

at home with...



Gas Safety Policy

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1. Introduction

- 1.1 Fife Housing Group (FHG, the Group meaning Fife Housing Association and its wholly-owned subsidiary PACT Enterprises) is committed to ensuring the safety of its tenants and other customers, colleagues and any others who could be affected by gas appliances installed in properties that it owns.
- 1.2 The Approved Code of Practice and Guidance 'Safety in the installation and use of gas systems and appliances' Gas Safety (installation and Use) Regulations 1998 place responsibilities on persons servicing and repairing gas appliances and landlords as follows:
 - Ensure persons doing gas work are competent and 'Gas Safe' registered;
 - Not to use or permit the use of unsafe appliances;
 - Ensure safe maintenance of gas appliances, flues and installation pipe-work;
 - Ensure an Annual Gas safety check is carried out; and to
 - Record, keep records and issue copies to tenants,
- 1.3 In addition to the gas safety regulations, FHG believes that the quality of its maintenance services are key to ensuring the satisfaction and peace of mind of its tenants as well as achieving the appropriate lifecycle of its heating and water installations.
- 1.4 Where this policy refers to the 'contractor' FHG uses two external contractors, openly procured through Public Contracts Scotland both of which are fully 'Gas Safe' registered to undertake domestic gas safety checks with work evenly split to 'east' and 'west' Fife.
- 1.5 This policy is supported by a Gas Safety Check Procedure (see Appendix A).
- 1.6 This policy applies to all properties FHG owns which have gas appliances.

2. Policy objectives

- 2.1 FHG will carry out its responsibilities and obligations as landlords by:
 - Ensuring that annual gas safety checks are carried out within every 12 months and will include taking appropriate action to gain access where necessary;
 - Ensuring that contractors are 'Gas Safe' registered and qualified to do the work required of them;
 - Ensuring that our gas appliances, associated pipework and flues are maintained to approved standards; and
 - Keeping detailed records including keeping a record of the gas safety check for two years and monitoring compliance.

3. Background

Safety Checks

- 3.1 The Gas Safety (Installation and Use) Regulations Regulation 36 places a duty on landlords to make sure that each appliance that they are responsible for and any pipes and flue serving that appliance is checked for safety at intervals not exceeding 12 months.
- 3.2 Carrying out regular safety checks is fundamentally important to our overall commitment to gas safety. If a unit (individual or communal) does not have a valid certificate (CP12) and a gas appliance becomes faulty, FHG could be held responsible for any injuries or fatalities that occur. All units must therefore have a valid gas safety certificate (CP12) at all times.
- 3.3 FHG will provide at least two months' notice that servicing is due and seek to arrange an appointment to carry out the service. A morning or afternoon appointment will be offered.
- 3.4 Any issues emerging through the gas safety check will be dealt with as appropriate, according to severity. They may be:
 - Rectified at the time of the check, where the contractor is able to do so;
 - Scheduled for repair according to the appropriate repair timescale; or
 - Noted for action as part of upcoming planned maintenance on the property.
- 3.5 Any gas appliances that fail the safety check will be disconnected from the gas supply, and the resident instructed not to use them until they can be repaired or replaced. Repair or replacement will then be prioritised according to the repairs service standards.
- 3.6 A copy of the gas safety certificate will be held on FHG's system and available to the customer on request. A record of all gas safety checks will be kept for two years.

New lettings and mutual exchanges

- 3.7 Properties will be capped for gas within three days of becoming void.
- 3.8 The gas supply to a property is uncapped when we have a tenant signed-up and the property is ready. FHG's contractors will commission the gas supply prior to use and will carry out the full safety check, issuing a new CP12 at that point and re-starting the 12-month period.

Access for the safety check

- 3.9 Administration and access for the gas safety check will follow the procedure attached as Appendix A.
- 3.10 Most residents allow access for the annual gas check. However, a small minority that do not comply cause danger to themselves, visitors and neighbours. FHG retains responsibility to ensure that gas safety checks are carried out, even where there are access difficulties.

