



## Gas Safety Policy

<b>Purpose:</b>	To establish DPHA's policy and set out our position on The Gas Safety (Installation and Use) Regulations 1998
<b>Review Date:</b>	3 years from review date
<b>Guidance:</b>	
<b>Regulatory Standards:</b>	<ol style="list-style-type: none"> <li>1. The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.</li> <li>2. The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.</li> <li>3. The RSL manages its resources to ensure its financial well-being and economic effectiveness.</li> <li>4. The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.</li> </ol>
<b>Date reviewed by Policy Review Working Group (PRWG):</b>	
<b>Date approved by Management Committee (or PRWG if delegated):</b>	19 September 2018
<b>Amendments</b>	Not applicable

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## **1.0 INTRODUCTION**

1.1 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. Landlords have duties 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, and a copy of the safety check record is provided to the tenant. The record should be kept by the landlord for a minimum of 2 years, from the date of the check.

## **2.0 GAS SAFETY AND RELATED LEGISLATION**

2.1 When implementing the gas safety policy, the Association staff and contracted staff must comply with the following legal and regulatory framework:

- Gas Appliance Safety Regulations 1995
- Gas Safety (Installation & Use) Regulations 1998
- The Health & Safety at Work Regulations 1999
- Management of Health & Safety at Work Regulations 1999
- Housing (Scotland) Act 2001 as amended
- Home Energy Efficiency Scheme Amendment (Scotland) Regulations 2001.
- Control of Asbestos at Work Regulations 2002
- Building Standards (Scotland) Regulations 2004

2.2 Certain gas incidents are reportable to the Health & Safety Executive by the suppliers of gas and by gas installers. Any incident where life and/or property was or could have been affected by a dangerous gas fitting which was the result of poor workmanship should be reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

## **3.0 POLICY STATEMENT**

3.1 DPHA will 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. In particular, the Association shall ensure full compliance with Regulation 36 that places duties on the Association to:

- 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 a GAS SAFE registered installer.
- Retain a record of each safety check for at least 5 years.
- Issue a copy of the safety check to each existing tenant within 28 days of the check being completed and to any new tenant before they move in.
- Ensure all gas equipment (including any appliance left by a previous tenant) is safe or otherwise removed before re-letting.
- Ensure that any one carrying out work on gas appliances/fittings and/or flues provided for tenant's use has the required competence and that only GAS SAFE registered installers are used.
- Ensure that void properties are checked for safety as far as is possible on the day the keys are handed in but certainly within three days and a full safety check & certificate granted on the date of entry or as close to as possible.

3.2 This policy does not apply to owners using the Associations factoring services.

#### **4.0 PROCUREMENT OF GAS SAFETY AND SERVICING CONTRACTS**

4.1 The Association will tender for Gas Safety and Service contracts in line with its Procurement policy.

#### **5.0 ACCESS TO TENANTS HOMES FOR GAS SAFETY AND SERVICING**

5.1 To ensure that gas servicing is carried out within the required 12-month period following the last gas service date, the Association will follow a rigorous Annual Servicing Programme of Work to ensure all properties have an annual gas service.

5.2 The process shall commence 10 months after the last service date when the tenant is contacted by the Gas contractor confirming the proposed 10-month service date. If the date is not convenient the tenant is encouraged to contact the Contractor to arrange an alternate date. In the event of no access being granted on the agreed date the servicing contractor shall be responsible for arranging an alternative return date within seven days.

5.3 The contractor will inform the Association in the event of access being denied. The Annual Servicing Programme will be followed until the service has been completed.

5.4 Evening and weekend appointments will be considered where it is thought appropriate and cost effective to do so.

5.5 After 3 attempts at access and 3 no access letters being sent the Association will issue a letter of Intention to Force Entry under the terms of the tenancy agreement, with Association staff and gas servicing contractor in attendance. If there is no response to the Intention to Force Entry Letter within 7 days a further letter is to be hand delivered directly to the tenant by two officers of the Association and an execution of service signed and

dated by both staff. This final letter shall indicate the date and time (giving at least 24 hours' notice) when the proposed forced entry will be carried out on the day before the anniversary date.

## **6.0 QUALITY CONTROL**

6.1 The Association will employ an independent contractor to carry out quality checks on the servicing and repair work carried out by the Association's regular contractor. At least 10% percent of installations will be checked in this way. Included in this quality check will be a check of the gas operative's eligibility to be carrying out the service.

## **7.0 MONITORING ARRANGEMENTS**

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

- The Housing/Property Manager is responsible for delivering this policy supported by the Property Services Officer.
- The progress of annual servicing is to be monitored on a weekly basis by the Property Services Assistants and the Gas Contractor.
- The day to day management of Gas Management will be carried out by the Property Services Assistants.

7.2 Performance will be monitored on a quarterly basis to Management Committee reporting:

- Number of properties serviced per month
- Properties that have not been serviced on time
- Action taken on properties where access cannot be gained
- Annual Return on Charter to Scottish Housing Regulator on number of gas services outstanding

## **8.0 POLICY REVIEW**

8.1 This policy will be reviewed every 3 years or sooner to ensure that the Association complies with the up-to-date legislation and guidance on gas safety.

8.2 The Housing/Property Manager will be responsible for ensuring that the policy is reviewed and submitted to Management Committee for approval as required.

8.3 The Gas Safety Procedures associated with this Policy will be reviewed annually by the Housing/Property Manager, updated as required and issued to staff involved in the

implementation of the Gas Safety policy. The Housing/Property Manager will ensure that appropriate refresher training for staff will be held annually.