



Gas Safety & Maintenance Policy

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Scottish Social Housing Charter Standard	<i>Tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.</i>
Scottish Housing Regulator Standard:	1, 4, 6

Scottish Housing Regulator Guidance:

Have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights, and tenant and resident safety.

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Section 1 - Purpose & aims

- 1.1 The aim of this Policy is to ensure the effective inspection, maintenance and management of gas systems within premises controlled by the Association. The gas safety system, inspection and monitoring programmes will also include the carbon monoxide monitoring systems which are considered to be an integral part of the gas safety management programme.
- 1.2 To provide assurances that all gas servicing, maintenance and repair work will be sub-contracted to an external competent body.
- 1.3 To ensure that Ardenglen Housing Association services and maintains all gas appliances owned by the Association in accordance with all current legislation.

Section 2 - Definitions

- 2.1 “*Gas Appliance*” – means an appliance for the heating, lighting, cooking or other purposes for which gas can be used. In general, portable or mobile appliances are not covered, except the use of portable or mobile space heaters (e.g. LPG cabinet heaters).
- 2.2 “*Gas Fittings*” – means pipework, valves (other than Emergency Controls), regulators and meters and fittings etc. designed for use by consumers of gas.
- 2.3 “*Flue*” – means a passage for conveying the products of combustion from a gas appliance to the external air.

Section 3 - HSE Advice

- 3.1 Health & Safety Executive (HSE) Gas Safety Advice Line will be consulted when required to ensure the Association is fully compliant in meeting our gas safety responsibilities. They are contactable on Tel: 0800 300 363 and open Monday to Thursday 9.00 a.m. – 5.30 p.m. and Friday 9:00am to 5pm.

Section 4 - Legal & Regulatory Framework

- 4.1 The governing legislation for Gas Safety is The Gas Safety (Installation and Use) (Amendment) Regulations 2018 came into force on 6 April 2018 (the Regulations)

- 4.2 Under Regulation 36 (Duties of Landlords), any gas appliance in a property (other than a gas appliance which a tenant is entitled to remove should they vacate the property) that is owned by the Association and is rented to a tenant must be checked for gas safety within 12 months of its installation and within every subsequent 12 month period thereafter until the appliance is removed or replaced.
- 4.3 The amendment introduced in 2018 introduced a degree of flexibility to the timing of landlords' annual gas safety checks. This change means that landlords can carry out the annual gas safety check in the two months before the due date and retain the existing expiry date. This avoids landlords waiting until the last minute and not gaining access, or having to shorten the annual cycle check to comply with the law. There is no change to the legal requirement for an annual gas safety check or for maintenance to be carried out
- 4.4 Under Regulation 39 (Exception as to Liability) of GSIUR, the Association will be deemed not to be guilty of an offence under Regulation 36 should it be able to show that “all reasonable steps” were taken to prevent the offence from taking place i.e. to have documented evidence of access attempts. Paragraph 213, which describes the application of Regulation 36, states that “action to gain access does not involve making arrangements for the forced entry into property.” However in certain circumstance the Association under the terms and conditions of the Tenancy Agreement may force access to a property in order to make safe and service an appliance which it owns.
- 4.5 Management of Health and Safety at Work Regulations 1999, as amended
- 4.6 Gas Safety (Management) Regulations 1996
- 4.7 In addition there are other obligations placed on the Association under the Health & Safety at Work Act 1974 and the Housing (Scotland) Act 2001. In formulating and implementing this policy, the Association is committed to meeting statutory requirements, Performance Standards and Best Practice.
- 4.8 Reference should be made to the Health and safety Executive relevant guidance “ a guide to landlords’ duties: Gas Safety (Installation and Use) Regulations 1998 as amended – Approved Code of Practice and Guidance” <https://www.hse.gov.uk/pubns/indg285.pdf>

Section 5 - Competent Persons

- 5.1 The Association shall ensure no person is permitted to carry out any works on gas installations unless competent to do so. Current competency is approved by the "Gas Safe Register" (www.gassaferegister.co.uk).

Section 6 - Roles and Responsibilities

- 6.1 The Association will appoint a "competent person" (the Director of Asset Management) to liaise with external bodies in relation to gas issues and to set up a Gas Safety Management System. This system will allow the Association's maintenance staff to keep an accurate log of all gas appliances within Association properties, appliances servicing records, contractor monitoring arrangements, gas incidents and other issues as required by this policy. Details of relevant roles and responsibilities are contained with our internal procedural documents.
- 6.2 The Association's maintenance staff will be provided with appropriate training to permit effective discharging of their duties in relation to Gas Management.