- 3.11 A landlord is permitted by law to enter a tenant's property to view the condition and state of repair and this includes for gas and other safety checks. If the tenant has a Scottish Secure Tenancy or a Short Scottish Secure Tenancy, (FHA) we must give them 24 hours' notice before entering the property. If a tenant has a private residential tenancy (started on or after 1 December 2017) (PACT only) must give the tenant 48 hours' notice before entering the property.
- 3.12 It is also a condition of the tenancy agreement that tenants must provide access to their properties for a gas check. The circumstances in which they are obligated to do so are set out in the tenancy agreement.
- 3.13 FHG will ensure that every effort is made to gain access prior to forcing entry into the property or, if required, pursuing legal action to carry out any required work. We will regularly consider new and innovative ways to gain access. Legal costs incurred by FHG will be recharged to the tenant.
- 3.14 FHG recognises that there may be a support need, language or format issue, or specific tenancy management reason that causes access difficulties. In these circumstances, where it is reasonably practicable to identify the need we will try to overcome or resolve the cause of the problem before pursuing legal action.

Responsibility for appliances

- 3.15 FHG are responsible to ensure as far as possible that they are aware of all instances where gas appliances are present in their stock.
- 3.16 In general FHG is not responsible for the safety of freestanding cookers or other resident installations and appliances, including portable gas appliances. Pipework and flues remain FHG's responsibility.
- 3.17 All gas appliances which are fixtures are the responsibility of FHG.
- 3.18 If any installation undertaken by the resident or managing agent is found to be defective upon inspection, then the contractor will terminate the gas supply and make recommendations for required repairs.
- 3.19 Contractors will be instructed to note any non-complying cookers on the annual safety check certificate (CP12) and where relevant inform the resident of the regulations and make safe.

New properties

- 3.20 The Asset Management team will ensure that new build, acquired and refurbished properties have received a gas safety check (CP12) and that the developer's gas safety certificates are saved onto FHG's systems.
- 3.21 Following the handover with the required certification, FHG will complete a Landlord's Annual Gas Safety Record for the inspection of all gas appliances, pipe work and flues provided by FHG within twelve months of the first certificate.

Maintenance of gas installations

- 3.22 In addition to our legal obligations, FHG is committed to investment into the repairing and renewing of gas appliances in its stock.
- 3.23 Responsive repairs will be carried out in accordance with the timescales set out in our day-to-day repairs service standards.
- 3.24 Where major repairs require the removal of a resident, the FHG Decant Procedure will be followed.
- 3.25 Planned maintenance will be carried out on domestic and commercial installations, including a programme of boiler replacements, and of central heating improvement. Planned maintenance programmes will be determined annually.
- 3.26 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 'Gas Safe' registered installer.
- 3.27 All works on gas appliances and associated pipework must be carried out using installations and appliances designed and installed by qualified and competent persons in accordance with the Gas Safety (Installations and Use) Regulations 1998.
- 3.28 Where responsive repairs, planned maintenance or issues identified at the annual safety check result in no heating being available in the property FHG's contractors will be responsible for providing sufficient alternative heating arrangements. This is especially important for vulnerable and older residents.

Monitoring

- 3.29 The contractors employed by FHG are 'Gas Safe' registered and are audited to ensure that they comply with the requirements of registration.
- 3.30 FHG uses the services of a specialist external consultancy to internally audit ten percent of all gas safety works undertaken on FHG properties. This complies with 'Gas Safe' guidance. In the event of a grievance arising from the monitoring process or where discrepancies and deficiencies are uncovered, we will require the contractor to instruct at the contractor's own cost, Gas Safe to carry out an investigation with all findings copied to the FHG. Any further action against the contractor will be considered by the Business Leadership Team.
- 3.31 Service standards and performance indicators are in place and measured against targets to ensure that we are meeting the required standards and improving our services.

