



<b>TECHNICAL</b>
<b>GAS SAFETY POLICY</b>
<b>February 2022</b>
<b>February 2027</b>

<b>Policy on :</b>	Gas Safety
<b>Compliant with Charter :</b>	Standards  4. Repairs, maintenance and Improvements-tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.
<b>Compliant with Tenant Participation Strategy:</b>	The level of consultation on the Gas Safety policy for minor policy changes will be placing it for download on our web site
<b>Compliant with Equal Opportunities :</b>	Yes
<b>Compliant with Business Plan :</b>	Yes

<b>Date Approved:</b>	<b>February 2022</b>
<b>Date for Review :</b>	<b>February 2027</b>

<b>Responsible Officer:</b>	Head of Technical
-----------------------------	-------------------

## **Contents**

- 1.0 Introduction
- 2.0 Risk
- 3.0 Legislation and Definitions
- 4.0 The Association's Responsibilities
- 5.0 The Tenants' Responsibilities
- 6.0 Capped Properties
- 7.0 Appointment of Contractor
- 8.0 The Contractor's Responsibilities
- 9.0 Annual Safety Inspections and Access
- 10.0 Quality Control
- 11.0 Staff Responsibilities
- 12.0 Monitoring and Reporting
- 13.0 Equal Opportunities
- 14.0 Complaints
- 15.0 Review

## 1.0 Introduction

1.1 This policy outlines the way in which the Paisley Housing Association will ensure the effective inspection, maintenance and management of gas systems within premises controlled by us. 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. This is to enable us to carry out our legal responsibilities in terms of gas maintenance and servicing to ensure the safety of our tenants.

1.2 The policy applies to all of the Association's tenanted properties and office accommodation containing a gas supply or gas appliances provided by the Association. It is supported by a **Procedure on Gas Safety** which begins when an appliance or supply has been identified in the service sequence and concludes when a service record has been produced and updated on the gas data base.

## 2.0 Risk

2.1 By having a written detailed **Gas Safety Policy and Procedure** the Association is able to ensure that a uniform and professional approach is adopted throughout the organisation and the service delivered is compliant with law, best practice and internal policy.

2.2 The risk of not having this Policy in place is that systems are not serviced in accordance with legislation. All gas servicing, maintenance and repair work, and third party checks will be carried out by an external competent body.

2.3 Should an accident or fatality occur and the systems have not been checked for safety in accordance with the legislation, then ultimately the Association and officers of the Association could face legal charges unless we can show that we have taken all 'reasonable steps' to prevent that contravention. The Health and Safety Executive expect evidence that at least three attempts have been made and documented and that the approach taken was reasonable depending on the individual circumstances.

2.4 The Association reports annually in the ACR return to the Scottish Housing Regulator on its compliance with gas safety. The expectation is that RSL achieve 100% of gas safety checks by or prior to their anniversary date.

2.5 To ensure compliance, the Association will carry out forced access as a last resort. Detailed procedures are in place for the use of this policy. The Association may in some circumstances use court action to gain access.

2.6 To reduce the risk of deterioration to its stock through properties not being adequately heated, the Association will carry out regular inspections where a gas supply is capped and take proportionate action to resolve the problem.

### **3.0 Legislation and Definitions**

3.1 The key legislation governing the issue of gas safety is, The Gas Safety (Installation and Use) Regulations 1998: Gas Industry Unsafe Situations Procedure 4th Edition.

3.2 It places certain duties on installers, landlords and some gas suppliers. These regulations aim to prevent injury to consumers and the public from either carbon monoxide (CO) poisoning or fire/ explosion.

3.3 Under the terms of this legislation, the Association's specific responsibilities for its rented properties (excluding shared ownership) are set out in section 4. Tenant and Contractor responsibilities are set out in sections 5 & 7.

3.4 Other relevant legislation;

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999, as amended
- Gas Safety (Management) Regulations 1996

3.5 Definitions

*"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).

*"Gas Fittings"* – means pipework, valves (other than Emergency Controls), regulators and meters and fittings etc. designed for use by consumers of gas.

