



POLICY DOCUMENT

Gas Policy

POLICY TITLE:	Gas Policy
LEAD OFFICER:	Gas and Mechanical Compliance Officer
DATE APPROVED:	August 2023
APPROVED BY:	EMT
IMPLEMENTATION DATE:	October 2023
DATE FOR NEXT REVIEW:	October 2026
ADDITIONAL GUIDANCE:	Repairs and Maintenance Policy Health and Safety Policy
ASSOCIATED CUSTOMER PUBLICATIONS:	
TEAMS AFFECTED:	All Staff and Board Members
THIS POLICY REPLACES WITH IMMEDIATE EFFECT:	Gas Policy V5 October 2019

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DOCUMENT CONTROL

For guidance on completing this section please refer to the document version control guidance notes

Revision History

Date of this revision:	October 2023
Date of next review:	October 2026
Responsible Officer:	Gas and Mechanical Compliance Officer

Version Number	Version Date	Author/Group commenting	Summary of Changes
0.1	07.01.2010	Sharon Adam	1 st draft
0.2	18.03.2010	Lesley Saxelby	2 nd draft – added procedures and statement of intent
0.3	18.03.2010	Sharon Adam	Amendment to format – addition to section 5.1.11
0.4	15.04.2010	Lesley Saxelby	Addition of Legal Background and Health and Safety at Work Section and Responsibilities section
0.5	19.04.2010	Equality Impact Assessment	Updated minor amendments to layout and wording
1.0	19.05.2010	Property Services Committee	Final approved version
1.1	27.03.2013	D Norman	Reviewed
2.0	13.08.2013	EMT	Approved
3.1	June 2016	D Norman	Minor amendments and amendments to remove sections that relate to procedures
4.0	July 2016	EMT	Approved
4.0	Sept 2016	Board	Reported for information
4.1	June 2019	Mechanical & Electrical Service Manager	Reviewed
4.2	Sept 2019	Business Assurance Officer	Reformatted (word document had corrupted) onto Policy Template, suggestions highlighted with comments and returned to manager and HoS for review
5.0	03.12.2019	EMT	Approved by EMT 03/12/19
5.1	July 2023	Gas & Mechanical Compliance Officer / Gas Team / Morgan & Lambert	This is a cyclical review of an existing policy. Changes include: <ul style="list-style-type: none"> • Additional regulations added • Clarifications over roles & responsibilities • Formatting of terminology around gas safety checks and record keeping • Qualification section added
6.0	August 2023	EMT	Approved by EMT

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1. Introduction

- 1.1 St Leger Homes of Doncaster (SLHD) is committed to maintaining the Health and Safety of employees, tenants and members of the public. The Company recognises the potential health risks associated with gas used for fuel in SLHD premises and in Council housing. 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.
- 1.2 SLHD will take all reasonable steps to ensure that appropriate management systems are in place to ensure employees and members of the public are not put at risk from the effects of gas or carbon monoxide.

2. Purpose

- 2.1 The Gas Safety Installation and Use Regulations (GSIUR) place important duties on landlords of all properties to ensure that gas appliances and their flues are 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 ones that landlords have under the Health and Safety at Work Act and the Management of Health and Safety at Work Regulations, therefore ensuring we meet our obligations under the Home Standard as defined by The Regulator of Social Housing.
- 2.2 The purpose of this document is to demonstrate SLHD's commitment to ensuring its employees, tenants and the general public are not knowingly exposed to any risks that would affect their safety. The documents covered by this Corporate Policy will provide guidance and specific instructions for all SLHD employees and external contractors, whilst undertaking gas contracts. This is to satisfy the legal duties of the current Gas Safety (Installation and Use) Regulations and may also include other aspects which will assist SLHD in satisfying its duty of care to its tenants.

3. Scope

- 3.1 This policy applies to all properties under the management of SLHD, domestic rented properties, domestic housing stock, private landlords, private gasworks and commercial responsibilities, and all work undertaken in these properties on City of Doncaster Council's (CDC) behalf.
- 3.2 This policy will apply to all SLHD employees and contractors undertaking gas work on SLHD's behalf and anyone likely to be put at risk from work on those properties.
- 3.3 The specifications as compiled will include the Health and Safety Policy and working procedures of SLHD.

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4. Legal Background and Responsibilities

4.1 Gas Safety (Installation and Use) Regulations 1998

The Gas Safety (Installation and Use) Regulations 1998 apply to all properties (domestic and non-domestic) where there is any relevant gas fitting or any flue serving a relevant fitting. Relevant gas fittings include any gas appliance (other than one the tenant is entitled to remove) and any fittings which serve these appliances in any part of the premises.

