



Gas Safety and Management Policy

Issued: November 2018

Revised: September 2023

Next Review Date: September 2026

Contents

1. Purpose	Page 03
2. Scope and Definitions	Page 03
3. Policy Statement	Page 04
4. Competent Persons	Page 04
5. Roles and Responsibilities	Page 05
6. Gas Safety Funding	Page 06
7. Contractor Selection and Control	Page 07
8. Record Keeping	Page 07
9. Safety Checks, Access, and Information for Tenants	Page 07
10. Gas Safety Internal Monitoring	Page 09
11. Reactive Repairs and Emergencies	Page 09
12. Quality Assurance	Page 10
13. Void/Re-Let Procedures	Page 10
14. Closing Up	Page 10
15. Reporting of Injuries, Diseases, and Dangerous Occurrences Regulations	Page 10
16. Temporary Heating	Page 11
17. Planned Maintenance	Page 11
18. Equality and Human Rights	Page 11
19. Publicising this Policy	Page 12
20. Policy Review	Page 12
21. Training and Development	Page 12
22. Monitoring and Reporting	Page 12
23. Legal and Regulatory Framework	Page 13
24. Compliance with Relevant Performance Standards	Page 13
25. Risk Management	Page 14
26. Data Protection	Page 14
Appendix 1 – Equality Impact Assessment	

1. Purpose

- 1.1. This policy is of vital importance in ensuring the health and safety not just of people who live in Southside's properties, but also, those who live in the immediate area, work in, or visit their homes. As a landlord, Southside has a legal responsibility to ensure the safety of its tenants in properties where there are gas installations and appliances. This policy sets out how we will fulfil these legal requirements.
- 1.2. The implications of neglecting these responsibilities are high; fire, explosion and carbon monoxide poisoning can all occur as a result of neglect and can all have fatal consequences.
- 1.3. The aim of this Policy is to ensure the effective inspection, maintenance, and management of gas systems within premises controlled by the Southside Housing Association and its subsidiaries.
- 1.4. 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.
- 1.5. All gas servicing, maintenance and repair work will be contracted to an external competent body.
- 1.6. The procedures detailed within this section are intended to facilitate the effective management of the contractor as well as all additional gas safety management issues, ensuring that all reasonable steps are taken to comply with the Health & Safety at Work etc. Act 1974 and the Gas Safety (Installation & Use) Regulations 1998.

2. Scope and Definitions

- 2.1. This policy applies to all tenants of Southside Housing Association including Scottish Secure Tenants, Short Scottish Secure Tenants, Mid-Market Rent tenants and those with occupancy agreements.
- 2.2. The policy covers the safety of all gas heating installations including boilers, fires, and associated pipework as well as all landlord owned gas appliances provided by the landlord for tenants' use.
- 2.3. It covers installations in individual properties as well as in communal areas. In general installations within communal areas will fall under the 'commercial' category, while installations in individual properties will be 'domestic'. Where there is a communal installation there may also be gas appliances in the units served by the communal installation.
- 2.4. Gas safety system, inspection and monitoring programmes will also include carbon monoxide monitoring systems which are considered to be an integral part of the gas safety management programme.
- 2.5. "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).

- 2.6. “*Gas Fittings*” – means pipework, valves (other than Emergency Controls), regulators and meters and fittings etc. designed for use by consumers of gas.
- 2.7. “*Flue*” – means a passage for conveying the products of combustion from a gas appliance to the external air.

3. Policy Statement

- 3.1 There are potentially fatal risks associated with gas appliances.
- 3.2 The objective of the policy is to ensure that all gas systems within the Association’s control are properly managed and operate safely and that all new installations, maintenance and safety checks are carried out in accordance with the Association’s duty as a landlord and as required by the Gas Safety (Installation and Use) Regulations 1998.
- 3.3 Southside Housing Association is committed to ensuring the safety of its residents and staff with regards to gas appliances installed in properties that it owns.
- 3.4 We will comply with our duties for repairs and maintenance in accordance with all relevant Legislation.
- 3.5 We will also require our Contractors to abide by relevant legislation and technical guidance.
- 3.6 We will ensure that regular safety checks are carried out including taking appropriate action to gain access where necessary. The safety check includes:
- Gas carcass soundness test;
 - Carrying out manufacturers recommended appliance service regime on appliances owned by Cunninghame Housing Association;
 - Checking ventilation and flue;
 - Checking the electrical safety of the installation including the fuse rating of the boiler and labelling system for bonding and sleeving;
 - Checking the working operation of gas turn off valves, and;
 - Carrying out a visual check on any tenant owned gas appliances.
- 3.7 We will ensure that our gas appliances are repaired and maintained to approved standards.
- 3.8 Southside Housing Association will procure and manage contractors appropriately, ensuring that they are qualified to do the work they are required to do.