*"Flue"* – means a passage for conveying the products of combustion from a gas appliance to the external air.

### **4.0 The Association's Responsibilities**

4.1 Existing Properties

4.1.1 To ensure that the installation pipe work, gas appliances and flues we provide for tenants use are maintained in a safe condition. This also applies where we have given permission for a tenant to sub-let.

4.1.2 To ensure the completion of a Landlord Annual Service Inspection, which is a safety check, for the inspection of gas appliances, pipe work and flues, provided by the Association, within each 12 month period.

4.1.3 To obtain a CP12 certificate from the contractor to confirm that this has been carried out.

4.1.4 To ensure that the tenant has a copy within 28 days of the service.

#### 4.2 New Properties

4.2.1 To complete a Landlord Annual Service Inspection, which is a safety check, for the inspection of gas appliances, pipe work and flues, provided by the Association, in recently completed property within 12 months of practical completion.

4.2.2 A CP12 certificate from the contractor confirms that this has been carried out prior to Practical Completion.

4.2.3 The tenant of the new property will be given a copy of the CP12 certificate.

#### 4.3 Void- before re-let

4.3.1 To complete a Landlord Annual Service Inspection (CP12) before a tenant moves into a property.

4.3.2 In order to achieve this, the Association has taken measures to get power into void properties where there is no gas and/or no electricity present in the property due to meter debt or non-use. In very exceptional cases where this cannot be achieved the Association may have to cap the meter to ensure that when the new tenant gets a power supply, the contractor can remove the cap and carry out the required safety checks. This will be detailed on a CP12.

4.3.3 Ensure all gas equipment (including any appliance left by a previous tenant) is safe or otherwise removed before re-letting.

#### 4.4 Mutual Exchanges

4.4.1 To ensure the property is safe a new certificate will be obtained immediately prior to the exchange date.

#### 4.5 Information to Tenants

4.5.1 To provide a copy of the CP 12 Certificate to the existing tenants of inspected properties within 28 days of the safety check

4.5.2 To provide a copy of the CP 12 Certificate to the new tenant at sign –up before they move in.

4.5.3 In addition to a CP12, the Association provides both written and verbal instruction on heating and gas safety advice to all new tenants through demonstrations of safe use of systems

4.5.4 The Association will publicise our and tenant responsibilities annually on its web site. The Gas Safety Policy will be available to download from our web site.

#### 4.6 Records

4.6.1 To keep all CP 12 Certificates for 2 years after the date of completion (current and previous CP12).

#### 4.7 Certified Contractor

4.7.1 To ensure that all maintenance or annual inspection work carried out on the Association's behalf to gas appliances or flues is carried out by a Registered Gas Installers or Contractor i.e. a 'competent' person.

4.8 The Gas Industry Unsafe Situations Procedure 4th Edition has significant implications for the Association's properties which contain a back boiler and gas fire. The legislation has additional requirements for ventilation caused by the recalculation of ventilation requirements. The Association will continue to manage the implications of this legislation reactively until all back boilers have been replaced.

4.9 The Association will continue to carry out reactively any new work required by changes to standards/guidance in respect of the Gas Safety (Installation and Use) Regulations 1998, for example in relation to CO or Smoke detection.

4.10 The Association will continue to carry out reactively any new work required by changes to Legislation, for example in relation to CO or Smoke detection.

4.11 Normally changes to standards/guidance or Legislation applies to new property/new installations. If there is any requirement put on social landlords to retro fit this will be identified in the planned maintenance programme and be dealt with as part of the annual budget process.

## **5.0 Tenant Responsibilities**

5.1 In exceptional circumstances where there is no power in a void property being re-let, the new tenant is responsible for getting the gas/electric meter(s) energised, advising us that this has been done and giving us access to carry out the safety test and uncap the system. – see 4.3.2 – Prior to the void property being re-let the Technical Officer will normally arrange to have power in both gas/electric meters. A gas safety check will be carried out and a copy of the gas safety certificate will be left in the property.

