



**Name of Policy: Electrical Installation Condition Report (EICR)  
No Access Policy  
(Ref:PS/26)**

**Purpose of Policy:** The purpose of this Policy is to ensure access can be gained to all occupied properties to complete Electrical Installation Condition Report (EICR) tests.

Policy Monitoring Details	
Department	Property Services
Author	Ward Linney
Status	Association
Date Board Approval	30 August 2023
Update	
Planned Review Date	August 2028
Regulatory Outcomes Being Achieved	Conformance with: Health & Safety at Work Act 1974 Management of Health and Safety at Work Regulations 1999 Housing (Scotland) Act 2001
Tenant Consultation Required	Published on web page and highlighted in tenant Newsletter
Equalities Impact Assessment	Not Required
HRA Implications	Article 8 Right to Respect for Private Life, Family Life and the Home Article 14 Prohibition of Discrimination
Relevance to Association Values	<ul style="list-style-type: none"><li>▪ Committed</li><li>▪ Agile</li><li>▪ People-Focussed</li><li>▪ Professional</li></ul>

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## **1 Introduction**

- 1.1 The purpose of this policy is to ensure access can be gained to all occupied properties to complete Electrical Installation Condition Reports (EICR) tests.

## **2 Aims and Objectives**

- 2.1 The EICR No Access Policy has been prepared :
- To outline a process of events to ensure all properties receive an up to date EICR within the 5 year anniversary of the existing one.

Forcing access should always be a last resort.

## **3 Policy**

- 3.1 To ensure we complete out EICR tests and maintain continuous cover we must follow a regimented and recorded process of notification and actions.
- 3.2 We apply a 3 stage process detailed in the No Access Procedure for EICRs, culminating in forced access where required.
- 3.3 The process will start in year 4 of the current EICR to ensure completion before the anniversary date.

## **4 Legislative Information**

- 4.1 The Housing (Scotland) Act 2001 legislates that all of our socially rented properties meet SHQS standard. Section 11 of that standard requires that properties should have an “adequate / safe electrical installation”. The Scottish Housing Regulator has stated that to demonstrate compliance, landlords need to have an Electrical Installation Condition Report completed for every property every 5 years.

In May 2023 the SFHA produced a document, drafted by TC Young, called “Gaining Access to Meet Legislative Requirements”. This document advises that as social landlords have a legal duty to obtain EICRs and have interlinked fire detection systems in their properties, they can use the powers in the 2001 Act to force access to carry out the relevant works.

The document advises that to force access, the landlord should follow a similar process as for gas safety checks and that the tenancy agreement

contains a clause stating that we have the right to force access if the tenants refuse access.

All SST tenancy agreements contain the following clause;

*5.12. We have the right to come into your house to inspect it and its fixtures and fittings or carry out repairs to it, or adjoining property, during reasonable times of the day. We will give you at least 24 hours' notice in writing.*

*We have the right of access to your house in order to lay wires, cables and pipes for the purposes of telecommunications, water, gas, electricity, providing we give you reasonable notice in writing.*

*We have the right of access to the common parts at any reasonable time.*

*If you refuse us entry, we will have the right to make forcible entry provided we have given you every reasonable opportunity to let us in voluntarily.*

The SFHA/TC Young advice also states that it is essential that RSLs have such a policy in place and follow it to the letter. Forcing access should always be the last resort.

## **5 Procedure**

- 5.1 This policy will be actioned by the Property Services Team through the **No Access Procedure for Electrical Installation Condition Reports (EICR).**

## **6 Reporting**

- 6.1 The policy outcomes will be reported quarterly in the SMT compliance report.

## **7 Publishing**

- 7.1 This Policy will be published on the MEHA website and highlighted in the tenant newsletter.