Selection and appointment of contractors

- 3.32 FHG directly employ Gas Safe engineers for routine and emergency maintenance in addition to the annual servicing programme.
- 3.33 When FHG appoints a (gas) contractor we will make sure, as part of the procurement, that any person who is employed by the contractor is Gas Safe registered and has competence. This process will establish the contractor's ability to carry out gas work in a safe and competent manner, as a minimum, all contractors will provide a copy of their

current Gas Safe registration, copies of all of their gas engineers' registration and gas qualifications and provide necessary insurances and indemnities.

Document management

- 3.35 We will hold centrally within our IT systems details of gas appliances. The record will detail:
- ✓ A description of the appliance;
 - ✓ Date of installation; and
 - ✓ Servicing history.
- 3.36 A copy of the certificate will be provided to the tenant of an inspected property within twenty eight calendar days of the safety check being completed.
- 3.37 FHG will retain all certificates for a minimum of two years after the date of completion.
- 3.38 FHG will make a copy of the certificate available for inspection by any lawful occupier of the inspected property at reasonable notice.
- 3.39 It should be noted that FHG also provides instruction on heating and gas safety advice to all new tenants through the Tenant's Handbook.

4. Risk management

4.1 Relevant legislation and agreements

- Corporate Manslaughter and Corporate Homicide Act 2007
- Management of Health and Safety at Work Regulations 1999.
- Gas Safety (installation and use) Regulations 1998 (as amended)
- Building Regulations and Building Standards (Scotland) Regulations
- Gas Safety (Management) Regulations 1996
- Gas Appliances (Safety) Regulations 1995
- Gas Safety (right of Entry) Regulations 1996
- Housing (Scotland) Act 2014
- FHA/PACT Tenancy/Private Tenancy Agreement
- Tenant's Handbook
- Health and Safety at Work Act 1974

4.2 Codes of Practice and Guidelines issued by the Health and Safety Executive, include:

- Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended
<https://www.hse.gov.uk/pubns/books/l56.htm> .
- A Guide to Landlords' Duties: Gas Safety (Installation and Use) Regulations 1998
<https://www.hse.gov.uk/pubns/indg285.htm>
- Don't DIY with gas <https://www.hse.gov.uk/gas/dont-diy-wth-gas.htm>

- Get Them Checked. Keep Them Safe <https://www.hse.gov.uk/pubns/indg238.pdf>

4.3 Data protection - where personal data is handled in carrying out our responsibilities as landlord for gas safety, it will be done in accordance with FHG policy and in line with the General Data Protection Regulations.

5. Responsibility

5.1 The Board is responsible for reviewing and approving this policy.

5.2 The Chief Executive is responsible for ensuring that FHG performs against its statutory duties.

5.3 The Director of Housing retains the overall responsibility for the implementation of this policy and to ensure adequate resources are made available to enable the objectives of the policy to be met.

5.4 The Director of Operations is responsible for the operational delivery of this policy and ensuring that FHG's Gas Service Access Procedure is adhered to.

5.5 The Operations Manager is responsible for ensuring that the associated procedure is maintained and communicated to colleagues and tenants.

5.6 In respect of any newly-developed or acquired properties the Asset Manager will ensure that a valid gas safety certificate is provided to Operations Advisers prior to the point of handover from the developer to FHG.

5.7 Tenants and other customers are responsible for:

- Allowing access for the gas safety check;
- Immediately reporting any concerns with gas appliances, and turning them off until they are checked by a competent person; and
- Ensuring appropriate checks are carried out and arranging for a new certificate to be provided to FHG where they have approved property alterations carried out and improvements which may affect the safety of gas installations.

5.8 This policy applies to all properties owned and managed by Fife Housing Association (FHA) and its wholly-owned subsidiary PACT Enterprises (PACT). In addition to housing owned within FHG, the Group has factored owners, properties licenced to third parties and shared ownership properties. The following statements set out the responsibilities for each of these categories:

- Shared owners and factored owners do not fall under the responsibility of FHG for gas safety in their private residence. For any checks we carry out in communal areas, or on communal heating and hot-water systems, factored and shared owners will be recharged.
- Properties leased to third parties will be treated in same way as those owned by FHA.

