriate ACE; such decision is to only be made in light of advice from the Director of Legal and Governance or their delegate.

5.0 Key Performance Indicators

Performance monitoring will be undertaken in the following areas to assess the impact of the policy and meet industry standards:

The previous testing cycle has been every 10 years but to move in line with best practice Incommunities will amend their practice to deliver tests every 5 years, pursuing available legal avenues to effect access after this period. This will be achieved over the below three year period.

- 2020/21 – 1,865 tests completed achieving 84% of domestic properties with a 5 year test
- 2021/22 – 1,667 tests completed achieving 92% of domestic properties with a 5 year test
- 2022/23 – 1,890 tests completed achieving 100% of domestic properties with a 5 year test
- Domestic properties without a valid EICR (0%)

APPENDIX C – Asbestos Control and Management Policy

1.0 Asbestos Control and Management Policy Statement

Incommunities recognises its obligations under the Control of Asbestos Regulations 2012 (“CAR 2012”), the Health and Safety at Work etc. Act 1974 (“HASAWA 1974”) and other relevant legislation to demonstrate and implement robust control measures to facilitate in the continuous conformity with legislation in the management of asbestos.

2.0 Duty to Manage

Under the CAR 2012, Incommunities has the “duty to manage asbestos” in:

- All non-domestic buildings under the control of Incommunities; and The common areas of domestic buildings, e.g. halls, stairwells, lift shafts, service ducts, roof spaces.

Under HASAWA 1974, Incommunities also has a duty to ensure, so far as is reasonably practicable, that its conduct does not present a risk to the health and safety of its employees and others affected by its work in domestic and non-domestic premises.

Incommunities will ensure as far as is reasonably practicable that:

- Premises are assessed to determine if they have any potential Asbestos Containing Materials (“ACMs”) and presume that materials contain asbestos until tested;
- Make and keep an up-to-date records of the location and condition of the ACMs or presumed ACMs in all premises (the “Asbestos Register”);
- Assess the risk from the material and produce a detailed risk assessment;
- Prepare a plan that sets out in detail how Incommunities will manage any ongoing risk and regularly reviewing the applicable risk assessment (the “Management Plan”);
- Ensure that Risk Assessments and Management Plan Actions are executed in a timely manner;
- A system for providing information on the potential location and condition of the material to anyone who is liable to work on or disturb it (the Asbestos Register) is available at the premises;
- Where available, tenants are able to obtain information as to known ACMs and arrangements in place to manage them;
- Provide Asbestos Management Briefing / Advice Leaflets for tenants;
- Appoint a “competent person(s)” to carry out all or part of the work to meet the requirements of the duty including Asbestos Surveys and any Licensable Work with Asbestos;

- Surveys, samples and analysis will be carried out by accredited to United Kingdom Accreditation Service (UKAS) and will exhibit appropriate qualifications / accreditation prior to any instruction;
- The “competent person(s)” will hold appropriate qualifications and may carry out Quality Assurance or Re-Inspection Surveys;
- Any incident relating to asbestos will be thoroughly investigated to establish the root cause and to embed lessons learnt.
- Operatives employed by Incommunities and other contractors must dynamically risk assess all activities using the checklist below. Incommunities will ensure on a periodic, sample basis, that this checklist is being followed. If Asbestos is located which is not on the Asbestos Register, work must stop immediately and the Group Head of Safety and Compliance informed.

Find	Check if material containing asbestos are present or are liable to be present
Condition	Check what condition the material is in BEFORE starting any works
Presume	Assume the material contains asbestos unless there is strong evidence that it does not
Identify	If the maintenance, tenant alteration or refurbishment works are disruptive, or the material is in poor condition, arrange for the material to be sampled and identified by a UKAS specialist
Record	Record the location and condition of the material on a plan or drawing so that this can be noted for all properties of the same archetype
Assess	Decide if the condition or the location means the material is likely to be disturbed. If “yes” arrange for removal by specialist
Plan	Update the Asbestos Register and Client Pre-Construction Plan Hazard Identification for any future works

3.0 Best Practice

Incommunities is committed to the delivery of exemplar compliance standards and has committed to:

- Complete Asbestos Management Surveys to all non-domestic buildings and common areas;
- Use cloned information only when at least 20% of domestic properties of the same archetype have been surveyed with identical outcomes in terms of location, condition and type of Asbestos;
- Complete Asbestos Refurbishment Surveys prior to all intrusive works;

- Carry out Intrusive Asbestos Sampling and Testing in advance of any destructive works;
- Regularly inspect and re-assess the condition of any ACMs based on property type and risk assess:
 - The material condition;
 - The likelihood that asbestos fibres could be released into the air;
 - The effectiveness of encapsulation;
- Where monitored ACMs are deemed to be in a poor condition, appropriate remedial works will be implemented.