5.2 Under the terms of the Scottish Secure Tenancy Agreement Section 5.11 tenants must allow access to their property to carry out maintenance or safety checks.

5.3 Tenants must get permission to remove a gas meter. This will not be given where there is gas heating or gas appliances in the property or where the Association has plans to switch from electric to gas central heating.

5.4 Permission to remove, install or re-site a gas meter will only be given on condition that the work is carried out by the owner of the metering equipment. Any

future tenants wishing a gas supply in the same property would have to arrange and pay for meter installation.

5.5 Tenants must get permission to install gas. Where gas is installed by the tenant without our permission, the Association will cap the gas supply until it can ensure that the installation complies with all the relevant standards. Once the installation is brought up to an acceptable standard the Association will adopt the work as its own for subsequent maintenance and annual inspection.

5.6 The cost of bringing the installation up to an acceptable standard before the Association can adopt it will be recharged to the tenant.

5.7 Tenants must ensure that gas appliances they own are regularly maintained and a safety check carried out at least once every 12 months by a Gas Safe registered installer. The Association will not be responsible for cookers/hobs/fires unless it has installed them.

5.8 Where problems are identified in CP12 which are not the responsibility of the Association, such as cookers that do not have stability brackets, we will advise the tenant by letter.

5.9 Tenants have a responsibility to ensure that they use gas services within the Association's properties safely and responsibly. Tenants should follow advice and operating instructions and ensure that they do not operate or interfere with gas –fired appliances in any way as this could endanger themselves or other building users. This includes the use of a living room as a 'bedroom'.

5.10 Tenants should be aware that if there is any doubt about the safety of gas equipment that it should be turned off and not touched until checked by a competent installer, and remedial action taken as necessary.

5.11 Tenants are responsible for reporting any faults or concerns with their gas heating system directly to the Association's contractor appointed to carry out annual servicing and repairs. See our **Maintenance Policy**.

5.12 Tenants are responsible for reporting any suspected gas leaks to Scotia Gas Networks on 0800 111 999.

5.13 The use of paraffin or bottled gas heater is strongly discouraged in any property owned by the Association but it is expressly forbidden in our multi storey block.

## **6.0 Capped Properties**

6.1 Where a property cannot have a CP12 carried out because there is no supply, the meter will be capped in order for the Association to comply with legislation.

6.2 Technical and Housing Management sections will co-ordinate assistance for the tenant in getting gas back on in the property.



6.3 Regular inspections of capped properties will be carried out by Technical to monitor for any deterioration due to lack of heat.

6.4 Section 2.7 of the Tenancy Agreement requires reasonable efforts by the tenant to heat the house, taking into account the tenant's income.

6.5 Where a tenant declines assistance, does not use, or cannot afford to use the heating provided for their property, action taken will be proportionate to the tenants circumstances and to the risk to the condition of the property.

## **7.0 Appointment of Contractor**

7.1 A contract will be entered into by the Association with a suitably competent & experienced contractor to carry out annual servicing, safety checks to void properties and repairs, including out of hours emergencies. The contract will be procured in accordance with the Association's **Procurement Policy**, normally from our i-FLAIR Framework.

7.2 The Association will insure that all companies used by us to carry out work involving the installation, inspection, maintenance and repair of gas appliances and systems have a proven track record in carrying out this type of work.

7.3 It is a mandatory requirement that the engineers working on our contract are on the Gas Safe Register. The Association will obtain written confirmation from the contractor that no unregistered engineer will work on the Association's appliances.

7.4 This registration is renewed annually. Details must be provided by the contractor annually to the Association for recording and monitoring.

## **8.0 The Contractor's Responsibilities**

8.1 The contractor's legal responsibilities emanate from the Gas Safety (Installation and Use) Regulations 1998. The contractor will also comply with all standards and guidance on the Regulations.

8.2 The Health and Safety Executive appointed GAS SAFE on 1st April 2009 to manage and certify the registers of installers and contractors.

8.3 The contractor will provide 24 hour cover for the maintenance of the Association's gas appliances and flues.

8.4 The contractor will carry out a safety check and service on the Associations gas appliances at a maximum interval of 12 months.

