

Gas Safety Policy



Gas Safety Policy

Introduction

This policy sets out Legal and General Affordable Home's (LGAH) approach to the management of Gas and Carbon Monoxide Safety. This policy applies to all rented properties owned and managed by LGAH, the buildings in which they are situated and any other asset in which LGAH has a legal interest that requires it to act in accordance with the relevant legislation and regulation. It also applies to any newly built or acquired properties that may be brought into the organisation's ownership or management.

Policy Aims

The aims of this policy are to ensure that:

- LGAH is fully compliant with all legislation and regulation that applies to it in the areas of Gas Safety.
- all LGAH employees, contractors and partners are clear on the expectations of how LGAH will deliver its responsibilities with regard to Gas Safety.
- Customers of LGAH are clear and confident about the approach that its landlord has taken to maintaining their safety in the management of its duties.

Policy Statement

As owners & managers of homes, we have a duty of care to ensure that residents and visitors can safely use the relevant buildings and facilities safely. This includes the management and mitigation of the risks associated with gas, oil and solid fuel appliances.

Keeping residents safe from harm is paramount. We will comply with legislation and regulation relevant to this area to help keep residents safe.

There are potentially fatal risks associated with gas appliances, both through leaks of the natural gas itself, which is highly flammable, and carbon monoxide leaks which are potentially fatal. This policy sets out our approach to ensuring the safety of all gas heating installations including boilers, fires and associated pipe work.

We also understand the risks associated with poorly serviced oil and solid fuel appliances and open fires. Therefore, where they exist all oil and solid fuel appliances will be covered by a service and maintenance contract and will be serviced on an annual basis in line with the practices outlined in this document.

We will comply with our Policy and any associated procedures and guidance and expect the same of any party working with us.

Our Commitments

We will ensure that:

- gas safety (and oil and solid fuel appliance) checks are carried out at least every 12 months by a Gas Safe registered (OFTEC or HETAS) engineer and appropriate action is taken to gain access where necessary.
- appropriately detailed records are kept (to include storing a copy of the Landlords Gas Safety Record for at least two years)
- gas appliances, flues and pipe work (that we own or are responsible for) are repaired and maintained to approved standards.
- adequate improvement programmes are in place for our gas appliances, flues radiators and pipe work.
- our actions to manage and mitigate the risks associated with gas, oil and solid fuel appliances are publicised to our residents, including giving clear information on tenant responsibilities.
- all relevant colleagues will receive appropriate oil, solid fuel, gas and carbon monoxide safety awareness training. Staff directly involved in the management of gas related activities will receive more in depth training appropriate to their role.
- performance is monitored on at least a monthly basis in relation to the percentage of homes with a valid gas certificate, an aged analysis (based upon the time elapsed since expiry) of any properties without a current certificate & details of the stage that properties without a valid certificate have reached in the agreed access procedure.

Legal Framework

This policy is designed with consideration of the following legal and statutory instruments.

- Homes & Community Agency: Home Standard
- The Gas Safety (Installation and Use) Regulations 1998

Responsibility for Gas Safety

Under the Gas Safety (Installation and Use) Regulations 1998, LGAH has ultimate responsibility for all landlord duties relating to gas & carbon monoxide safety.

This Landlord responsibility cannot be delegated even where the management of a property is being carried out by a third party.

The Board of LGAH and the Managing Director of the Investment Manager are responsible to ensure that the Director of Operations of the Investment Manager has appropriate measures in place to meet all statutory duties and deliver our gas safety commitments.

These duties include making sure that gas appliances, fittings and flues provided for tenants are safe and well maintained. They also include ensuring an annual gas safety check is carried out by a Gas Safe registered engineer, records kept of the check, and a copy issued to tenants. A more comprehensive list of duties and commitments is listed below

Staff Responsibilities

All staff should look out for danger signs from gas appliances as a part of their normal routine, especially when visiting our tenants' homes. Any concerns must be reported immediately.

Resident Responsibilities

The tenancy agreement includes a specific requirement that tenants allow the landlord access to the property for the purposes of annual gas servicing. Should access not be granted following the prescribed notification given, LGAH will enforce the conditions of the tenancy agreement which may include seeking an injunction to force entry into the property to ensure as a landlord we are compliant in our duty to complete annual gas safety checks within twelve months of the previous certificate.

Residents are responsible for immediately reporting any concerns with gas appliances, and turning them off until they are checked by a Gas Safe registered person.

Appliances

We will do everything that we can to ensure that we are aware of all instances where gas appliances, carcass (pipe work) or meters are present in our stock.

In general, residents are responsible for the safety of cookers or other tenant owned installations and appliances, however, pipe work remains our responsibility.

We are responsible for all other gas appliances that could be considered as fixtures. This includes but is not limited to, boilers, fires, water heaters, space heaters and warm air units.

On inspection, if any installation is found to be defective the contractor will deal with the issue using the Gas Industry Unsafe Situations Procedure (GIUSP). If the situation warrants, the gas supply to the defective appliance or installation will be terminated and relevant warning notices issued. This procedure will be followed irrespective of appliance or installation ownership.

