

Gas Safety Policy

Version Control						
Version	Date drafted	Date approved	Approved by	Date reviewed	Next review date	Owner
Final	12/01/2023	23/01/2023	Board	N/A	23/01/2025	Head of Property and Assets
2025 review			Board	24/03/2025	24/03/2027	Head of Property and Assets

1. Introduction

- 1.1. Westmoreland Supported Housing Limited (WSHL) is responsible for maintenance and repairs to its homes and other buildings in management, many of which will contain gas installations and appliances. The Gas (Installation and Use) Regulations 1998 and the Amendment Regulations 2018 specifically deal with the installation, maintenance and use of gas appliances, fittings and flues in domestic properties and certain office premises.
- 1.2. The regulations also place a legal duty on landlords to ensure that all gas appliances, including fittings and flues, provided for tenants' use are safe.

2. Purpose

- 2.1. The purpose of this Policy is to ensure WSHL meets the requirements of the Gas Safety (Installation and Use) Regulations 1998. In addition to this, the policy also provides assurance to WSHL that measures are in place to ensure compliance with these regulations and to identify, manage and/or mitigate risks associated with gas fittings, appliances and flues.

3. Scope

- 3.1. This policy applies to all buildings and associated structures either owned, leased, occupied or managed by WSHL.
- 3.2. The policy is relevant to all types of gas appliances that WSHL has responsibility for and applies to all WSHL employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.

4. Legal and Regulatory Responsibilities

4.1. Regulatory Standards

The application of this policy will ensure compliance with the regulatory framework and Safety and Quality Standard for social housing in England, which applies from 1 April 2024.

4.2. Core Legislation

The principle legislation applicable to this policy is The Gas Safety (Installation and Use) Regulations 1998 (as amended). WSHL has a legal obligation under Part F, Regulation 36 of the legislation (Duties of Landlords) and is the 'Landlord' for the purposes of the legislation. WSHL is the 'Landlord' by virtue of the fact that it owns and manages homes and buildings housing tenants through the tenancy and licence agreement obligations it has with its tenants.

4.3. Other Legislation

This policy also operates in the context of the following legislation:

- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Workplace (Health Safety & Welfare) Regulations 1992
- Gas Safety (Management) Regulations 1996 (as amended)
- The Building Regulations in England & Wales
- Dangerous Substances and Explosive Atmospheres Regulations 2002
- Pressure Equipment Regulations 1999
- Pressure Systems Safety Regulations 2000
- Pipelines Safety Regulations 1996Heat Network Regulations 2014
- Provision and Use of Work Equipment Regulations 1998
- Construction, Design and Management Regulations 2015
- Landlord and Tenant Act 1985 Gas Safety (Installations and Use) Regulations 1988 as amended by Gas Safety (Installation and Use) (Amendment) Regulations 2018
- Homes (Fitness for Human Habitation) Act 2018

4.4. The Gas Safety (Installation and Use) (Amendment) Regulations 2018 impose duties on landlords to protect tenants' safety in their homes with respect to gas safety. The main duties as a landlord are set out in Regulation 36 requiring landlords to:

- Ensure gas fittings and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer's instructions. If these are not available, it is recommended that they are serviced annually unless advised otherwise by a Gas Safe registered engineer;
- Ensure the annual safety check is carried out on each gas appliance and flue within 12 months of the previous safety check;
- Have all installation, maintenance and safety checks carried out by a Gas Safe registered engineer Keep a record of each safety check for at least 2 (two) years;
- Issue a copy of the latest safety check record to existing tenants within 28 days of the check being completed, or to any new tenant when they move in;
- Display a copy of the latest safety check record in a common area of a building where the gas appliance serves a communal heating system to multiple homes.

5. Codes of Practice

5.1. The principle codes of practice applicable to this policy are as follows:

- ACoP L56: 'Safety in the installation and use of gas systems and appliances' (5th edition 2018)
- INDG285: 'A guide to landlords' duties: Gas Safety (Installation and Use) Regulations 1998'

6. WSHL's Approach

6.1. WSHL acknowledges and accepts its responsibilities under the Gas Safety (Installation and Use) Regulations 1998 as amended.