8.5 Regular electronic reports will be received during the safety check and servicing programme period. Details on the units completed, non access to property and planned dates for the outstanding appliances will be provided to the Association by the Contractor.

8.6 The Contractor will provide CP12 certificates and job sheets which will be submitted or be available for download within 7 days of any work being carried out.

8.7 The Contractor is required to advise the Association immediately when an unsafe appliance is identified or an unsafe practice is identified. The Contractor will apply a warning label to the unsafe appliance. The label should not be removed until repairs are complete.

8.8 When working on the Association's appliances the Contractor will at all times comply with legislation and amend practices and procedures in accordance with changing legislation.

8.9 The Contractor will attend regular meetings with the Association.

8.10 The Contractor will carry out a visual check on gas appliances and flues provided by the tenant and will report on the condition of appliances to the tenant and the Association. Any unsafe appliance should have warning labels attached. The tenant will be advised that the labels should not be removed until repairs are complete. They will also be advised of the action that they should take to rectify the fault.

8.12 The contractor will provide a CP12 form which will record:

- the date the appliance was checked
- the address of the installation(s)
- the name and address of the Association
- a description of the location of each appliance and flue checked
- any defects identified
- any remedial action taken
- the effectiveness of the flue
- the supply of air
- the operating pressure
- the heat input
- the safe functioning of the appliance
- the name and signature of the operative completing the check
- the Gas Safe registration number of the operative or his/her employer

8.13 During the course of the annual gas safety check, the contractor will identify any defects with the heating system and mark these down on the certificate. The Gas Safety (Installation and Use Regulations) 1998 require contractors to use the following three categories of defect in relation to gas appliance defects:

- 'Immediately dangerous'-if any aspect of the system may lead to a situation which may create risk to life or property, the contractor will disconnect the appliance, seal the gas supply and issue a warning label on the appliance. The contractor will advise the association of the defect to allow us to instruct rectification work.

- 'At risk'-if any aspect of the system is deemed to be potentially dangerous, the contractor will attach a warning label to the appliance and advise the tenant not to use the appliance. The contractor will advise the association of the defect to allow us to instruct rectification work.

## **9.0 Annual Safety Inspections and Access**

9.1 The Association will take the following steps to ensure that annual inspections can be carried out on 100% of all properties within a 12 month period:

9.2 The contractor will prepare and agree with the Association a programme of inspection and servicing at least 2 months before the first service is due.

9.3 The first visit is scheduled to take place 2 months prior to expiry of certificate. The Contractor will contact the tenant directly in writing and leave a postcard if that visit and one subsequent visit is unsuccessful. At this point the Association will be advised. The Association will then take action in accordance with its **Gas Safety Procedure** and **No Access Policy**.

9.4 As a final mechanism to ensure the Association's compliance with its statutory obligations, we will, if required, force entry to carry out this work prior to the expiry of the safety certificate. Every effort will be made to avoid this, through written and other appropriate methods of communication.

9.5 The contractor and the Association will keep records of all communication with the tenant as these may be required to demonstrate all reasonable efforts have been made prior to forcing access (see no access procedure, below).

9.6 In an emergency, that is, where there is imminent danger to persons or property, we may force entry to 'make safe', without prior notification to the tenant. This will be notified to the police and their attendance requested.

9.7 The contractor will be entitled per the contract to charge the Association for subsequent visits following evidence that they have arranged and made 2 unsuccessful visits to carry out the gas safety check. These charges will be recharged to the tenant in accordance with our **No Access Policy**.

9.8 Where Housing Management staff believes a property has been abandoned, and serve the appropriate Notice, they will inform Technical staff in order that efforts to secure access can be coordinated.

## **10.0 Quality Control**

10.1 In order to monitor the performance of all gas servicing engineers and the gas servicing contract the Association will:

10.2 Ensure that a 10% quality control on servicing and maintenance is carried out by the Contractor at the expense of the Contractor. Details of each inspection will be supplied to the Association on a quarterly basis.

