

Policy	Gas Safety
Policy Ref:	PHL POL 20
Approved By:	Board
Date Approved:	12 th November 2019
Updated	15 th December 2020 (reviewed & re-approved) 03 October 2024 (reviewed)
Lead Officer/post	Chief Development Officer

1. POLICY STATEMENT

Preferred Homes Limited ('PHL') is committed to maintaining the Health and Safety of employees, tenants and members of the public. PHL recognises the potential health and safety risks associated with gas used for fuel in its properties. Potential risks associated with gas as a fuel are significant given the risk of fire/explosion or from carbon monoxide poisoning due to incomplete combustion arising out of poor or irregular maintenance of appliances and systems.

PHL will take all reasonable steps to ensure that appropriate management systems are in place to ensure employees, tenants and members of the public are not put at risk from the effects of gas or carbon monoxide in its properties.

The Gas Safety (Installation and Use) Regulations 1998 place important duties on landlords of all properties to ensure that gas appliances and their flues are serviced and maintained in a safe condition, annual safety checks are carried out, and records are kept and issued to tenants. These duties are in addition to the more general duties that landlords have under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1999).

2. EXTERNAL REFERENCES

Legislation and Regulation

- Gas Safety (Installation and Use) Regulations 1998
- Defective Premises Act 1972
- Landlord and Tenant Act 1985
- Environmental Protection Act 1990
- Disability Discrimination Act 1995
- Housing Acts 1985,1988,1996
- Occupier's liability Act 1957 & 1984
- Health and Safety at Work Act 1974
- Supply of Goods and Services Act 1982
- Decent Homes Standard
- Data Protection Act 1998
- Human Rights Act 1993

- Control of Asbestos at Work Act 2012
- Commonhold and Leasehold Reform Act 2002
- Home Energy Conservation Act 1995
- Construction Design and Management Regulations 2015
- Regulatory Reform (Fire Safety) Order 2005
- Building Regulations 2010

Guidance

- CRE Code of Practice on Racial Equality in Housing
- IEE Regulations (16th Edition) – BS7671:1992
- Tenancy Agreements/Leases

3. POLICY CONTENT

Purpose

To ensure that the gas equipment PHL provides remains in safe working order and meets with the current Gas Safety (Installations and use) Regulations 1998 (as amended 2018) SI 2451 PHL will:

- Repair and maintain gas pipework, flues and appliances in a safe condition;
- Undertake a gas safety check on every gas appliance and system that is installed and owned by PHL for tenanted units and communal heating systems at least every 12 months;
- Keep a full record of safety checks;
- Issue a copy of the Landlord Gas Safety Record (LGSR) to all tenants within 28 days of completion;
- Give any new tenant a copy of the record;
- Display a copy of the LGSR in the communal area of a building where the gas appliance serves a communal heating system to multiple homes.

Scope

This policy applies to all PHL properties that are owned and managed by PHL, the common parts of the buildings in which they are located, and all work undertaken on behalf of PHL.

This policy will apply to all contractors undertaking gas work on behalf of PHL and anyone likely to be put at risk from work on those properties.

Where PHL does not hold legal responsibility for completing the gas safety checks, for example, where such obligations sit with a managing agent or a landlord, PHL will use all reasonable options available to it to obtain documentary evidence of compliance and will retain copies within the electronic records.

4. MANAGEMENT SYSTEMS

The requirements for a robust Gas Safety Management and Maintenance systems are clearly defined in the Gas Safety (Installation and Use) Regulations 1998, the Management of Health and Safety at Work Regulations 1999 together with the Health and Safety at Work Act 1974 and other regulations made under this Act.

To safely manage these and other regulations PHL will ensure the following policies/procedures are adopted and are continuously reviewed and amended as required.

5. QUALIFYING CONTRACTORS & OPERATIVES

To meet the duties placed on PHL by the Gas Safety (Installation and Use) Regulations 1998 (as amended 2018), PHL will ensure that all contractors it uses are suitably registered Gas Safe and competent for the categories of work they are expected to undertake.

6. GAS SERVICE/SAFETY CHECKS

The Repairs Team has overall responsibility for ensuring that Gas Safe approved heating engineers carry out annual service and safety checks to all gas appliances. They will ensure the maintenance of up-to-date information on the PHL systems to enable production of a master schedule listing all schemes with gas supplies including a copy of the service certificate which will be kept electronically.