4.0 Key Performance Indicators

Performance monitoring will be undertaken in the following areas to assess the impact of the policy and meet industry standards with the following objectives:

- Non-domestic properties with a valid asbestos survey (100%)
- Non-domestic properties that have had an annual check (100%)
- Removal actions identified outstanding (0%).

APPENDIX D – Fire Safety Management Policy

1.0 Fire Safety Policy Statement

Incommunities recognises its duties under the Regulatory Reform (Fire Safety) Order 2005 as amended and the Housing Act 2004. A central part of this document is the adoption and use of all formal guidance documents produced by HM Government and the Local Authorities Coordinators of Regulatory Services (LACoRS) which deal directly with fire safety issues.

2.0 Duty to Manage

Under the 2005 Order, Incommunities has a duty to comply with the Order and to take general fire precautions in respect of all workplaces and non-domestic premises which it either has control over or owns (where the person in control is not carrying on a business or trade at the premises).

Incommunities will ensure that save where contradicted by either the Fire Risk Assessment or Best Practice Guidance (see below):

- All relevant assets are risk assessed in terms of archetype risk, occupancy risk and passive and active fire risk;
- All relevant high risk assets (Level 1) will be subject to a Fire Risk Assessment (“FRA”), carried out by a competent person, on an annual basis. This includes blocks of 6 storeys and above, sheltered schemes and some offices;

- All relevant medium and low risk assets will be subject to an FRA, carried out by a competent person as per the following;
 - Level 2 FRA's every 2 years – this applies to blocks up to 5 storeys with more than 10 flats
 - Level 3 FRA's every 3 years – this applies to blocks up to 5 storeys with less than 10 flats
- Any identified remedial works will be programmed and delivered within FRA advised timescales.
- Any remedial works which cannot be or are not delivered within FRA advised timescales will be risk assessed and appropriate risk mitigation measures will be taken to ensure tenant / resident safety.

3.0 Best Practice

Incommunities is committed to the compliance standards as noted in:

- LACoRS Fire Safety Guidance, 2008;
- Fire Safety in Purpose Built Blocks of Flats, 2011;
- Building a Safer Future, 2018;
- Fire Safety in Specialised Housing, NFCC, 2017 and (associated MHCLG Guidance) and has committed to:
- Undertake Fire risk assessment reviews for all high, medium and low risk assets by a competent person subject to FRA measures and as per the duty to manage above;
- Premise Managers will undertake basic fire safety training and will use inspection logs to report basic fire safety issues, such as door faults, damage to fire safety compartmentation and to monitor fire compliance;
- Named Premise Managers will be responsible for ensuring that the “Weekly Visual Fire Safety Checks” are being completed;
- Collate investment programmes to incorporate and deliver agreed recommended improvements in accordance with the Group’s Asset Management Strategy.

4.0 Key Performance Indicators

Performance monitoring will be undertaken in the following areas to assess the impact of the policy and meet industry standards with the following objectives:

- Valid FRAs held for qualifying properties (100%)
- FRA actions completed out of time (0%)
- FRA re-inspections completed within time (100%).

APPENDIX E – Water Safety Management Policy

1.0 Water Safety Policy Statement

Incommunities recognises its obligations and will ensure it complies with Sections 3(2) & 53 Health and Safety at Work etc. Act 1974 (“HASAW 1974”), Control of Substances Hazardous to Health Regulations 2002, the Control of Legionella in Water Systems L8 Approved Code of Practice 2013 (ACOP) fourth edition and HSG 274 Part 2.

2.0 Duty to Manage

For all Non-Domestic Installations Incommunities will:

- Notify under RIDDOR and NTEC (if necessary);
- Comply with HSE guidance in relation to risk assessing premises and devising control systems including sampling, control parameters, flushing water systems, and removal of redundant pipework;
- Carry out monthly temperature monitoring of non-domestic installations;
- Test water samples from tank storage annually;
- Take reasonable measures to identify “little-used” outlets and subject same to a weekly flush.

3.0 Duty to Assess Risk of Exposure

When visiting, working or living in and around Incommunities premises, it is essential that the risk of exposure to legionella bacteria is minimised, strictly managed and controlled.

Incommunities as an employer and landlord has a responsibility to reduce the risks of exposure to legionella. As part of its duty, Incommunities will ensure sources of risk are identified and assessed, risks are prevented or managed appropriately and that up to date records are maintained.