4. Competent Persons

- 4.1. 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).

5. Roles and Responsibilities

5.1. The Association define roles and responsibilities for named individuals with accountability for the following aspects of the gas safety management system:

5.2. Chief Executive

The Chief Executive and ultimately the Management Committee 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 Southside Housing Association. Key actions are set out below:

- 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, and;
- Ensuring that Association complies with its overall legal duties in relation to gas safety.

5.3. Director of Property Services – ‘Duty Holder’

- The Director of Property Services shall serve as the Gas Safety ‘Duty Holder’ and be responsible for the strategic management of gas safety within Southside Housing Association, reporting directly to the Chief Executive and shall;
- 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 (Property Services Manager – Responsible Person) to provide cover in their absence;
- Maintain an up-to-date knowledge of legislative requirements and best practice, and;
- Ensure all relevant staff receives adequate information, instruction, and training. This includes the provision of regular refresher training to maintain skills.

5.4. Property Services Manager – ‘Responsible Person’

- The ‘Responsible Person’ is the Property Services Manager, who with the support of the Repairs Coordinator is responsible for the day to day running and implementation of the Gas Safety Policy;
- 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 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 Property Services 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 Southside Housing 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, and
- Appoint a designated deputy as appropriate to provide cover in their absence.

5.5. Employees

- Irrespective of their position, take reasonable care for their own health and safety and that of other persons who may be adversely affected by gas safety, including members of the public, tenants, visitors, and contractors;
- Co-operate as appropriate with other staff and agencies to ensure compliance with this policy and all other legal requirements, and;
- Report any concerns that they may have in relation to the management of gas safety and compliance with Southside Housing Association’s legal obligations or this policy to the Property Services Manager or Director.

6. **Gas Safety Funding**

- 6.1. Gas servicing and maintenance will be funded from the Association’s cyclical maintenance budget.
- 6.2. In order to ensure budgetary certainty, the Association will employ a Gas Maintenance Contractor on a long-term servicing and maintenance contract, subject to the Association’s Procurement Policy.
- 6.3. We will ensure that gas safety services are planned, effectively budgeted for, and managed to a high standard. We will provide sufficient staff and staff training resources for gas safety services as the needs of particular areas are identified.

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.

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.
- 8.2. In relation to the annual gas safety inspection programme, the Association will hold the following records as a minimum:
 - Inspection records, findings, and actions;
 - Reports and communications from gas contractors;
 - No access reports and actions (audit trail);
 - Tenant correspondence and requests for access;
 - Properties beyond 12 months inspection;
 - Intermediate safety checks on properties (voids);
 - External Audit Reports;
 - Maintenance and repair records;
 - Emergency situations and actions taken, and;
 - Letters of complaint.

9. Safety Checks, Access, and Information for Tenants

- 9.1. Carrying out regular safety checks is fundamentally important to our overall commitment to gas safety. If a unit (individual or communal) does not have a valid Landlord's Gas Safety Record (CP12) and a gas appliance becomes faulty, Southside Housing Association may be held responsible for any injuries or fatalities that occur.
- 9.2. In the interests of safety for tenants we will work to a ten-month servicing cycle to ensure **no** property is left without a valid safety certificate. The Contractor is responsible for arranging two appointments with the tenants. If on the second

appointment the tenant does not respond, the Contractor will, within three days of default, refer the problem of access to Southside Housing Association for actioning. The Association will take necessary steps to gain access up to and including forced access.

- 9.3. Legal advice shall be sought for any other tenure types or alternative lease agreements, with appropriate actions taken thereafter.
- 9.4. The Association recognises that there may be specific tenancy management reasons why access has been unsuccessful. For example, health issues or where the tenant is away for an extended period of time. In these circumstances we will try and overcome or resolve the problem before opting for forced access.
- 9.5. If a tenant fails to allow access for two consecutive years, the Property Services Manager will consider the installation of a service interval timer to the property during the forced access. This will use a series of audible alarms to remind the tenant that a service is due and will limit the use of heating and hot water so as to inconvenience the tenant rather than compromising on safety. This should encourage the tenant to report an issue with the boiler and hopefully grant access to the property.
- 9.6. 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. This will include:
 - Emergency contact numbers and reporting procedures.
 - The Association's commitment to gas safety.
 - Tenants' responsibilities under their Tenancy Agreement.
 - Key health and safety risks.
 - The importance of the annual safety check and the need for access to premises.
 - Key points on the safe use of gas and gas appliances including action to be taken if a gas leak is suspected.
 - The requirement to ensure that all gas related work must be carried out by a Gas Safe registered engineer.
 - Allowing access to enable the landlord gas safety check to be undertaken.
 - Immediately reporting any concerns with gas appliances, flues, or installation pipework, turning off gas appliances with hazardous situations and keeping them turned off until check have been carried out by a competent person.
 - Not undertaking, arranging, or allowing work on gas installations in any of the Association's properties by persons who are not Gas Safe Registered and without the Associates express permission.
 - Being responsible for finding out what their obligations are and maintaining their own appliances in a safe order and good state of repair.
 - Operate appliances in a safe manner and in accordance with manufacturer's instructions.
 - Tenants must not uncap a gas supply capped off by the Association.
- 9.7. 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.