Flame Supervision Devices

Whenever a new gas cooker or other flueless gas appliance is installed in a multi occupancy dwelling (e.g. a block of flats or maisonette) it must have a Flame Supervision Device. This will cut off the supply of gas to the burners in the event that the flame is extinguished unexpectedly (for example by a gust of wind).

Primarily, it is the responsibility of residents to ensure that appliances have FSDs however all LGAH staff must be mindful of these regulations in cases where they are visiting residents homes.

Any cooker found not to comply with the regulations will be dealt with appropriately, be reported to the LGAH Executive and the occupant advised accordingly.

Portable LPG Appliances

There is a specific clause in the tenancy agreement that prohibits the use of these appliances, and LGAH will seek to enforce this clause without exception.

Audit, Compliance and Review

The Head of Compliance and Investment is responsible for ensuring that contractors are compliant with all relevant health and safety legislation.

We will manage compliance, keeping comprehensive & accurate records, which will be stored securely and in a manner that enables easy recall.

Annual reviews of contractor health and safety procedures as well as regular review of contractor compliance and performance will be carried out.

Activities covered by this policy are subject to periodic audit review, both external and internal.

The Executive Team and the Board will be provided with regular updates on LGSR compliance in line with the KPI reporting schedule

The Executive Team and the Board will be notified at the earliest opportunity should this Policy not be complied with.

The Social Housing Regulator will be informed should any failure to comply with this Policy results in a potential Breach of the Home Standard.

Safety Checks

A valid Landlords Gas Safety Record (LGSR but commonly referred to as a CP12 or safety certificate) is issued when a property meets the national safety requirements.

If a property does not have a current LGSR and a gas appliance becomes faulty, the courts may hold LGAH responsible for any injuries or fatalities that occur. The courts would consider whether everything reasonable had been done to get access to carry out the check.

- Any issues that are identified during the gas safety check will be:
- resolved at the time of the check, where the operative can do so
- scheduled in for remedial work with an appropriate timescale for completion, or
- recorded for later resolution as part of a planned schedule of maintenance work.

Any gas appliances that fail the safety check will be dealt with in line with the GIUSP and where required will be isolated from the gas supply and warning notices issued to the resident. If the appliance or installation is judged to be either “At Risk” or “Immediately Dangerous” the occupier will be instructed not to attempt to use them until they can be repaired or replaced. Remedial works will be prioritised appropriately.

A copy of each Landlords Gas Safety Record and any supporting documentation must be kept for a minimum of two years, in an electronic format.

Safety Checks on Domestic Premises

We will arrange for a correctly registered contractor to carry out an annual gas safety check on all relevant appliances, flues and pipework. The resident will be issued a copy of the Landlords Gas Safety Record within 28 days of the completion of the service and safety check.

Safety checks for mutual exchanges and new lettings

All properties will be inspected and a Landlords Gas Safety Record (LGSR) issued before letting.

Incoming residents will be presented with a copy of the Landlords Gas Safety Record before they move in. Where mutual exchanges occur, the officer arranging the signing over of the property must ensure that a Landlords Gas Safety Check is completed, and a record issued.

No appliances (for example cookers) left by a previous resident should be gifted to the incoming resident. Any cookers or other gas appliances left by the previous resident will be removed by LGAH prior to re letting.

Gas Safety checks for mutual exchanges will be carried out in accordance with LGAH's procedures. Before an exchange can be completed, it must be established that there is a valid safety certificate for the property. If there is not a valid certificate, a check must be completed before the exchange goes ahead. It is the outgoing resident's responsibility to ensure that if there is not a valid certificate that they allow access to a contractor to carry out the check.

Because the mutual exchange involves a change in occupancy it must be ensured that the exchange is not completed until the safety check has been completed.

Where the resident does not allow access for the gas safety check, the standard access procedure will be followed, and the Mutual Exchange will not be allowed to proceed until the check has been completed.

Safety Checks for Refurbished or New Build Property

Where properties are undergoing substantial refurbishment or major repairs or where a property is newly built a safety check and Landlords Gas Safety Record will be completed following the practical completion of works and no earlier than 10 days prior to handover. This check will be carried out irrespective of whether an existing LGSR is in place.

Void Properties

When a self-contained property that does not share a gas meter becomes void it should be arranged for the gas supply to be capped at the meter as soon as reasonably practicable after keys have been returned to LGAH (Normally within a maximum of 24 hours of hand back or the next working day.)

A second visit to test, service, demonstrate the operation of the system and issue and LGSR will be made at the point the incoming tenant is signed up.

Repairs and Maintenance of Gas Installations

Responsive repairs will be carried out in accordance with our published timescales.

Planned maintenance is carried out on domestic and commercial installations and may include a programme of boiler replacements and central heating improvements. Planned maintenance programmes will be determined annually and will consider any recommendations from contractors.

Cyclical maintenance will be carried out in accordance with the manufacturer's instructions for appliances. If these are not available, they will be serviced annually unless advised otherwise by a certified Gas Safe Register installer.

