



Gas Safety Policy and Procedure 2023

Policy Implementation Checklist	
Policy Guardian	Director of Property Services
Policy Author	Asset Manager
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Table of Contents

Section 1: Introduction.....	1
1.1 Gas Safety	1
1.2 Scope.....	1
1.3 Equality and Diversity	2
1.4 Our Mission	2
1.5 Our Vision and Values.....	2
1.6 Our Organisational Culture.....	2
Section 2: The Legal Framework.....	3
2.1 Health and Safety at Work Etc. Act 1974: General Duty on Employers.....	3
2.2 Management of Health and Safety at Work Regulations 1999: Risk Assessments.....	3
2.3 Construction (Design and Management) Regulations 2015: Construction Work	4
2.4 Regulation 36 of the Gas Safety (Installation & Use) Regulations 1998	4
2.5 Miscellaneous: Additional Legal Provisions	4
Section 3: Overarching Objectives and Implementation	5
3.1 Overarching Objectives	5
3.2 Implementation	6
Section 4: Compliance and Complaints.....	8
4.1 Monitoring and Quality Control	8
Section 5: Review of Gas Safety Policy	8
APPENDIX : EQUALITY IMPACT ASSESSMENT.....	9

Section 1: Introduction

1.1 Gas Safety

1.1.1 Linthouse Housing Association is committed to implementing effective gas safety checks and maintenance programmes, as well as ensuring that all gas related work is conducted in a safe manner and in accordance with all applicable regulations. This Policy is vitally important in ensuring the health and safety of not only those who live in the Association's properties, but also those who live in the immediate vicinity of the area and those who work in, or visit, such properties.

1.1.2 As a Registered Social Landlord, we have a legal responsibility to ensure the safety of our tenants in properties where there are gas installations and appliances. The Gas Safety (Installation and Use) Regulations 1998 came into force on 31 October 1998 and placed duties on installers, landlords and some gas suppliers. The Regulations aim to prevent injury to customers and the public from either carbon monoxide poisoning or fire and explosion.

1.1.3 Linthouse Housing Association as an RSL has a duty to ensure that the gas appliances and flues they provide for tenants' use are maintained in a safe condition at all times and checked for safety each year by a Gas Safe registered installer. A copy of the certificate is held on file by the Association and a copy of the certificate is passed to the tenant. The Association's record will be kept for a minimum of 2 years from the date of the check.

1.1.4 The purpose of this Policy is to clearly set out how the Association will ensure the safety of those who live and work in the Association's properties where there are gas installations and appliances. The Policy outlines our procedures regarding tenders for gas service contracts and our gas service programme.

1.1.5 **Note:** In this Policy, Linthouse Housing Association is referred to as "LHA," "we", "us" or "our".

1.2 Scope

1.2.1 This Policy applies to the Association's staff and contractors, given that the Policy outlines their responsibilities with regards to gas safety.

1.3 Equality and Diversity

1.3.1 Equality and diversity reflect the core values of Linthouse Housing Association and we strive to ensure that they are embedded throughout all of our services, policies and decision making. We are committed to promoting an inclusive and diverse culture that treats every individual with dignity, respect and fairness. We will actively challenge discrimination and empower people to succeed.

1.3.2 If you require further information, please refer to our Equality and Diversity Policy.

1.4 Our Mission

1.4.1 The Gas Safety Policy forms part of our mission to:

“deliver high quality and cost-effective housing services designed to meet the needs of existing and future customers. To work in partnership with others to create thriving communities that people want to live and work in”.

1.5 Our Vision and Values

1.5.1 Our vision is the creation and sustainment of lasting, unique, vibrant homes in stable, popular and ambitious urban communities. Our vision is underpinned by four core values which we apply to all areas of our business. These are to be:

- i. **Customer Driven**
- ii. **Honest**
- iii. **Accountable**
- iv. **Transparent**

1.6 Our Organisational Culture

1.6.1 Our **C.H.A.T** values as outlined, form the foundation of our **Listen, Hear, Act (L.H.A)** customer excellence and organisational culture programme. All staff receive training at induction on customer service standards and the organisational culture we promote. This includes reference to our Equality and Diversity Policy and a requirement to treat colleagues, tenants, contractors, service users and any other stakeholders with dignity and respect.

1.6.2 The organisational culture we promote is based on finding solutions to suit customer needs regardless of individual differences.

1. **Listen** - We are committed to listening to those we do business with, be that our customers, staff, stakeholders, regulators or funders, to ensure that our responses are reflective of what people are saying to us.
2. **Hear** - Once we listen and understand the need/demand/offer that is presented, we will ensure that we fully understand what is being said.
3. **Act** - Whilst we will think about what we do, we want to be known for acting swiftly to deliver solutions and for always keeping our promises.