6.2. In order to meet these requirements, WSHL will:

- Hold accurate records against each property it owns or manages setting out the requirements for gas and/or heating safety checks and servicing of all gas/heating fittings, appliances and flues;
- Require a gas contractor to visit all properties on an annual basis to carry out gas and/or heating safety checks, irrespective of whether the property has a gas supply or not;
- Ensure that each property requiring a gas safety check and/or service has a landlord's gas safety record (LGSR) that has a completion date not more than 12 months following the completion date of the previous LGSR relating to the property, or from the installation date of new installations;
- Ensure that copies of all LGSRs are provided to tenants within 28 days of completion or displayed in a common area;
- Cap off gas supplies to all properties when the property becomes void and a new tenant is not due to move in immediately following the previous tenant leaving;
- Cap off gas supplies to all new build properties at handover if a new tenancy is not commencing immediately at the point of handover;
- Reinstate gas supplies to void properties and new build properties at commencement of the new tenancy and will undertake a gas safety check and issue a new LGSR;
- Ensure that gas safety checks are carried out prior to, or immediately following the commencement of any new tenancy (void properties), mutual exchange and/or transfer and that the tenant receives a copy of the LGSR prior to, or immediately upon sign up of the tenancy and/or at the time of moving in;
- Carry out gas safety checks of any of the tenants' own gas appliances and will carry out a five-point visual safety check for gas cookers and service to gas fires where the manufacturers' instructions are available (location, fluing, ventilation, signs of distress and stable and secure). Where appliances are found to be faulty these will be disconnected and a warning notice issued;
- Test and replace as necessary the CO alarm as part of the annual gas safety check visit;

- Carry out an annual gas safety check to all properties where the gas supply is inactive (capped) due to a previous request made by a tenant. This is to ensure that gas supplies have not been reconnected by the tenant;
 - Carry out annual assessments of properties where tenants have chosen for personal reasons not to use the gas supply in the property. This is to check on the tenant's wellbeing and also to assess that the lack of gas heating is not adversely affecting the condition of the property;
 - Ensure that only suitably competent Gas Safe accredited engineers undertake gas works for the organisation;
 - Remove any open flue gas appliances found in any rooms that are being used as bedrooms;
 - Carry out a gas safety check following any new gas appliance installation. The safety check will include a gas soundness test of the system pipework, a visual inspection of the meter installation and a visual inspection including the safe working operation on all other gas appliances and associated flues within a property, as well as issuing a gas safety certificate to confirm the necessary checks have been completed;
 - Ensure that robust processes and controls are in place to manage works to void and occupied properties that may affect existing gas installations;
 - Have a robust process in place to gain access to properties where tenant vulnerability issues are known or identified whilst ensuring the organisation can gain timely access to any property in order to be compliant with this policy and safeguard the wellbeing of the tenant; and
 - Establish and maintain a plan of all continuous improvement activity undertaken with regards to gas safety.
- 6.3. Ordinarily, WSHL will not carry out the annual gas safety checks on properties leased from private landlord properties, except where there are explicit clauses within the leases requiring WSHL to carry out gas safety checks.
- 6.4. Instead, WSHL will seek a copy of the LGSR from the private landlord as evidence of completion; however, where the LGSR is not supplied and WSHL has reason to believe the existing certificate has expired, or a new installation or alteration has been made that would require a new certificate to be obtained, WSHL will instruct a gas contractor to visit the property to complete a gas safety check.
- 6.5. WSHL will seek to recover this cost from the landlord.

7. Inspection Testing Programmes

7.1. Domestic properties

WSHL will carry out a programme of annual gas safety checks and services to all domestic properties, covering all heating types. This check will include all gas fittings, appliances and flues in the property and will be completed 12 months from the date of the previous LGSR. This safety check is driven from the anniversary date of the most recent LGSR which may have been carried out at the start of a new tenancy or following installation of new gas appliances.

7.2. Other properties (offices/communal areas)

WSHL will carry out a programme of annual gas safety checks and services to all 'non-domestic' and 'other' properties (where it has the legal obligation to do so). These checks will include all gas fittings, appliances and flues in the property and will be completed no longer than 12 months from the date of the previous LGSR or as detailed within manufacturer's instructions. These safety checks and maintenance services will be carried out by a suitably competent engineer in accordance with the manufacturer's instructions. These installations may include catering equipment, boilers serving communal heating systems, combined heat and power systems, pressure vessels and water heating boilers.

8. Compliance Follow Up Work

8.1. WSHL will ensure that there is a robust process in place to collate and store all warning notices and associated records of completed remedial works.

8.2. A safety check will be carried out on completion of any repair and/or refurbishment works to occupied or void properties where works may have affected any gas fittings, appliances or flues.

8.3. WSHL will ensure there is a robust process in place to investigate and manage all RIDDOR notices issued with regard to gas safety.