6. Performance management

- 6.1 FHG will hold monthly performance meetings with each contractor to ensure that service level agreements are being met. A standard agenda will cover all the key points to ensure that all of the terms of the contract are being managed effectively. Should the contractor fail to meet the service level agreement and agreed key performance indicators, we may place the contractor on a 'Performance Improvement Notice'. A Performance Improvement Notice will set out daily/weekly/monthly targets that the contractor must meet, with more frequent meetings to ensure that performance is improving. Should the contractor performance fail to improve, further action will be at the discretion of the Business Leadership Team.
- 6.2 Any concerns regarding the adherence to this policy will be reported to the Board.
- 6.3 Performance of gas servicing will be reported at each Board meeting as part of the FHG Performance Dashboard.
- 6.4 Any statutory failure to service gas appliances in line with legislation will be reported to the Scottish Housing Regulator as required.

7. Review

- 7.1 This policy is due to be reviewed every three years - or earlier if a legislative or other material change requires this.



Gas Safety Check Procedure

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1. Introduction

This procedure details the steps that will be undertaken by Fife Housing Group (FHG, the Group, meaning Fife Housing Association and its wholly-owned subsidiary PACT Enterprises) in order to comply with gas safety legislation and in so doing aims to protect tenants and other users of properties owned or managed by FHG.

2. The contractor's responsibilities

2.1 The contractor's responsibilities emanate from the Gas Safety (Installation and Use) Regulations 1998 and FHG's current gas awarded tender which state that:

- All engineers working on FHG's appliances are appointed by a contractor who has been appointed by FHG;
- Twenty-four hour cover is provided for the maintenance of FHG's gas appliances and flues;
- A safety check and service on FHG's gas appliances is carried out within a twelve month period. The contractor must also ensure that as a minimum, a battery-powered carbon monoxide detector (BS-EN-50291-2 certified) is installed at each gas property and have the battery renewed when the annual safety check and service is being carried out;
- The contractor must provide details of location and expiry date of carbon monoxide detector for each property at each annual service;
- A safety check and servicing programme will be provided by the contractor to FHG at least two months prior to the first safety check and service;
- Regular reports including formal monthly reports and daily electronic updates will be received during the safety check and servicing programme period. Details on the units completed, non-access to property and planned dates for the outstanding appliances will be provided to FHG by the contractor;
- The contractor will provide certificates and job sheets which will be submitted within seven days of any work being carried out;
- The contractor is required to advise FHG immediately when an unsafe appliance is identified. The contractor will apply a warning label to the unsafe appliance. The label should not be removed until repairs are complete;
- When working on FHG's appliances the contractor will at all times comply with legislation and amend practices and procedures in accordance with changing legislation;
- The contractor will attend monthly meetings with FHG colleagues; and
- The contractor will carry out a visual check on gas appliances and flues provided by the tenant and will report on the condition of appliances to the tenant and FHG. Any unsafe appliance should have warning labels attached. The tenant will be advised that the labels should not be removed until repairs are complete. They will also be advised of the action that they should take to rectify the fault. Quality assurance checks will focus on these properties.

2.2 The contractor will provide a form which will record:

- ✓ Date the appliance was checked;
- ✓ Address of the installation(s);
- ✓ Name and address of the landlord (FHA/PACT);
- ✓ Description of the location of each appliance and flue checked;
- ✓ Any defects identified;
- ✓ Any remedial action taken;
- ✓ Effectiveness of the flue;
- ✓ The supply of air;
- ✓ Operating pressure;
- ✓ Heat input;
- ✓ The safe functioning of the appliance;
- ✓ Name and signature of the operative completing the check; and
- ✓ The Gas Safe registration number of the operative or his/her employee.