Where responsive repairs, planned maintenance or other issues identified at the annual safety check result in no heating or hot water being available, our contractor will provide temporary arrangements including, where appropriate, temporary water heaters. This can be especially important for vulnerable residents and will normally consist of a minimum of two fan or convector-type electric heaters. Portable LPG appliances will NOT be used or permitted to be used.

Property Alterations

A lack of adequate ventilation to open flued appliances (Including gas fires and cookers) may result in a dangerous build-up of carbon monoxide or other products of combustion in the atmosphere, which could prove fatal to the occupant.

When certain types of repair, maintenance or building work are carried out on our properties new safety checks will be required. This will include but is not limited to:

- where replacement windows, cavity wall insulation or mechanical extraction are to be installed in properties where an open-flued gas appliance is fitted.
- work on gas appliances or pipework
- roof repairs, replacements or similar works, care must be taken to ensure that any flues terminating through the roof remain clear and safe to use.
- similarly, any work to a roof, chimney or flue which could cause a blockage

A copy of the gas safety certificate will be issued to the Tenant within 28 days. For communal installations, a notice will be posted centrally, indicating that any Tenant may request a copy of the certificate.

Contract Management

Most Gas work undertaken to properties owned or managed by LGAH is completed under a Management Agreement.

Via the Management Agreement we will ensure that all external contractors used to undertake gas work are Gas Safe registered and adequate to certify the relevant work. Any contractor undertaking or intending to undertake gas works will provide this information prior to the commencement of the work.

All contractors working with oil and solid fuel appliances will also be competent to do so and must be registered with one of the following bodies:

- HETAS – Solid fuel
- OFTEC – Oil

Both the operative and the contractor/DLO should be registered with the relevant scheme.

We will ensure that our contractors are fully aware of our Health and Safety requirements. It is the responsibility of the external contractor to ensure that adequate safety precautions are taken when working on gas appliances and pipework.

Specific Requirements

In line with gas safety regulations, larger appliances must be room sealed if used in bedrooms and bathrooms, and smaller appliances must have a mechanism to automatically shut them down if dangerous gases build up.

Where a back boiler is replaced with a combination boiler, we will ensure that the back boiler is safely removed. We will not install a fireplace for an open fire or a focal fire in the remaining cavity.

Current gas safety regulations require a method of shutting the gas supply off unless it is not reasonably practicable to do so.

Building Control Notification

To ensure compliance with Building Regulations, where a new appliance has been installed, the installing contractor will notify Gas Safe Register who will in turn notify the Local Authority Building Control Team.

Gas Certification

As well as arranging for the proper storage of certification in a manner that allows easy retrieval, we will ensure that there is a record of all relevant properties (IE those with gas, oil or solid fuel and where LGAH are responsible for servicing & maintenance) and the date of the last Landlords Gas Safety Record.

Before carrying out any alterations to their property, Tenants must contact LGAH for relevant permissions to proceed.

Auditing of Certificates

Contractors are responsible for checking that Landlords Gas Safety Records have been completed correctly before passing them to LGAH.

Quality Control of Works

Quality of works is generally assessed in three ways:

- Assessment by a suitably qualified & experienced employee or nominated consultant
- Contractor Self-Assessment
- Resident feedback and satisfaction surveys.

We may utilise an independent body to undertake quality checks on a sample of annual servicing completed across LGAH's portfolio at any time as directed by the Executive Team.

Issues with Access for the Safety Check

It is a condition of the tenancy agreement that tenants must provide access to their properties for a gas check.

It is recognised that the majority of Tenants readily allow access for the annual gas service. There are, however, a small minority who do not comply therefore causing potential danger to themselves, visitors and neighbours. Even when access difficulties occur, LGAH retains responsibility for ensuring that the check is carried out with the minimum of delay.

In general, we will not cap the gas supply externally in order to achieve compliance where access for the annual gas service is proving problematic.

However, in circumstances where there is a strong suspicion that the property has been abandoned, or where a resident has indicated that they will be away from the property for a period and is unable to allow access in good time, it is acceptable to cap the supply externally (in the latter case, with the agreement of the resident.)

Unless agreed otherwise between the Tenant and LGAH, where a gas supply has been capped for reasons of no access for annual servicing, a competent person should visit the premises at least every four weeks to confirm that the cap is still in place and that the situation has not changed. If the property is considered to be at an increased risk, weekly visits to the premises should be made and documented until access is gained.

Following the capping of a gas supply to any occupied property or property with a “live” tenancy, staff must continue to take all reasonable steps in line with this policy to gain entry for the completion of the annual service and safety check.

Other Tenures

We are not responsible for gas safety in shared ownership or other leasehold properties. The responsibility is that of the homeowner. However, we will regularly remind shared owners and leaseholders of the importance of carrying out a gas safety check. For checks we carry out in communal areas, leaseholders may be recharged depending upon the lease terms.

Equality and Diversity

LGAH will treat all customers and staff with fairness and respect. We value diversity and work to promote equality and tackle unlawful discrimination.

We are committed to helping customers to access information about their homes and services in a way that suits individual needs.

Accountable Director	Shaun Holdcroft
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