The changes to MOT style gas safety checks which do not relax regulatory requirements or reduce safety standards, are to:

- MOT style gas service introduces a degree of flexibility to the timing of landlords' annual gas safety checks. This change means that landlords can carry out the annual gas safety check two months before the due date and retain the existing expiry date. This avoids SLHD waiting until the last minute and not gaining access or having to shorten the annual cycle check to comply with the law. There is no change to the legal requirement for an annual gas safety check or for maintenance to be carried out. Obtaining a court warrant has not changed, as they will only process a Landlords Gas Safety Record (LGSR) that has expired but enables SLHD to ensure we attempt access prior to the existing LGSR expiring.
- Any appliances deemed unsafe will be made safe and dealt with in a prompt manner.

4.2 Regulation 36 Gas Safety (Installation & Use) Regulations 1998.

The Gas Safety (Installation and Use) Regulations 1998; Regulation 36, places two duties upon a landlord, those being:

- To maintain all gas appliances, flues and gas installations; (appliances that the tenant cannot legally remove).
- Undertake an annual safety check of gas appliances and flues and produce documents to support

4.3 Health and Safety at Work Act 1974

4.3.1 There are two sections of the Health and Safety at Work etc. Act 1974 relevant to this context.

4.3.2 Section 2 (1)

"It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees".

4.3.3 This is supported by specific reference to maintaining the workplace in a condition such that it is safe and does not put employees at risk.

4.3.4 Section 3 (1)

"It shall be the duty of every employer to conduct his undertaking in such a way so as to ensure, so far as reasonably practicable, that person not in his employment who may be affected thereby, are not thereby exposed to risks to their health or safety".

4.3.5 This can be interpreted to mean SLHD on behalf of CDC shall (so far as is reasonably practicable) ensure its housing stock (its business activity) does not cause harm to its tenants (non-employees). Section 3 (1) is clearly a very broad

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duty and is a section increasing in use in prosecutions.

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4.4 The Management of Health and Safety at Work Regulations

4.4.1 In general terms this means that SLHD will:

- Assess the risk to the Health and Safety of all employees and to anyone who may be affected as a result of work undertaken.
- Endeavour to provide comprehensive information, instruction, training and supervision to ensure, so far as is reasonably practicable, the health and safety at work of every employee or person so affected.
- Risk assess all work activities.

4.5 Qualification & Supervision

4.5.1 Regulation 3 of GSIUR places responsibility on anyone working on gas which includes SLHD to make sure all class of persons who are working on gas are full competent and have their qualifications to work on gas before offering employment (eg ACS qualification and relevant appliance qualifications)

1) No person shall carry out any work in relation to a gas fitting or gas storage vessel unless he is competent to do so.

(2) The employer of any person carrying out such work for that employer, every other employer and self-employed person who has control to any extent of such work and every employer and self-employed person who has required such work to be carried out at any place of work under his control shall ensure that paragraph (1) above is complied with in relation to such work.

Internal checks are made on all certifications when staff are first employed in the gas team to make sure their qualifications are valid, in date, signed and comply to all regulations and each employee has their relevant gas qualifications to work on different types of appliances and gases.

All engineers qualifications that are due to run out, are look at in the previous financial year and are book onto course with time frames allowing their qualifications not to run out and where possible they overlap, once the qualifications have been undertook, The gas team leaders along with the gas & mechanical compliance officer reorder a new gas safe card. Regular gas safe downloads are produced and checked to keep compliant.

5. Roles, Responsibilities and Accountabilities

5.1 SLHD Board

5.1.2 The Board of SHLD has overall responsibility for approving this policy, delegating responsibility for its implementation, monitoring its effectiveness at high level and receiving assurance of compliance.

5.2 Leadership Team (Executive Management Team and Heads of Service)

5.2.1 The Leadership Team will take overall responsibility for the delivery of the policy commitments described within this policy document.

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5.3 Mechanical and Electrical Service Manager

- 5.3.1 The SLHD Mechanical and Electrical Service Manager is responsible for interpreting relevant legislation and standards and defining the standards and procedures that ensure St Leger Homes of Doncaster complies with such regulations. They are responsible for maintaining the work undertaken to ensure it complies with legislation, including having any relevant items covered by an examination schedule with records kept and sent to the Compliance Officer. They must also ensure that all persons working on gas appliances & relevant equipment are competent to do so, under gas safe regulations.
- 5.3.2 To work closely in association with procurement on any contracts with a requirement for gas works. Attend regular contract meetings with any contractor carrying out gas works. Ensure regular Health & Safety monitoring visits are carried out on contractors and SLHD gas staff, work closely with all partners in relation to the development, monitoring and revision of all SLHD policies and procedures in relation to gas. Report any Non-Compliant issues found to the compliance department.

5.4 Gas Team Leaders

- 5.4.1 The Gas Team Leaders (or a nominated representative) will attend any applicable meetings as a means of engaging in discussion of gas safety and industry best practices, changes of legislation and other relevant matters and report back and disseminate the information as required to SLHD staff.

