

Gas Servicing Policy

March 2019

1 Policy statement

- 1.1 The overall aim of this policy is to ensure the safety of people in properties, owned or managed by Rooftop Housing Group (RHG), that have gas fuelled appliances.
- 1.2 RHG is committed to the safety of its customers, visitors, staff, contractors and the public from the risks of gas so far as reasonably practicable and will provide enough resources to ensure this.

2 Statutory and Regulatory context

2.1 RHG main legal obligations to service arise from:

- Gas Safety (Installation and Use) Regulations 1998 Amended (GSIUR). GSIUR specifically deal with the installation, maintenance and use of the gas appliances, fittings and flues in domestic and certain commercial premises. They place duties on certain landlords to ensure that gas appliances, fittings and flues provided for customer's use are safe. These duties to protect customer's safety are in addition to the more general ones the landlords have under Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999.

2.2 The GSIUR requires landlords to:

- Ensure gas fittings and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer's instructions. If these are not available, the GSIUR recommends they are serviced annually unless advised otherwise by Gas Safe engineer.
- Ensure an annual safety check is carried out on each Gas appliance/flue. Before any new lease starts, the landlord must make sure that these checks have been carried out within one year before the start of the lease date, unless the appliances in the property have been installed for less than 12 months, in which case they should be checked within 12 months of their installation date.
- Have all installation, maintenance and safety checks carried out by a Gas Safe registered engineer.
- Keep a record of each safety check for at least two years.
- Issue a copy of the latest safety check record to existing customers within 28 days of the check being completed, or to any new customer before they move in (in certain cases there is an obligation to display the record).

2.3 The GSIUR generally applies to any gas appliance or flue installed in 'relevant premises' except that:

- Appliances owned by the customer are not covered.
- Flues/chimneys solely connected to an appliance owned by the customer are not covered.

- Any appliances and flues serving 'relevant premises' (such as central heating boilers not installed in customers' accommodation but used to heat them) are covered.
- 2.4 The GSIUR also imposed a duty on landlords to maintain and carry out safety checks to fixed as well as portable appliances, such as LPG cabinet heaters.
- Health and Safety at Work etc Act 1974 – Flues serving tenant's own appliances are not covered under the GSIUR, however, landlords have a duty of care under the Health and Safety at Work etc act 1974 (HSWA), which covers a wider range of duties such as the fabric of the building and chimneys. This would be in addition to the requirements of the GSIUR.
- 2.5 The Health and Safety Executive (HSE) advises that the extent of these duties would be for a court to decide but it seems likely that they would take the view that any chimney should be maintained in a condition so as to be 'fit for purpose', for example to effectively remove products of combustion.
- 2.6 The amended GSIUR 2018 Regulations place landlords under the same legal obligations but allow a two-month window for the timing of annual checks. A 'deadline date' will be allocated to each gas appliance or flue within the scope of the Regulations. Landlords can carry out their annual safety checks between 10 and 12 months from the last check however will be treated as if the check was carried out on the last day of the 12 months validity, thereby preserving the existing expiry date of the safety check record.
- 2.7 The regulatory requirement for this area of work is set out in the Regulatory Framework for Social Housing in England from 2012. The Home Standard is the Consumer Standard for gas.

3 Policy outline

- 3.1 This policy outlines RHG approach to ensuring the safety of all gas appliances, flues and associated pipework within all properties owned or managed by RHG.
- 3.2 RHG has a legal duty to ensure that gas appliances and flues they provide for customers' use are always maintained in a safe condition. The policy covers both RHG, RHL and RHA properties and schemes including communal areas with a gas carcass (includes boilers and gas fires, flues and pipework). The policy covers the following areas:
- The Group's responsibilities
 - The contractor's responsibilities
 - The tenant's responsibilities
 - The competence of the contractor
 - The Property Asset record
 - New schemes (new build and transfers)
 - Performance monitoring and quality control
 - Responsibility
- 3.3 Not all RHG properties are heated with gas appliances. Such properties will have their heating systems maintained through local cyclical and planned maintenance programmes.

3.4 This policy applies to general needs and supported housing properties with Gas appliances. Gas safety checks in RHG leasehold and shared ownership properties are not the responsibility of the organisation.

4 Objective/project

4.1 The purpose of this policy is to identify the legal requirements placed on RHG as a landlord to ensure that all installation pipework, gas appliances and flue systems owned by RHG are serviced and maintained in accordance with current legislation.

4.2 Failure to comply with gas safety regulations is a criminal offence; in addition, this could result in:

- A health and safety risk from natural gas or carbon monoxide which could lead to serious injury or death.
- Financial and legal penalties due to noncompliance with regulations.
- Loss of reputation with customers and stakeholders due to poor service delivery.

4.3 The key objective of this policy is that gas systems will be well maintained so not to represent an uncontrolled risk of harm to residents, staff and others affected by the activities of RHG.

5 The Group's responsibilities

5.1 The GSUIR imposes a duty on RHG to comply with the regulations as it falls within the definition of 'certain landlord' in that it grants tenancies for periodic terms to customers.

5.2 In addition to ensuring installations are maintained in a safe condition undertaking gas servicing is key in ensuring that the useful life of individual heating system components is maximised and hence value for money is optimised.

5.3 Where chimneys are used to remove products of combustion RHG will maintain these to be 'fit for purpose'.

5.4 RHG will consider, on a risk assessed basis, the installation and use of heating controls/technology to future facilitate access to properties to undertake its gas safety inspection obligations.