9. Securing Access to Tenants' Properties

9.1. Customers have an obligation as per their tenancy agreement to ensure their home is kept to an acceptable standard and allow access to inspect and/or carry out any works, including gas compliance works.

9.2. In cases where access has not been granted to complete the annual gas safety and/or heating inspection, a controlled entry may be made to ensure the safety of all our customers and neighbouring properties. A member of the Executive Team will approve any such action.

9.3. As a last resort, WSHL will use all legal remedies available to it should any tenant refuse access to carry out essential gas safety checks, maintenance and safety related repair works.

10. Key Roles and Responsibilities

10.1. WSHL's Board will have overall governance responsibility for ensuring the gas safety policy is fully implemented to ensure full compliance with the regulatory standards, legislation and codes of practice. As such the Board will formally approve this policy and review it every two years (or sooner if there is a change in regulation, legislation or codes of practice).

10.2. The Executive Team and Board will receive reports in respect of gas safety management performance and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.

- 10.3. WSHL's Board is responsible for ensuring it is fully assured of compliance measures, monitoring performance and that the policy is implemented and adequately resourced.
- 10.4. The Chief Executive Officer is responsible for implementing, resourcing this policy and monitoring performance.
- 10.5. The Head of Property and Assets has strategic responsibility for the management of gas safety and ensuring compliance is achieved and maintained monitored and reported upon. The Head of Property and Assets will oversee the implementation of the gas safety policy, with the operational support of the Compliance Manager.
- 10.6. The Head of Property and Assets will be responsible for overseeing the delivery of the gas servicing and safety check programmes; completion of any works arising from gas safety checks or reported by tenants and the maintenance of sufficient records in respect of works completed to gas appliances, fittings and flues.
- 10.7. The Maintenance and Compliance Manager will act as deputy and support to the Head of Property and Assets.
- 10.8. The Head of Housing will provide key support in gaining access into properties where access is proving difficult and use standard methods to do so. They will also facilitate the legal process to gain access as necessary.
- 10.9. WSHL will ensure that only suitably competent Gas Safe accredited contractors are procured and appointed to undertake works to gas fittings, appliances and flues.
- 10.10. Where sub-contractors are engaged by WSHL's repairs contractor, responsibility for ensuring the sub-contractor is appropriately qualified and accredited for the work that they are carrying out resides with the repairs contractor. WSHL may request periodic audits to ensure that the repairs contractor holds this information.

11. Performance Reporting

- 11.1. Robust key performance indicator (KPI) measures will be established and maintained to ensure WSHL is able to report on performance in relation to gas safety, and these will be reported to the Executive and WSHL's Board monthly.
- 11.2. As a minimum, these KPI measures will include the percentage of all unexpired gas safety certificates held by WSHL as a proportion of the total number of domestic properties with gas appliances, with a target of 100% completion at all reporting dates.
- 11.3. Any RIDDOR incidents linked to gas supplies or appliances will also be reported to the Executive and WSHL's Board at the first opportunity, with appropriate narrative.

12. Non-Compliance

- 12.1. Any non-compliance issue identified at an operational level will be formally reported to the Head of Property and Assets in the first instance.
- 12.2. The Head of Property and Assets will agree an appropriate course of corrective action and report details of the same to the Executive Team.
- 12.3. The Executive Team will ensure the Board is made aware of any non-compliance issue so it can consider the implications and take action as appropriate.
- 12.4. In cases of a serious non-compliance issue the Executive Team and Board will consider whether it is necessary to disclose the issue to the Regulator of Social Housing in line with WSHL's Escalations Protocol.

13. Record Keeping

- 13.1. WSHL will:
 - Establish and maintain a core asset register of all properties that have an active or inactive gas supply. This register will also hold data against each property asset of gas heating inspection and servicing requirements, where applicable, for all domestic and non-domestic property assets;
 - Ensure the Gas Safe registered engineer records the details of all appliances and other equipment which is served by the gas supply in every domestic and non-domestic property;
 - Establish and maintain accurate records of all completed safety records, warning notices and associated remedial works and keep these for a period of not less than two years.
 - Hold and maintain accurate records on the qualifications of all engineers undertaking gas works for the organisation, or require that its repairs contractor holds this information and can provide it to WSHL upon request;
 - Ensure robust processes and controls are in place to provide and maintain appropriate levels of security for all gas safety related data.

14. Linked documents

- 14.1. This policy is linked to the following documents and should be read in conjunction:
 - Health and Safety Policy

15. Policy Review

- 15.1. This policy will be reviewed every two years.