



Homes Safety Policy Summary

2023

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1 Introduction

- 1.1 Mid Devon Housing (MDH) is part of Mid Devon District Council (the Council). It is responsible for the Council's housing stock including the maintenance, management and letting of its properties and estates.
- 1.2 This Policy sets out how MDH will manage safety in its homes and now incorporates the following Policies and Management Plans:
 - Gas Safety Policy
 - Fire Risk in Communal Properties Policy
 - Asbestos Management

2 Aims and Objectives

- 2.1 This Policy aims to set out how MDH will manage the safety of their homes and fulfil all the statutory duties associated with safety that are required of them.
- 2.2 The objective is to define what MDH and tenants have a responsibility for and how this will be managed

3 Tenant Responsibilities

- 3.1 The MDH Tenancy Agreement states the responsibility of the tenant in allowing access to their property to allow safety checks to be undertaken. Specifically the agreement states:

'You must allow us or our employees access to the property at all reasonable hours to carry out repairs, Improvements, planned programmes, gas servicing and any safety checks, to inspect its condition and to complete new tenancy visits and tenancy home checks'.

- 3.2 With regard to Gas Safety Checks the tenancy agreement states:

'As your Landlord we are under a duty to check any gas fitting and the flues serving it in the Property at least once a year in order to minimise the risk of explosion or carbon monoxide poisoning. We will always give you reasonable notice in writing of any inspection. You must provide access for the inspections and to pay for any reasonable expenditure we incur as a result of any failure by you to provide access.

You must ensure that you have sufficient credit on gas and electric meters to enable the engineer to carry out your annual service.'

3.3 Tenants who installed existing solid fuel appliances, should have obtained permission from MDH and satisfied building control requirements at the time. In addition to this, the appliance should have the following:

- HETAS certification;
- Lined chimney/flue;
- Adequate ventilation; and
- CO detector installed adjacent to the appliance.

4 MDH Responsibilities

4.1 Gas safety

MDH is legally responsible for the safety of its tenants in relation to gas safety. By law MDH must:

- repair and maintain gas pipework, flues and appliances in safe condition so as to prevent risk of injury to any person
- ensure an annual gas safety check on each appliance and flue
- keep a record of each safety check which must be retained for two years

4.2 Electrical Safety Checks

MDH will ensure that all domestic properties owned or managed have a valid Electrical Installation Condition Report (EICR) that is no older than 5 years from the date of the previous EICR.

4.3 Fire Risks in Communal Areas and Flats

Under the fire legislation, Regulatory Reform (Fire Safety) Order 2005, MDH, as the responsible person, being the landlord, will comply with the legislation and will carry out a FRA and take reasonable steps to remove or reduce any risks that have been identified.

4.4 Asbestos Management

MDH comply with the Control of Asbestos Regulations 2012 (CAR 2012) and to enable compliance to this policy all MDH operatives have received training and awareness of asbestos, its likely effects and the likely locations within housing stock.

4.5 Water Safety Checks

The Council as a landlord also has legal responsibilities to ensure the health and safety of tenants (including housing stock tenants) by keeping the properties let safe and free from health hazards including Legionnaires disease. Section 3(2) of the Health and Safety at Work Act 1974 (HSWA) makes provision for relevant health and safety legislation to apply to landlords to ensure a duty of care is shown to their tenants' with regard to their health and safety including managing Legionnaires disease.

4.6 Lift Safety Checks

MDH has obligation duties to ensure that all powered lifts and equipment installed for which it has responsibility are installed, services and used comply PUWER (Provision and Use of Work Equipment Regulations 1998 and LOLER (Lift Operation Lift equipment Regulations) 1998: Regulation.

4.7 Solid Fuel Appliances

MDH will keep a record of all properties that contain a solid fuel appliance.

To ensure solid fuel appliances are safely managed and maintained MDH require annual confirmation of:

- Annual chimney sweep (where applicable); and
- Annual service according to manufacturer's instructions.