10. Gas Safety Internal Monitoring

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

10.2. The monitoring system will include, as a minimum, timeous review of:

- All properties requiring a gas safety certificate;
- All servicing and repair certificates;
- Unsafe gas systems;
- No access procedure, notices, and problems;
- Void properties;
- Quality assurance/quality control reports, and;
- Repairs and maintenance reports.

10.3. In addition, the Association will carry out an annual review of all internal gas safety procedures by appointing a suitably qualified third party. This review will cover all aspects of gas safety as listed above. A full report from the review will be obtained and an action plan developed to address any concerns.

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 repairs and emergency response service. This will be properly defined, and tenants made aware of the contractors' 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.

11.3. Gas Leaks:

- 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, and
- 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 Organisation of the repair problem in order to agree remedial work.

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 QA work will 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 Organisation as soon as practicable. These notifications should be in addition to the regular reporting regime.

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.

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 flat. The gas supply shall be physically disconnected at the meter point, and both cut ends blanked.
- 14.2. Where appropriate, SGN shall be advised and requested to remove the meter supply from the property.

15. RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations)

- 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: -
 - A dangerous gas leak arising, for example, from the use of unsatisfactory materials or bad workmanship;
 - A gas appliance which spills products of combustion or shows signs of incomplete combustion or shows signs of combustion problems due to inadequate ventilation;
 - An appliance which is not suitable for use with the gas supplied;

- An appliance in which a safety device has been made inoperative;
- Use of unsatisfactory materials in gas connections, and;
- 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.

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. The Association shall ensure that the contractor responsible for gas maintenance is contractually required to supply temporary heaters where a loss of heating occurs, and no other source of heating is available within the property.

16.3. The Association shall **not** directly supply temporary heaters to tenants.

17. Planned Maintenance

17.1. The Association shall implement a programme of gas boiler and heating system replacements based on the assessments made during stock condition, gas repair trends and boiler energy efficiency ratings.

17.2. "One off boiler" replacements shall be undertaken only where repairs have been deemed as uneconomical, and/or where a boiler replacement has previously been refused.

17.3. The Association shall not install gas feature fires within any property. Where existing gas feature fires exist, and are deemed as a landlord fixture, these shall be removed during boiler/heating upgrade works, void works or where the fire requires repair.

17.4. Where gas feature fires are removed, no alternative or replacement shall be provided.

17.5. Specifications/designs shall comply with all legal requirements, best practice, technical design guides, Building Regulation Technical Handbooks, and manufacturers literature.

18. Equality and Human Rights

18.1 In applying the Gas Safety policy, SHA will ensure it complies with the Equality Act 2010. The Act makes it unlawful to discriminate against, harass or victimise a person because they have one or more of the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

18.2 Where we are unable to gain access, we recognise that there may be reasons why access has been unsuccessful such as a language barrier or disability and there is potential for discrimination to take place either directly or indirectly. In these

circumstances we will work with the tenant to ensure fair and equal access to services.

19. Publicising this Policy

- 19.1. The policy relating to gas safety will be publicised on the Association's Website and will be made available to the public on request.

20. Policy Review

- 20.1 This policy will be reviewed every three years, or sooner, in the event of a significant legal or regulatory change which affects this policy or a change in operational requirements.
- 20.2 In reviewing void management, new tenant visits will incorporate tenant feedback on the void process and void standard and customer satisfaction surveys of new tenants will be ongoing. This feedback will be analysed to inform reviews of the service as will complaints and comments from tenants.
- 20.3 The policy, in parts, attempts to summarise current legislation. In any case of conflict between the two, legislation will always take precedence.

