

# **Southside**

## **HOUSING ASSOCIATION**

### **Gas Safety & Management Policy**

**Issued: November 2018**

**Review Due: November 2021**

## **1. Purpose**

- 1.1. 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.
- 1.2. 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.
- 1.3. All gas servicing, maintenance and repair work will be contracted to an external competent body.
- 1.4. 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. 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.

## **3. HSE Advice**

- 3.1. Health & Safety Executive (HSE) Gas Safety Advice Line. Open 9.00am to 5.30pm Monday to Thursday and 9.00am to 5.00pm on Friday. Tel: 0800 300 363.

## **4. References**

- Health and Safety at Work etc. Act 1974;
- Management of Health and Safety at Work Regulations 1999, as amended;
- Gas Safety (Installation and Use) Regulations 1998;
- Gas Safety (Management) Regulations 1996;
- Gas Safety Guidance (supporting this policy);
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations;
- Scottish Housing Regulator – Gas and Tenant Safety in Social Housing (Thematic Study) 2017;
- Derek O’Carrol, Advocate, Murray Stable, Legal Opinion of Counsel for SFHA on Forced Entry;

## **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](http://www.gassaferegister.co.uk)).

## **6. Roles and Responsibilities**

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

### **6.2. Director**

- The Director 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;
- Ensuring that Association complies with its overall legal duties in relation to gas safety;

### **6.3. Head of Housing Services – 'Duty Holder'**

- The Head of Housing 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 Director 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 (Maintenance Manager – Responsible Person) 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 regular refresher training to maintain skills;

### **6.4. Maintenance Manager – 'Responsible Person'**

- The 'Responsible Person' is the Maintenance 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 Head of Housing 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;
- Appoint a designated deputy as appropriate to provide cover in their absence;

#### 6.5. Employees

- 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 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
- 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 Head of Housing Services or Director;

### **7. Gas Safety Funding**

- 7.1. Gas servicing and maintenance will be funded from the Association's cyclical maintenance budget.
- 7.2. 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.

### **8. Contractor Selection and Control**

- 8.1. 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.
- 8.2. Contractors will be required to demonstrate compliance with the competency requirements of the Regulations and will be, as a minimum, Gas Safe Registered.

- 8.3. 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.
- 8.4. 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.

## **9. Record Keeping**

- 9.1. 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.
- 9.2. 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;
  - Intermediate safety checks on properties (voids);
  - External Audit Reports;
  - Maintenance and repair records;
  - Emergency situations and actions taken;
  - Letters of complaint;

## **10. Information to Tenants**

- 10.1. 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. 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;
- 10.2. Formal 'rules' setting out tenants' gas safety obligations and duties will be clearly set out in their 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.
- 10.3. Following appropriate tenant communications and all reasonable attempts to gain access to a property, the Association will undertake Forced Access to a property under the contractual terms set out within the Scottish Secure Tenancy Agreement (SST)/Short Scottish Secure Tenancy Agreement (SSST).
- 10.4. Legal advice shall be sought for any other tenure types or alternative lease agreements, with appropriate actions taken thereafter.

## **11. Gas Safety Internal Monitoring**

- 11.1. 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.
- 11.2. The monitoring system will include, as a minimum, timeous review of:
- All servicing and repair certificates;
  - Unsafe gas systems;
  - No access procedure, notices and problems;
  - Properties 'over 12 months';
  - Void properties;
  - Quality assurance/quality control reports;
  - Repairs and maintenance reports;

## **12. Gas Safety Training**

- 12.1. The Association ensure that adequate information, instruction and training is given to Gas Safety (Installation and Use) Regulations 1998. All relevant staff will attend a suitable training course on a regular basis.
- 12.2. All staff will be trained on the contents of our Gas Safety Policy at regular intervals.

## **13. Reactive Repairs and Emergencies**

- 13.1. 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 gas company's services and contact details in this regard.

13.2. 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.

13.3. 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;
- 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;

#### **14. Quality Assurance (QA)**

14.1. An external third party shall be appointed to carry out a minimum inspection of 10% of completed annual services.

14.2. The contractor undertaking QA work will be Gas Safe registered and employ fully qualified engineers.

14.3. 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.

14.4. 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.

#### **15. Void/Re-Let Procedures**

15.1. 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.

#### **16. Closing Up**

16.1. 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.

16.2. Where appropriate, SGN shall be advised and requested to remove the meter supply from the property.

#### **17. RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations)**

- 17.1. 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.
- 17.2. 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;
  - An appliance installation which has become dangerous through faulty servicing;
- 17.3. Further information on RIDDOR is contained within the Accidents Policy of the Association's Health & Safety Manual.

## **18. Temporary Heating**

- 18.1. LPG or other bottled gas heating sources will **not** be provided to tenants as a temporary source of heating.
- 18.2. 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.
- 18.3. The Association shall **not** directly supply temporary heaters to tenants.

## **19. Planned Maintenance**

- 19.1. 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.
- 19.2. "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.
- 19.3. 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 a repair.
- 19.4. Where gas feature fires are removed, no alternative or replacement shall be provided.



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

## **20. Equality and Diversity**

20.1. All involved will recognise their ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of; age, sex, sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

## **21. Publicising this Policy**

21.1. The policy relating to gas safety will be publicised on the Association's Website.

## **22. Policy Review**

22.1. 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 guidance.

22.2. Reviews will incorporate changes to legislation and regulations, tenant feedback and good practice.