5.5 Responsible Person

- 5.5.1 The Responsible Person (RP) (Head of Building Safety) has the duty to ensure compliance with the Policy, management plan and compliance with the Regulations.

5.6 Health & Safety Team

- 5.6.1 The Health & Safety team shall provide support and advice to all levels in the organisation with respect to associated standards and safety.

5.7 Gas and Mechanical Compliance Officer

- 5.7.1 The Gas and Mechanical Compliance Officer is responsible for providing guidance and advice to the internal service provider or any contractors, to ensure the requirements of this policy are implemented at all levels of the organisation.
- 5.7.2 Contribute towards the implementation and ongoing delivery of a comprehensive governance and performance monitoring framework for compliance safety.
- 5.7.3 Ensure servicing, testing and inspection process is fit for purpose and that records and certification is appropriately recorded, validated and current.

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5.8 Asset Management and ICT Teams

- 5.8.1 Ensure that component data is managed within SLHDs housing management system including updates to properties and individual components within them to ensure property information remains relevant.

6. Policy Principles

- 6.1 The requirements for a robust Gas Safety Management and Maintenance System are clearly defined and complied with fully stated in Gas Safety (Installation and Use) Regulations 1998, the Management of Health and Safety at Work Regulations together with the Health and Safety at Work Act and other Regulations under this Act.

- 6.2 To safely manage these and other regulations SLHD will ensure the following policies are adopted across all SLHD and are continuously reviewed and amended as required.

6.3 LGSR Programme

- 6.4 The LGSR programme will be issued by the compliance management system. This is driven by component information from SLHD's housing management system.

6.5 Suspected Emissions

- 6.6 Suspected emissions (fumes) in a property will only be tested by a qualified gas fitter with the CMDDA1 qualification.

6.7 Provision and fitting of smoke alarms and carbon monoxide (CO) detectors

- 6.8 At the time of the appointment a service engineer will check the property to ensure that there is a smoke alarm on each storey and CO detector present and that these are in good working order. If it is found that the property does not have a smoke alarm or a CO detector, or an existing unit is faulty a new smoke detector or CO detector will be installed.

- 6.9 A CO detector should be installed in every room which is used as living accommodation containing a fixed combustion appliance (excluding gas cookers).

6.10 Activation of a CO Detector

- 6.11 If a CO detector activates, tenants are advised to switch off all gas appliances, open windows for ventilation and to contact the gas transporter (EG CADENT) and then SLHD. A visit will then be made by a competent qualified gas fitter to carry out necessary investigation as per the regulations.

6.12 Tenants' Own Appliances

- 6.13 SLHD will service and check the safety of all appliances and flues that the tenant cannot legally remove.

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- 6.14 In respect of a tenant's own appliances SLHD accepts its liabilities to the flues of the properties that tenants own appliances are connected to. In recognition of those liabilities SLHD will undertake a gas safety check on all appliances connected to CDC flues.
- 6.15 The tenant must provide the gas appliance manufacturer's instructions (MI) prior to a safety check or gas repair that SLHD will include, but will not be limited to, those checks detailed in GSIUR 26 (9). If a tenant doesn't have the MI to hand, then the gas engineer can find them in an approved technical app.
- 6.16 In respect of appliances not connected to flues owned by CDC e.g., gas cooker, a visual inspection for safe use will be undertaken and appropriate action taken as required.
- 6.17 Regulation 26 (9)**
- 6.18 Where a person performs work on a gas appliance, they shall immediately thereafter examine:
- the effectiveness of any flue.
 - the supply of combustion air.
 - its operating pressure / heat input, or where necessary both.
 - Its operation so as to ensure its safe functioning.
 - Flues in void space compliance where applicable.
- and forthwith to take all reasonably practicable steps to notify any defect to the responsible person, and where different, the owner of the premises in which the appliance or flue is installed, or where neither is reasonably practicable, the supplier of gas to the appliance.
- 6.19 To safely manage and ensure compliance with Health and Safety Regulations shown throughout this document SLHD will deliver a gas- safety program and make allowances for any problems gaining access to some properties. All tenants will be offered an appointment and every effort will be made to gain access at a time, which is mutually convenient. A no access card will be left at the property.
- 6.20 All reasonable steps and attempts will be taken to ensure access and complete a gas safety check to a property. As a last resort legal proceeding will be instigated to gain access to the property to complete a LGSR.
- 6.21 Following completion of a LGSR check a copy will be issued to the tenant within 28 days; for commercial properties they will be left in a prominent position.
- 6.22 Where appliances have been installed for less than 12 months, they will be checked again in line with the gas safety program.
- 6.23 Where a property is void, SLHD will undertake the annual safety check during the void period as well as at the annual service date. We will ensure that all gas fittings and flues are safe before re-letting a property, and a copy of the LGSR will be given to the new tenant as part of the sign-up procedure.