21. Training and Development

- 21.1 Staff dealing with the management of gas safety will have training appropriate to their needs and to the needs of the Association identified within their Personal Training Plans ensure the safety of its tenants in properties where there are gas installations and appliances.
- 21.2 This will include the Gas Safety (Installation and Use) Regulations 1998 as well as training on all internal procedures and record keeping.

22. Monitoring and Reporting

- 22.1 The Chief Executive is responsible for ensuring the implementation of this policy and supporting procedures by staff, and for the maintenance of all the necessary records on the Orchard system to enable the compilation of regular reports on performance.
- 22.2 Targets will be set for monitoring performance for each aspect of dealing with gas safety.
- 22.3 The Management committee will receive reports on a quarterly basis as part of overall landlord and tenant safety reporting to allow effective monitoring of the gas safety policy. These reports will include:
- Percentage of properties with a valid gas safety certificate;
 - Number of forced accesses carried out;
 - Number of gas meters capped due to no access;
 - Contractor performance against target on call outs;
 - Results of the 10% QA assessments, and;
 - Report on annual review of gas safety procedures.

22.4 Our performance will be regularly benchmarked against other comparable landlords.

23. Legal and Regulatory Framework

23.1 In approving and implementing the reactive maintenance policy and associated procedures the Association aims to comply with the following legislation:

- Gas Safety (Installation and Use) Regulations 1998;
- Gas Safety (Management) Regulations 1996;
- Housing (Scotland) Act 2001;
- Health and Safety at Work etc. Act 1974;
- Public Health (Scotland) Act 1987 ;
- Scottish Secure Tenants (Right to Repair) Regulations 2002 (Scottish Statutory Instrument 2002/316);
- Scottish Housing Regulator – Gas and Tenant Safety in Social Housing (Thematic Study) 2017, and;
- Legal Opinion of Counsel for SFHA on Forced Entry.

24 Compliance with Relevant Performance Standards

24.1 The Scottish Social Housing Charter came into effect in April 2012 and this sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The Charter replaces the Performance Standards and states in terms of maintenance of its stock landlords should:

Manage their business so that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard by April 2015 and continue to meet it thereafter, and when allocated, are always clean, tidy and in a good state of repair.

Manage their businesses so that tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.

Manage all aspects of their business so that tenants, owners, and other customers receive services that provide continually improving value for the rent and other charges they pay.

24.2 Social landlords are responsible for meeting the standards and outcomes set out in the Charter. The Scottish Housing Regulator is responsible for monitoring, assessing, and reporting on how well social landlords, individually and collectively, achieve the outcomes.

24.3 We will, through operation of this policy and supporting procedures, demonstrate compliance with the Scottish Social Housing Charter.

24.4 The Scottish Housing Regulator's approach to monitoring landlords' achievement of the outcomes and standards in the Charter will be based on the landlord's performance information and their own assessment of their performance. For each year ending on 31 March, landlords will be expected to:

- Measure and assess their performance in progressing towards or achieving the Charter outcomes and standards;

- Provide the Regulator with key performance information on their achievement of the outcomes and standards; and
- Report their performance to their tenants and other service users who use their services.

24.5 The Association will review each element of the Charter with its tenants and agree locally based standards designed to demonstrate the achievement of outcomes.

24.6 In addition the Associations approach to gas safety is based on good practice and in particular the Raising Standards manual from the SFHA (Scottish Federation of Housing Associations)

25 Risk Management

25.1 The management of gas safety represents risk to the Association in that:

- Failure to comply with relevant legislation may result in possible legal challenges including criminal proceedings;
- Failure to comply with regulatory guidance may result in action by the Scottish Housing Regulator;
- Service standards not being consistently applied may lead to customer dissatisfaction;
- Expenditure not properly managed may have implications for the budget and the Association's financial and business plans, and;
- Inadequate prioritisation of repairs may lead to death or potential injury, or further damage to properties.

25.2 The risks in relation to gas supplies are significant, from either the risk of fire/explosion or from the incomplete combustion arising out of poor maintenance. The Association will take all reasonable steps to ensure that residents, employees, and members of the public are not put at risk from the effects of gas or carbon monoxide.

25.3 Given the importance of these risks the effective management of this policy is vital. By having a written gas safety policy and procedure the Association is able to ensure that a consistent uniform and professional approach is adopted, and the service delivered is compliant with legislation and best practice.

26. DATA PROTECTION

26.1 SHA handles the personal data we use in line with our obligations under data protection law and SHA's Privacy Policy and Data Retention Schedule. Information about how we handle personal data and the lawful basis for processing personal data is available through SHA's Fair Processing Notices.



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