Section 7 - Contractor Selection and Control

- 7.1 The Association will define a detailed scope of works for the annual gas servicing and maintenance contract and will follow through a rigorous tendering and contractor selection process.
- 7.2 Contractors will be required to demonstrate compliance with the competency requirements of the Regulations and will be, as a minimum, Gas Safe Registered.
- 7.3 A formal system of contractor monitoring will be established and maintained to ensure the gas safety management system continues to operate in compliance with the agreed scope of works and with documented procedures and that any non-conformances, ineffective arrangements and problem areas are quickly identified and actioned upon.
- 7.4 A defined 'no access' procedure will be developed to ensure all reasonable steps are taken by the contractor and the Association to meet the 12 month deadline for landlords gas safety checks. This will include any implications as a result of infection control and isolation requirements.

- 7.5 Should there be continuing no access, the Association will force entry to ensure compliance within the requisite 12 month period for annual safety checks. Any non-compliance incidents will be notified to the Chief Executive immediately.

Section 8 - Record Keeping

- 8.1 Under current legislation Landlord Gas Safety Records must be kept for a period of two years. The Association will establish and maintain a formal system for recording all activity in relation to gas servicing, maintenance, repairs, installations, emergencies and all other relevant gas safety management data. Full details of record keeping are outlined within our procedural document.

Section 9 - Information to Tenants

- 9.1 On an annual basis (and at the time of new tenants being housed), the Association will outline the pertinent issues of gas safety to tenants by way of written communication.
- 9.2 Formal 'rules' setting out tenants' gas safety obligations and duties will be clearly set out in Tenancy Agreements. The Association will define a procedure for dealing with unauthorised gas installations, repairs, disconnections and other gas related activities which fall foul of the Tenancy Agreement.

Section 10 - Gas Safety Internal Monitoring

- 10.1 A formal system of monitoring the gas servicing/landlords inspection and all gas repair work will be established and maintained with properly defined reporting, escalation and action procedures.

Section 11 - Reactive Repairs and Emergencies

- 11.1 As well as carrying out annual servicing to gas appliances and raising landlord's gas safety records the contractor will provide a full reactive gas repairs and emergency response service. This will be properly defined and tenants made aware of the gas company's services and contact details in this regard.
- 11.2 Where the contractor has been unable to obtain access to undertake necessary repair work the contractor must bring the situation to the attention of the Association. The Association will ensure that the tenant

is contacted as quickly as the situation demands and utilise forced access as required.

11.3 Gas Leaks:

- Currently Scottish Gas Networks (SGN) have a statutory duty to attend gas escapes reported to them within two hours of receipt.
- In the main, gas escapes are likely to occur within individual properties and tenants should in the first instance contact SGN Emergency Services.
- Recognising that SGN will normally shut down the gas supply to an individual property where a leak is found and will not carry out any further works it is, recognised as good practice for the Association to follow up a report of a gas leak by instructing the gas contractor to attend.
- Where repairs cannot be readily made and the heating system remains switched off the contractor will be asked to provide temporary heating and will advise the Association of the repair problem in order to agree remedial work.

Section 12 - Quality Assurance (QA)

- 12.1 An external third party shall be appointed to carry out a minimum inspection of 10% of completed annual services.
- 12.2 The contractor undertaking the QA work will require to be Gas Safe registered and employ fully qualified engineers.
- 12.3 Where a QA check identifies non-compliances or where unsatisfactory performance of the primary gas contractor is being observed details of the problems and suggestions for rectification will be clearly set out in the QA contractor's report.
- 12.4 Where the QA contractor identifies situations that pose an immediate or imminent risk to health, the contractor will notify the Association immediately. These notifications should be in addition to the regular reporting regime.

Section 13 - Void/Re-Let Procedures

- 13.1 A formal procedure will be defined for gas safety inspections associated with void properties and this will be included in the overall gas safety management system, contractor's contractual requirements and monitoring procedures.

Section 14 - Closing Up

- 14.1 Where a property is to be closed up on a long term or permanent basis then the existing gas supply shall be disconnected from the pipework within the property. The gas supply shall be physically disconnected at the meter point and both cut ends blanked. Where appropriate, SGN shall be advised and requested to remove the meter supply from the property.

Section 15 - RIDDOR

- 15.1 In relation to gas safety there are duties imposed upon gas conveyers, suppliers, etc. to report cases whereby death or a major injury (as defined by regulations) occurs out of or in connection with the gas supplied.
- 15.2 It is also recognised that a contractor will have a duty to formally report certain situations where it is deemed likely that the gas installation may cause death or major injury. The types of faults likely to cause death or major injury and would be reportable include: -
- i. A dangerous gas leak arising, for example, from the use of unsatisfactory materials or bad workmanship.
 - ii. A gas appliance which spills products of combustion or shows signs of incomplete combustion or shows signs of combustion problems due to inadequate ventilation
 - iii. An appliance which is not suitable for use with the gas supplied
 - iv. An appliance in which a safety device has been made inoperative
 - v. Use of unsatisfactory materials in gas connections
 - vi. An appliance installation which has become dangerous through faulty servicing
- 15.3 Further information on RIDDOR is contained within the Accidents Policy of the Association's Health & Safety Manual.