Section 2: The Legal Framework

2.1 Health and Safety at Work Etc. Act 1974: General Duty on Employers

2.1.1 The Health and Safety at Work Etc. Act 1974 imposes a general duty on employers to ensure the health, safety and welfare of their employees at work, so far as reasonably practical. This statutory duty is also applicable to others who may be affected by the employer's undertakings (i.e. work activity), such as contractors, tenants, neighbours, visitors and members of the wider general public.

2.2 Management of Health and Safety at Work Regulations 1999: Risk Assessments

2.2.1 The Management of Health and Safety at Work Regulations 1999 reinforce the Health and Safety at Work Etc. Act 1974 and expand the general duties contained in the latter. Regulation 3 of the Management of Health and Safety at Work Regulations 1999 places a duty on employers to undertake general risk assessments in order to protect persons who may be affected by their work activities.

2.2.2 Employers must undertake an assessment of all risks to health and safety arising from their work activity. The aim of these assessments is to establish an effective system of preventative and protective measures. Regulation 5 also imposes a statutory duty on employers to make arrangements to cover the effective planning, organisation, control, monitoring and review of health and safety.

2.3 Construction (Design and Management) Regulations 2015: Construction Work

2.3.1 The Construction (Design and Management) Regulations 2015 are the main regulations for managing the health, safety and welfare of all construction projects. These Regulations will be adhered to, where relevant, in relation to gas servicing and installations.

2.4 Regulation 36 of the Gas Safety (Installation & Use) Regulations 1998

2.4.1 General

The Association's adopted procedure described further on within this policy will ensure that the Association fully complies with all of the current relevant legislation in respect of gas safety.

2.4.2 Regulation 36 (Duties of Landlords)

Regulation 36 of the Gas Safety (Installation & Use) Regulations 1998 sets out our duties as a landlord in relation to gas safety. Under Regulation 26, any gas appliance in a property that is owned by the Association 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.

Landlord Obligations as Defined in Regulation 36

36. – (2) Every landlord shall ensure that there is maintained in a safe condition –

- (a) any relevant gas fitting; and
- (b) any flue which serves any relevant gas fitting,

so as to prevent the risk of injury to any person in lawful occupation or relevant premises.

36. – (3) A landlord shall –

- (a) ensure that each appliance and flue...is checked for safety within 12 months of being installed and at intervals of not more than 12 months since it was last checked for safety.

2.5 Miscellaneous: Additional Legal Provisions

2.5.1 The policy also takes due cognisance of the following, current documents:

- Gas Safety (Management) Regulations 1996

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- The Building (Scotland) Amendment Regulations 2011
- The Housing (Scotland) Act 2001
- SFHA Good Practice Guide: Procedures for Access to undertake Annual Gas Safety Inspections, September 2005
- The Public Contracts (Scotland) Regulations 2015
- The Procurement Reform Act 2014
- The Scottish Housing Regulator – Health and Safety Gateway Guidance

Section 3: Overarching Objectives and Implementation

This section outlines our overarching objectives, and how we will implement these.

3.1 Overarching Objectives

3.1.1 Our primary aim is to ensure that Linthouse Housing Association comply fully with its statutory obligations as laid out in the Gas Safety (Installation and Use) Regulations 1998 and ensure that effective procedures are in place to ensure such compliance and therefore, gas safety. In order to achieve this aim, we have the following objectives. In particular, the Association will ensure full compliance with Regulation 36 that places duties on the Association to:

- ensure that each gas appliance, flue and all related parts, provided by the Association are checked for safety within twelve months of being installed and at intervals of no more than twelve months thereafter;
- ensure that installation pipe work, appliances and flues provided for tenants are maintained in a safe condition;
- ensure maintenance and annual safety checks are carried out by an appropriately qualified Gas Safe registered engineer; (this includes an annual Carbon Monoxide detector check and all other detectors (smoke/heat etc.).
- retain a record of each safety check for a minimum of 2 years;
- issue a copy of the safety inspection certificate to each existing tenant within 28 days of the check being completed and to any new tenant before they move in; (a new safety inspection certificate (CP12) is completed when a property becomes void)

- ensure all gas equipment is safe;
- ensure any gas equipment left by a previous tenant e.g. cookers are removed before re-letting; and
- ensure that anyone carrying out work on gas appliances/fittings and/or flues provided for tenants are carried out by an appropriately qualified Gas Safe registered engineer.

3.2 Implementation

3.2.1 Procurement Policy

The invitation and acceptance of tenders for gas servicing contracts will take account of The Public Contracts (Scotland) Regulations 2015 and The Procurement Reform (Scotland) Act 2014 and will be advertised on Public Contracts Scotland (PCS) and will follow all requirements as set out in the Associations Procurement Policy.

The Association will only employ companies that are Gas Safe registered, and the Association will ensure it has access to copies of the Gas Safe operatives' Registration cards.

Access for Gas Servicing

To ensure that gas servicing is carried out within the 12-month period following the last service date, the Association will follow the programme of work contained within this policy. The Gas Service programme works to a 10-month cycle to ensure that the Association's statutory requirement is fulfilled.