5.5 In addition, RHG provides both written and verbal instruction on heating and gas safety advice to all new customers through demonstrations of safe use of systems and in residents' information booklets.

5.6 RHG recognises it has a duty of care to its leaseholders and shared owners, who have individual gas appliances within their properties, to remind them of the importance of undertaking regular servicing on their appliances by a Gas Safe engineer.

6 The tenant's responsibilities

6.1 It is a requirement of the tenancy agreement for tenants to allow reasonable access for any maintenance or service and safety check work to be carried out. In appropriate cases, charges may be made for missed appointments.

6.2 RHG is required to take 'all responsible steps' to ensure gas safety work is carried out, and this may involve giving them written notice requesting access and explaining the reason.

6.3 Failure to allow access will be considered a breach of the tenancy agreement. If a tenant does not allow or refuses access after two contacts, RHG will seek action through the courts and request that the legal costs and fees associated with obtaining access are recharged to the tenant in the Court Order. RHG also reserves the right to cut off the gas supply at the meter where it is outside the property. The supply will then be reconnected when access is given.

7 The contractor's responsibilities

7.1 The contractor's responsibilities emanate from the Gas Safety Regulations 1998 (Installation and Use).

7.2 When working on RHG appliances the contractor will always comply with legislation and amend practices and procedures in accordance with changing legislation.

7.3 The contractor will attend monthly meetings with RHG for quality control purposes and performance monitoring.

7.4 The contractor will carry out a visual check on gas appliances and flues provided by the customer and will report on the condition of appliances to the customer and RHG. Any unsafe appliance should have warning labels attached. This should not be removed until repairs are complete.

7.5 The contractor will provide a LGSR which will record information required in accordance with current legislation.

8 The competence of the contractor

8.1 RHG will only use approved competent contractors for the gas servicing contract or the installation of new appliances. To ensure that RHG is satisfied that the gas contractor is competent, RHG will carry out the following checks:

- Check the contractor's Gas Safe registration by obtaining a copy of their Gas Safe registration.
- Ensure all engineers working on our appliances or installations have the appropriate Gas Safe registration.
- The Association will obtain written confirmation from the contractor that no engineer other than those authorised by the Association will work on the Association's appliances.
- Copies of each engineer's Gas Safe ID card, including what gas work the engineer is qualified to carry out, will be held in a central file at the Group's offices.

8.2 RHG will employ a quality assurance contractor to check at least 5% of the work carried out by the contractor.

9 Property asset records

9.1 RHG will hold electronically a record of gas assets. The record will detail:

- Type, make, model and location of appliances when identified at point of installation.
- Date of installation.
- Servicing history.

10 New schemes (new build and transfers)

10.1 RHG receives a Practical Completion certificate for each property at handover. For new schemes we will require a gas installation certificate to be provided before handover.

11 Performance targets and monitoring

11.1 Levels of customer satisfaction will be monitored to identify whether services are meeting their needs and a quarterly report will outline performance in terms of:

- Number of properties safety checked.
- Number of properties outstanding without a valid LGSR.

11.2 The relevant performance target for this service area is:

- 100% of properties with compliant gas safety process.
- 100% of properties with a valid landlord's gas safety record (LGSR).

12 Use of Court

12.1 Where RHG has taken reasonable steps but has not gained access to a customer's home, RHG may serve a notice seeking possession as the first step towards applying to Court or work in partnership with the Environmental Health team to serve notice on the customer under section 80 of the Environmental Protection Act 1990.

13 Responsibility

13.1 The Head of Asset Management has overall responsibility to ensure that the annual gas servicing takes place in conjunction with the contractors.

14 Equality and diversity

14.1 RHG will be sensitive to the specific needs of customers. We will seek to identify those needs and explore with these customers the importance and necessity of conducting the annual gas service.

15 Review

15.1 This policy will be reviewed every three years unless there are major changes in legislation or good practice.

16 Consultation

16.1 Leadership Team	March 2019
16.2 Executive Team	March 2019
16.3 Other (e.g. customers)	March 2019

17 Responsibilities

17.1 Responsible body	Executive Team
17.2 Formulation and approval of policy	Executive Team
Amendments to policy	Leadership Team

Monitoring of policy	Leadership Team
Operational management of policy/policy author	Head of Asset Management
17.3 Date of formulation of policy	May 2010
17.4 Dates of policy reviews	March 2019

Associated documents

Internal

- Repairs, maintenance and improvements policy
- Customer care service standard
- Gas and other heating source servicing procedure
- Gas safety booklet
- Tenancy agreement

External

- The Gas Safety (Installation and Use) Regulations 1998
- Regulator of Social Housing Regulatory Framework
- Gas Safe Register
- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Workplace (Health Safety & Welfare) Regulations 1992
- Gas Safety (Management) Regulations 1996 (as amended)
- The Building Regulations in England & Wales
- Dangerous Substances and Explosive Atmospheres Regulations 2002
- Pressure Equipment Regulations 1999
- Pressure Systems Safety Regulations 2000
- Pipelines Safety Regulations 1996
- Heat Network Regulations 2014
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Provision and Use of Work Equipment Regulations 1998
- Construction, Design and Management Regulations 2015
- Landlord and Tenant Act 1985
- Data Protection Act 1998
- Occupiers Liability Act 1984
- RIDDOR 2013