To ensure compliance and mitigate risk, Incommunities will:

- risk assess non-domestic premises and the common parts of domestic premises to identify and assess potential sources of risk ;
- Take appropriate management actions to manage / remove sources of risk. Please refer to the Water Safety Procedures;
- provide advice and materials to tenants on how to minimise legionella risk;
- For more complex installations and as appropriate prepare a written planned preventative maintenance scheme for preventing or controlling such risks. Please refer to the Water Safety Procedures;

- Keep detailed records of precautions taken, risk assessments and all mitigation measures;
- Inspect communal hot and cold water storage tanks and ensure regular cleaning;
- Temperature and sample test hot and cold communal storage systems and non-domestic installations on a monthly basis;
- For non-domestic installations take a monthly temperature test of all showers and spray outlets;
- Annually sample test to check tanks are free of bacteria, or at any time there is a significant change, test all communal and non-domestic installations and take appropriate remedial and management actions;
- Where Incommunities have void properties where they are expected to be empty over 25 days it will drain down the water system or will flush through the system as part of the void process prior to a new tenant taking occupancy of the property.

4.0 Best Practice

Incommunities is committed to the achieving compliance and has committed to ensure:

- domestic Installations are flushed out prior to letting or re-letting the property
- we avoid debris getting into the system (we will ensure that domestic cold water tanks, where fitted, have a tight fitting lid, breather and insect screens);
- We set control parameters (e.g. setting the temperature of the hot water cylinder (calorifier) to ensure water is stored at 60°C). In addition we fit thermostatic control valves where there is an identified risk;
- that new central heating installations install combination boilers and all new showers are electric/mixer to remove the need for water storage;
- we remove redundant pipework as and when identified.

5.0 Key Performance Indicators

Performance monitoring will be undertaken in the following areas to assess the impact of the policy and meet industry standards with the following objectives:

- Legionella Risk Assessments complete (100%)
- Remedial actions overdue for completion (0%)

APPENDIX F – Lifts and Lifting Equipment Safety Management Policy

1.0 Lift and Lifting Equipment Safety Policy Statement

Incommunities recognises its duties under the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and all other relevant legislative and regulatory standards, including, but not limited to, the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999.

All lifting operations involving lifting equipment must be properly planned by a competent person, appropriately supervised and carried out in a safe manner.

LOLER also requires that all equipment used for lifting is fit for purpose, appropriate for the task, suitably marked and, in many cases, subject to statutory periodic 'thorough examination'. Records must be kept of all thorough examinations and any defects found must be reported to both the person responsible for the equipment and the relevant enforcing authority.

2.0 Duty to Manage

To ensure compliance and mitigate risk, Incommunities will:

- Ensure lifting equipment (including lifting accessories) undergo a thorough examination after assembly and before use, at each location and regularly in service as detailed below (or more frequently where required by the Manufacturer's Guidance):

Type of Equipment	6 Months	12 Months	Examination Scheme
Accessory for lifting	✓		✓
Equipment used to lift people	✓		✓
All other lifting equipment		✓	✓

- Always have lifting equipment thoroughly examined following 'exceptional circumstances', e.g. if it is damaged or fails, is out of use for long periods, or if there is a major change in how it is used which is likely to affect its integrity;
- Inspect lifting equipment and accessories;
- Upon installation all users are instructed on how to safely operate the lift and this is recorded and kept for future reference.

The Group will ensure that:

- We will maintain an “examination scheme” supervised by a competent person at such intervals which may be appropriate for:
 - Pull / Cable / Hydraulic Lifts;
 - Through Floor, Stair Lifts and Platform Lifts;
 - Medical hoists and lifting equipment;
 - Construction Equipment – via contractor method statements and
 - risk assessments.

3.0 Best Practice

Incommunities is committed to the delivery of compliance and has committed to:

- Compliance with the Safe Use of Lifting Equipment Code of Practice (ACOP);
- Annual service;
- 6-monthly Safety Check and Load Test for all passenger lifts;
- 5 and 10 yearly safety inspections on passenger lifts (or more frequently where recommended by Manufacturer's Guidance) in addition to the Thorough Examinations outlined above;
- Safe to Use Certification which meets LOLER criteria by accredited specialist contractors;
- All tests will be recorded on the Incommunities cyclical servicing system.

4.0 Key Performance Indicators

Performance monitoring will be undertaken in the following areas to assess the impact of the policy and meet industry standards, with the following objectives:

- Passenger lifts with valid servicing certificate (100%)
- Stair lifts with a valid certificate (100%)
- Domestic vertical lifts with a valid certificate (100%)
- Ceiling hoists with a valid certificate (100%)
- Step lifts with a valid certificate (100%).