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- 6.24 SLHD will maintain a comprehensive record of:
- All properties with gas supplies.
 - Details of the council's own gas appliances in the property.
 - Details of the tenant's own gas appliances in the property
 - Details of any newly installed gas appliances, including date of installation.
 - Accurate records of all gas safety work and gas safety checks completed.
 - All records will be retained for a minimum of two years
 - Details of the Smoke detectors
 - Details of the carbon monoxide detectors
- 6.25 SLHD will disconnect a tenant's own appliance where it is found to be defective and advise of the defect so that the tenant can take action to repair.
- 6.26 Where a tenant wishes to install their own appliances such as a fire or cooker, the appliance must be fitted by a Gas Safe registered Installer and the tenant will be advised that permission must be obtained from SLHD.
- 6.27 Leaseholders, Private Landlords and Private Homeowners will be offered the opportunity to access our gas safety services, at a rechargeable cost.
- 6.28 All new build will be retested on handover, and a LGSR recorded against the new property.
- 6.29 SLHD will provide guidance and specific instructions for contractor's whilst undertaking gas contracts on our behalf. This is to satisfy the legal duties of the current GSIUR 1998
- 6.30 Regulation 8 GSIUR 1988 prohibits anyone from carrying out any alteration to premises in which a gas fitting or storage vessel is already installed which could compromise gas safety. The regulation also prohibits any work on a gas fitting or associated flue/ventilation system which would result in danger to any person

7. Void Properties

- 7.1 SLHD employees and contractors will ensure that in the case of a tenant vacating a property, gas fittings/appliances are safe before the property is re-let. When a property becomes vacant the SLHD Gas qualified class of persons will cap off the gas supply to the property. The SLHD engineer will ensure that gas fittings/appliances are safe before the property is re-let. Just prior to or on the first official occupancy day of the property – it will be uncapped. A Gas safety check and inspection of the installation will be undertaken, and a Landlord's Gas Safety Record produced and retained by SLHD and a copy left at the property or emailed to the tenant. The tenant will also be given instruction on the safe use of appliances and controls.

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7.2 Gas Mutual Exchange / Transfers

- 7.3 All SLHD employees and contractors will ensure that in the case of a tenant vacating/exchanging a property that gas fittings/appliances are safe before the property is re-let. When an application for 'Mutual Exchange' of properties has been approved, SLHD need to ensure that gas fittings/appliances are safe before the exchange can take place. Wherever possible checks will take place on the day of the exchange as Mutual Exchanges constitute a new tenant and therefore the requirements of the Gas Safety (Installation and Use) Regulations 36 (6b) apply. A copy of the new Landlord's Gas Safety Record will be given or emailed to a new tenant before or on the day of taking up occupancy.

8. Monitoring and Review

- 8.1 This policy will be reviewed every three years for accuracy and appropriateness, but sooner should there be any legislative changes or other requirements.
- 8.2 Monitoring of the policy will be through the performance framework and the results of the quality control inspections which are fed into the monthly gas management meetings.
- 8.3 The Gas Safe registration held by SLHD requires external monitoring by Gas Safe annually.

9. Performance Standards

- 9.1 The performance standards of compliance with Gas Safe registration are monitored externally by Gas Safe in addition to internal monitoring of compliance with Gas Regulations.
- 9.2 SLHD also has a performance management framework detailing targets for gas servicing work – including: -
- 100 % of properties with a in date LGSR
 - 100 % of annual program complete
 - The number of properties with no valid LGSR and going through the legal proceedings to gain access
 -
- 9.3 The monthly safety & compliance performance report is the governance and assurance reporting tool for stakeholders.
- 9.4 St Leger Homes of Doncaster use C365 as a Compliance Management system. This allows the Gas & Mechanical compliance Officer to proactively monitor, measure and report on compliance activities in real time.

10. Quality Assurance

- 10.1 SLHD has appointed an independent organisation to undertake third party quality assurance audits of gas/heating safety checks, gas appliance works and gas appliance repair works. There will be an agreed percentage sample of the total gas safety works undertaken. Any best practices will be recorded and used to improve

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our general gas safety within the organisation

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- 10.2 The internal service provider will adhere to monitor any third-party assurance feedback and issues in the online gas portal set up by the third party and oversee and keep compliant to the best of their ability, where there is any non-compliant issues and reports, rectification and remedial works will be undertaken as soon as practicable possible to make good or safe, this is to keep compliant and protect the tenant's health and safety.
- 10.3 In addition, an automated 100% desktop review of all records will be carried out by the compliance management system. Any actions will be discussed with the internal service provider and actions will be taken if deemed necessary to make safe, make good and to improve staff knowledge and performance levels.

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