Stage 1

A programme is produced, based on a 10-month cycle and e-mailed to the Gas Servicing Contractor 2 months in advance.

Stage 2

The tenant is sent a letter confirming the proposed service date at least 4 weeks prior to the arranged visit date, Appointment Letter (Appendix 1. If the date is not convenient, the tenant is requested to contact the Association to arrange an alternative date.

Stage 3

In the event of no access being granted on the appointed date, the servicing contractors shall be responsible for posting a calling card through the tenant's door. The card will confirm the following:

- Date and time of the visit
- Contact number to arrange a suitable appointment

The card will ask the tenant to make contact and arrange a suitable access. The contractor will also revisit the property within seven days and try to gain access to service the property.

Stage 4

The contractor will inform the Association in the event of no access following each visit. Following a no access visit, the Association will write to the tenant by sending No Access Letter 1, within 7 days of 1st no access, (Appendix 2) and, if required, No Access Letter 2, send within 7 days of second no access, (Appendix 3), advising them that they are in breach of their Tenancy Agreement and that they should contact the Association to arrange a service date within 7 days. The letters state that failure to contact the Association could result in forcing access to their home and changing the locks.

In the event of the tenant making contact within 7 days of receiving either letter, then a new access date will be agreed.

Stage 5

In the event of no contact from the tenant the Association will begin forced access proceedings. Asset Management staff will arrange forced access for a day prior to CP12 expiry, (if this is a Friday or over the weekend/public holiday the forced access will be the Thursday before expiry). A forced access letter (Appendix 4) will be hand delivered by a member of the Asset Management Team, a minimum of 7 days prior to the forced access date, and a copy posted.

The Association will arrange to cap off the gas supply if the meter is located outside. If this is not the case, the Association shall force access to the property on the date stipulated in the letter, change the door locks, carry out the service or cap the supply if there is no gas or electricity. A notice will be attached to the front door of the property stating that the locks have been changed or posted should the supply been capped externally (Appendix 5).

Section 4: Compliance and Complaints

4.1 Monitoring and Quality Control

4.1.1 Quality Control

To ensure that the Association and its tenants receive a good quality service from the contractors, the Association will ensure that no less than 10% of all services completed monthly are independently post inspected by an external, qualified company.

4.1.2 Monitoring

The Association will employ robust monitoring procedures to ensure it achieves full compliance with all aspects of the Regulations. In particular, the Association shall employ the following procedures:

The progress of annual servicing will be monitored on a daily basis by the Asset Management Assistant and overseen by the Asset Manager. Bi-monthly progress meetings will be held with the servicing contractor and minutes taken and distributed for record purposes.

A quarterly Gas Safety Report will also be provided to the Management Committee.

Section 5: Review of Gas Safety Policy

5.1 This policy will be reviewed every 3 years or sooner to reflect any updates in legislation to ensure that the appropriate amendments are made. All staff and relevant third parties will be informed of any such changes. Continuously subjecting our Policy to review will ensure that its effectiveness is maintained, and that feedback can be acted upon in a reasonable time frame.

APPENDIX : EQUALITY IMPACT ASSESSMENT

TITLE OF POLICY:	Gas Safety Policy
Strategic Outcome:	To mitigate gas related hazards and be a responsible landlord and employer in terms of gas safety.
What is the purpose of the proposed Policy?	The purpose of the Gas Safety Policy is to implement effective gas safety management systems and procedures,

	to ensure the safety of those living and working in the Association's premises.
Protected Characteristic Groups affected by the Policy	Disability/Age – potentially issues arising regarding gas safety in relation to Elder House and CIC units at Eldergrove.
Who is the target audience of this policy or who is intended to benefit from the proposed policy and how? (i.e. employees, service users, management committee etc.)	Safety of all LHA tenants. Safety of LHA staff and contractors.
List any existing documents, evidence, research which have been used to inform the Policy	Annual Landlord Gas Safety Certificate's (CP12's) and other Gas Safety Certificates where we are not a landlord (e.g. LHA's office premises)
Has any consultation or involvement been undertaken with the Protected Characteristic Groups to inform this assessment? (Please provide details of who and how consulted).	Yes. Correspondence is issued to all tenants regarding their annual gas safety inspection.
What is the actual likely impact?	Policy will enhance staff awareness of all necessary factors requiring to be implemented and maintained to ensure continuous gas safety of our tenants and employees.
How have you, or will you, put the Policy into practice, and who is or will be responsible for delivering it?	The CEO has overall responsibility for the implementation of this Policy. As with other policies, was approved by the Management Committee, the policy will be distributed to all staff and discussed at team meetings.
How does the Policy fit into our wider or related policy initiatives?	The Policy supports our mission to deliver high quality and cost-effective housing services designed to meet the needs of existing and future customers, whilst the safety of our tenants are staff are paramount.
Do you have a set budget for this work?	Yes. In relation to areas to be actioned by the Technical Services Manager, these action points are included within the annual budget prepared by the Asset Management team.