Section 16 - Temporary Heating

- 16.1 LPG or other bottled gas heating sources will not be provided to tenants as a temporary source of heating.
- 16.2 Where electrical heaters are provided as a temporary source of heating, the Electrical Safety policy should be consulted.

Section 17 Roles and Responsibilities

17.1 Roles and responsibilities within the Association are defined as follows

Post Holder	Role and responsibilities
<p>Chief Executive The CE and ultimately the Board have overall responsibility for the Gas Safety Policy but delegate actions to the Duty Holder and other responsible staff. These actions also relate to contractors acting on behalf of the Association.</p>	<ul style="list-style-type: none"> • Ensuring adequate resources are allocated to managing the risks and legal responsibilities relating to gas safety; • Ensuring adequate processes and procedures are in place to manage the risks and legal obligations relating to gas safety; • Ensuring sufficient information, instruction and training is carried out; • Monitoring the performance of staff and contractors; • Ensuring that members of the public, staff and contractors are not unnecessarily exposed to risk; • Ensuring that Association complies with its overall legal duties in relation to gas safety;
<p>Director of Asset Management The Director shall serve as the Gas Safety 'Duty Holder' and be responsible for the strategic management of gas safety within the Association, reporting directly to the CE</p>	<ul style="list-style-type: none"> • Formulate and revise the Association's policy; • Facilitate audits to ensure that the provisions within the Gas Safety policy are being met; • Ensure that gas safety policies and procedures are maintained and up to date; • Ensure gas safety related incidents are reported, investigated and controls introduced to reduce the risk of such accidents recurring; • Ensure risks arising from gas safety are recorded reviewed and mitigated; • Ensure adequate training is maintained to effectively manage a gas safety regime; • Appoint a designated deputy (Maintenance Officer) to provide cover in their absence; • Maintain an up to date knowledge of legislative requirements and best practice; • Ensure all relevant staff receives adequate information, instruction and training. This includes the provision of

	<p>regular refresher training to maintain skills;</p> <ul style="list-style-type: none"> • Manage an efficient procurement process for all gas safety and audit contractors aligned to the Association’s Procurement Policy. 
<p>Maintenance Officers The Maintenance Officers are ‘Responsible Person’ who with the support of the Maintenance Assistant is responsible for the day to day running and implementation of the Gas Safety Policy;</p>	<ul style="list-style-type: none"> • Provide advice on the application of this policy on an individual case by case basis; • Ensure that all assets designated as requiring a landlord gas safety check has received one within the last 12 months; • Ensure that all gas safety certificates are reviewed upon receipt and any remedial action required is promptly addressed • Ensure systems in place for appropriate gas checks at change of tenant and mutual exchange; • Manage the gas contractor on a day to day basis and feedback to the Director of Asset Management issues or concerns in relation to the adherence to this policy; • Be the business owner of the data within the systems that feed the gas servicing regime, ensuring robust processes are in place for validation of data; • Be the business owner for the KPIs that evidence compliance with the legal responsibilities of the Association for Gas Safety; • Provide gas safety related information to staff, contractors, tenants and members of the public as required; • Ensure adequate training is maintained organisationally and in accordance with current regulations; • Appoint a designated deputy as appropriate to provide cover in their absence;
<p>Employees</p>	<ul style="list-style-type: none"> • All Employees, irrespective of their position shall take reasonable care for their own health and safety and that of other persons who may be adversely affected by gas safety, including

	<p>members of the public, tenants, visitors and contractors;</p> <ul style="list-style-type: none"> • Co-operate as appropriate with other staff and agencies to ensure compliance with this policy and all other legal requirements • Report any concerns that they may have in relation to the management of gas safety and compliance with the Association's legal obligations or this policy to the Director of Asset Management or the CE
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Section 18 - Reporting & monitoring

- 18.1 The Audit, Performance and Risk Assurance Committee will receive quarterly reports on the progress of ensuring all gas certificates are renewed prior to the annual anniversary. Such statistics will also be issued to the Scottish Housing Regulator on an annual basis.

Section 19 - Equalities & Diversity

- 19.1 Ardenglen Housing Association is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. Throughout the Association there will be a consistent approach in promoting equality and diversity across all areas.
- 19.2 An equality impact assessment has been carried out in relation to this policy.

Section 20 - Policy review

- 20.1 The association will review this policy every 3 years. More regular reviews will be considered where, for example, there is a need to respond to new legislation, policy or guidance. Reviews will incorporate changes to legislation and regulations and good practice.

End of Policy