3. Gas repairs

- 3.1 Tenants will report any gas repairs directly to the relevant gas maintenance and service contractor direct.
- 3.2 The Tenant's Handbook includes a section on Gas Safety and advises a tenant to notify SGN immediately of any suspected gas leak. FHG's appointed gas service contractor will visit the property, following any attendance by SGN to assess the problem and repair any faults. A job sheet will be submitted to FHG and the details will be logged onto the repairs history for that property for record purposes. FHG colleagues will ensure that any outstanding problems highlighted on the job sheet are addressed.

4. FHG no-access procedures

- 4.1 FHG's appointed contractors will absorb the cost of up to four arranged visits.

Disconnection of supply

- 4.2 Where three attempts to access the property have failed and in the situation where properties have an external gas meter, the contractor will cap the gas meter. The household will be warned by letter prior to the meter being capped.

Continued no-access

- 4.3 FHG will advise the tenant of the date and time the 'forced entry' will be made, giving the tenant the opportunity to be present and avoid the locks being changed. This letter will also advise the tenant how they can obtain the new keys to their door should the locks be changed.

- 4.4 Where, following forced entry, the gas/electric meters are in debt and therefore preventing the service being undertaken, the meter will be disconnected to prevent further use of the gas supply until a service takes place. A notice will be posted advising the household of the action that has been taken.
- 4.5 In any case, the service will either be carried out or meter capped, should there be any reason the service cannot be completed at that time. If the tenant is not present, the locks will be changed and they will be charged for the additional attendance by the contractor and the cost of changing the locks.
- 4.6 Where Housing team colleagues believe a property has been abandoned, and serve the appropriate notice, they will inform the Operations team in order that efforts to secure access can be coordinated.

5. Operational responsibility

5.1 The Gas Safety Policy identifies persons responsible for the policy’s implementation and their responsibilities.

5.2 For day-to-day implementation responsibilities are as follows: The gas contract administrator role will be undertaken by the Operations team and will require:

- ✓ Maintenance of a record of all gas appliances installed in FHG’s properties, their previous service date, and copies of the landlord’s gas safety certificates. This will be the master copy of information from which budgets and the annual planned servicing programme will be derived;
- ✓ Ensuring that an annual service and safety check is carried out on all gas appliances in tenanted properties and in all properties owned by FHG. This obligation will be met through the implementation of a planned cyclical servicing programme.
- ✓ Void properties being serviced, in accordance with the policy, immediately after the new tenant has signed up at a time suitable to the new tenant; and
- ✓ Ensure quarterly reports are compiled which advise of the number of properties with current gas safety certificates.

5.3 Specific roles

Task		Responsible
1.	Ensuring that a copy of the contractors’ Gas Safe (Council For Registered Gas Installers) registration is verified by Gas Safe.	Asset Manager
2.	Ensuring that all the contractor’s engineers’ ACCC (Accepted Certificate of Competences) certificates are received.	Asset Manager at procurement and thereafter annually

Task		Responsible
3.	Ensuring that the service programme is received two months before the servicing commences.	Operations Advisers
4.	Notification to tenant of appointment for gas safety check visit.	Contractor
5.	Reporting of no-access to property to FHG.	Contractor
6.	Ensuring that the specified volume of quality control is carried out by the contractor.	Asset Manager
7.	Issuing and checking the landlord certificates, the work orders and the quality control sheets	Operations Advisers
8.	Examining, checking and filing certificates	Operations Advisers
9.	Ensuring that landlord certificates and job sheets are submitted on a regular basis	Operations Advisers
10.	Post inspection surveys of the contractors' work on site	Gas Quality Assurance Consultancy
11.	Ensuring that the gas register is kept up to date	Operations Advisers
12.	Coordinating performance meeting with each gas safety work contractor	Operations Manager
13.	Duty holder for the Gas Safety Policy, procurement and appointment of suitably-qualified contractors	Director of Housing
14.	Duty holder for day-to-day administration of the Gas Safety Policy	Director of Operations

6. **Actions flowchart, no-access procedure following contractor's letter and postcard**