7. SERVICE PROGRAMMES

The contractor employed to carry out the service programme will contact PHL who in turn will contact the tenant, advising that the service is due and requesting them to book an appointment 6 weeks prior to the due date. If no response is received from the tenant a further reminder will be sent 5 weeks prior to the due date. The Gas Servicing Contractor must have completed three attempts to gain access prior to 18 days of the anniversary date of the LGSR. PHL will actively monitor the booking and status of appointments by liaising with the contractor throughout this period.

If access is gained on the first visit, then the gas safety certificate (LGSR, CP12 or CP1) is completed and issued to PHL so that the records can be updated. The tenant will also be issued a copy of the LGSR by the contractor. The contractor is also obliged to maintain an accurate record of the gas servicing and to provide PHL access to requested information from their LGSR database.

If access is not gained on the first two visits, then prior to the third visit the property enters stage three of the PHL Gas no Access procedure. On all occasions the contractor must leave a no access card on site. On request the contractor must provide PHL with copies of all letters that have been sent to date and any other details that they have.

Once the property has been referred to PHL due to no access, the Nominated Person will write to the tenant allowing 7 days to make an appointment through the PHL repair team. The repair team will be involved as required to raise this with the tenant's support staff and/or family.

If a further appointment is missed or there is no response/co-operation from the tenant to address the need for access, then a further letter will be sent. This letter will be sent via recorded delivery or hand delivered by a PHL member of staff stating that there may be court action if the request for access is not responded to. On the fifth day PHL will call the tenant.

At all times PHL will have due regard to the needs of its vulnerable tenants ensuring that, as appropriate, PHL staff are involved in the process of notifying tenants of the need for gas safety inspections to enable them to be undertaken without delay and without the need for enforcement action.

8. LANDLORDS GAS SAFETY RECORD

The contractor will provide a LGSR/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 (formerly CORGI) registration number of the operative.

Copy 1 – On completion of a service the engineer will complete a LGSR for the property and the contractor will issue the tenant with a copy of the LGSR.

Copy 2 – On completion of a service, the engineer will submit a copy to the landlord, details will include date serviced, name of engineer, and the gas safety record serial number. A copy will be sent electronically to PHL so that their own electronic records can be updated. The record will then be filed and updated on the house database.

9. VOIDS PROCEDURE

To ensure that in the case of a tenant vacating a property, when a property becomes vacant PHL will:

- Ensure that gas safety checks are conducted at the commencement of any new tenancy, mutual exchange and/or transfer.

- Ensure that gas fittings/appliances are safe before the property is re-let or worked in by other trades.
- Ensure that the new tenant receives a copy of the LGSR prior to, or immediately after, moving in.
- Cap the gas within 48 hours of the property becoming empty

Prior to the official occupancy day of the property a full service/safety check and inspection of the installation will be undertaken, and a landlord's Gas Safety Record produced. The tenant and, as appropriate, staff will also be given instruction on the safe use of appliances and controls.

10. STORAGE AND RETRIEVAL OF LANDLORDS GAS SAFETY RECORDS

It is a legal requirement that LGSRs be kept for a minimum of 2 years.

11. CUSTOMER INVOLVEMENT

PHL recognises the importance of working in partnership with its customers to develop and continuously improve its services and raise standards.

12. EQUALITY & DIVERSITY

PHL recognises that it operates in a community within which there is wide social diversity and is committed to providing equal opportunities and valuing diversity.

In the delivery of its repairs and maintenance service, PHL will treat all customers fairly, with respect and professionalism regardless of their gender, race, age, disability, religion, sexual orientation and marital status.

13. POLICY MONITORING & REVIEW

Monitoring

The monitoring of outcomes is essential for PHL to track the impact of its policy on delivering the repair service. Monitoring of the implementation of the policy and procedures will consider:

- % of properties that have not had a gas service in last 12 months

Monitoring information will be reported to the PHL Board.

Review

Monitoring results will be used by PHL to inform future policy reviews in this area.

All reviews will consider whether:

- The current policy adheres to legislative and regulatory requirements, and reflects current good practice
- The aims and objectives of the policy being met
- The current policy outcomes meet the needs and aspirations of PHL's diverse customer base
- Service users are aware of and understand the policy and believe it to be consistent and fair
- The policy provides enough choice for customers
- The service offers value for money
- Partnership arrangements are working effectively

14. RESPONSIBILITY

The repairs team retains the overall responsibility for the implementation of this policy.

All staff have a responsibility to make sure that they familiarise themselves with this policy. They should be able to raise any queries with their line managers over any unclear aspects.