10.3 Set up a monitoring system to ensure that their 10% targets are being met

10.4 Employ a suitably qualified person to carry out third party quality control on 10% of works carried out by passing 10% of certificates received to the Quality Assurance Contractor to carry out an independent inspection of the main contractor's servicing practices. The QA to advise us immediately on finding any non-compliances/unsatisfactory performance of the primary gas contractor. This is in addition to their normal reporting.

10.5 Where the Contractor advises that a boiler has been condemned or is uneconomical to repair the Association may carry out a third party quality control check to verify this.

10.6 The Association will hold quarterly meetings with the contractor to discuss the findings of the internal and external quality control and other aspects of the contract that may arise. However if a serious matter arises then a meeting will be called outwith this cycle.

10.7 In the event of a grievance arising from the monitoring process or where discrepancies and deficiencies are uncovered, the Association will require the contractor to instruct, at the contractor's own cost, Gas Safe to carry out an investigation with all findings copied to the Association.

## **11.0 Staff Responsibility**

11.1 The responsibility for procuring the contract, contractor control and monitoring, and ensuring that gas servicing and maintenance programme is carried out effectively is that of the Head of Technical.

11.2 The Head of Technical will delegate tasks to the Technical Officer, Technical Assistant and Technical Clerical Officer as follows:

Technical Assistant / Technical Clerical Officer

- Maintaining a record of all gas appliances installed in the Association's managed properties, their previous service date, and copies of landlord's paper gas safety certificates or approved electronic certificates. This will be the master copy of information from which budgets and the annual planned servicing programme will be derived.
- Ensure monthly reports are available which advise of the number of properties with current gas safety certificates and the number obtained prior to expiry of the previous certificate.
- Ensuring that an annual service and safety check is carried out on all gas appliances in the Association's tenanted properties in accordance with our **Gas Procedure**.
- Liaising with Housing Management on resolving issue of capped properties

- Ensuring capped property inspections are carried out
- Instructing quality control inspections
- Ensuring that a copy of the contractors GAS SAFE (Council For Registered Gas Installers) registration is verified by GAS SAFE
- Ensuring that all the contractor's engineers' ACCC (Accepted Certificate of Competences) certificates are received
- Ensuring that the service programme is received before the servicing contract begins
- Ensuring all appropriate information is provided to the contractor
- Instructing quality control inspections
- Tenant liaison and information provision

#### Technical Officer

- Dealing with emergencies
- Investigating tenant complaints or repair issues raised by contractor
- Obtaining a service for Void properties prior to the start of any new tenancies
- Carrying out capped property inspections
- Authorising any extra expenditure to that covered by the contract
- Meeting with the contractor to discuss operational, performance or safety issues

## 12.0 Monitoring and Reporting

12.1 The Association will hold quarterly meetings with the contractor to discuss the findings of the internal and external quality control and other aspects of the contract that may arise. However if a serious matter arises then a meeting will be called outwith this cycle.

12.2 Technical staff will monitor on at least a monthly basis the performance of our gas contractor in terms of reactive repairs and servicing, and ensure that the relevant certificated documentation is received in accordance with the contract.

12.3 The Association will hold centrally on computer a register of gas appliances. The register will detail:

- A description of the appliance
- The make, model and location of appliances
- Date of installation

12.4 The Board will receive 6 monthly KPI information on the % of properties with current gas safety checks obtained within 12 months of the last check.

## 13.0 Equal Opportunities

13.1 The Association promotes equal opportunities and will not discriminate between persons on grounds of gender or marital status, on racial grounds, or on grounds of

disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions. See our **Equalities and Diversity Policy**.

## **14.0 Complaints procedure**

14.1 The Association aims to ensure that the service provided to residents is of the highest quality. If this is not the case, a **Complaints Policy and Procedure** is in place to allow all residents or affected parties to state their grievance. The Scottish Public Services Ombudsman is the final stage of this process.

## **15.0 Review**

15.1 This Policy will be reviewed five years from the date of approval.

15.2 Earlier review may take place to take into consideration any significant changes in legislation, good practice or operational changes which may affect the content.