



Exeter City Council – Housing

Gas Safety Policy

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1. Objectives

1.1 At Exeter City Council (Housing) (ECC Housing) we will:

- a) Ensure compliance with all relevant legislation.
- b) Undertake suitable and sufficient training to comply with this Policy.
- c) Ensure suitable and sufficient resourcing is available to comply with this Policy.
- d) Carry out testing, servicing and maintenance of Council owned gas appliances, associated pipework, flues & chimneys in accordance with the Gas Safety (Installation and Use) Regulations 1998 and subsequent revisions.

2. Introduction / Background

ECC Housing will ensure that it maintains and checks all gas heating and hot water appliances, gas installation pipework, flues and chimneys on all of its properties/premises where gas appliances are installed so that risks are minimised to tenants, employees, contractors and others. ECC Housing will also check tenant owned gas appliances to ensure they are safe. This is in accordance with the Gas Safety (Installation and Use) Regulations 1998 and subsequent revisions.

This document sets out the ECC Housing policy and strategy to manage gas safety within its Housing Stock.

This document should be used in conjunction with any relevant legislation, Gas Safe guidance, Approved Codes of Practice, Health and Safety Executive (HSE) / United Kingdom Health Security Agency (UKHSA) guidance and other recognised procedures relating to gas safety.

The failure to adequately maintain, test for gas safety or repair gas pipework, gas appliances and associated flues, could result in death, injury, destruction or damage

to property and the exposure of ECC Housing to prosecution and fines and its employees to prosecution and imprisonment.

3. Policy Statement

ECC Housing recognises its responsibilities and will ensure compliance with all relevant legislation by setting out its procedure for checking and maintaining all gas appliances, pipework and associated flues across our properties.

4. Definitions

4.1 **ECC Housing** The term refers to Exeter City Council Housing department and to no other section or part of Exeter City Council.

4.2 **LGSR** The term refers to the statutory duty to service gas appliances in domestic premises annually. LGSR is an abbreviation of Landlord Gas Safety Record.

4.3 **Responsible Person** The term refers to the Landlord, employer, owner, or anyone else has control, or a degree of control, of a building or part of a building. For ECC Housing this is normally the Director overseeing housing assets. Control will also extend to persons who directly or indirectly influence or change the housing services' management of gas safety.

5. Responsibilities

Responsibilities for ensuring the effective implementation and operation of this policy:

5.1 Strategic Director for Corporate Resources

- a) Monitor and oversee.

5.2 Service Lead

- a) Monitor and ensure the policy framework is applied locally.
- b) Ensure sufficient resources are available for effective procedures to support the policy.
- c) Provide sufficient training to ensure all relevant staff are competent.
- d) Ensuring adequate management arrangements are in place to support the policy.

5.3 Safety, Health, Environment and Quality (SHEQ) Lead

- a) Develop a workable strategy and supporting policy.
- b) Monitor the local management arrangements and make sure they are suitable and sufficient.
- c) Provide reports and recommendations to the Housing Assets Service Lead.
- d) Assist and advise local management as required.

5.4 Compliance Work Surveyor – Gas

- a) Comply with local procedures and protocols.
- b) Undertake remedial actions when required.
- c) Oversee and manage the gas testing, maintenance, and compliance systems.
- d) Oversee and manage access to properties and timely execution of ECC Housing's Legal Duties and Good Practice.
- e) Monitor the local management arrangements and make sure they are suitable and sufficient.
- f) Provide reports and recommendations to the SHEQ Lead.
- g) Assist and advise SHEQ Lead and peers as required.
- h) Undertake their duties to support the policy.

5.5 Employees

- a) Comply with local procedures and protocols.
- b) Undertake their duties to support the policy.
- c) Report any identified hazards or concerns to the Compliance Work Surveyor – Gas or SHEQ Lead.

6. References

6.1 This policy should be read in conjunction with Exeter City Council's policies & procedures relating to:

- Housing Strategy 2023
- Equality and Diversity
- Health and Safety
- Data Protection

- Gas Servicing Procedure
- Gas Procedure
- Boiler & Heating systems Procedure

6.2 Reference material used to inform this policy:

- Consumer Standard Codes of Practice – Regulator of Social Housing
- The Gas Safety (Installation and Use) Regulations 1998
- Smoke & Carbon Monoxide Alarm (Amendment) Regulations 2022

7. Regulatory Framework

- The Gas Safety (Installation and Use) Regulations 1998
- Smoke & Carbon Monoxide Alarm (Amendment) Regulations 2022
- Construction Design & Management Regulations 2015
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- Social Housing (Regulation) Act 2023
- Landlord and Tenant Act 1985
- Defective Premises Act 1972
- Housing Act 2004
- Building Act 1984 and associated Building Regulations and Approved Document
- Gas Industry Unsafe Situations Procedure

8. Policy Framework

8.1 General Duty

ECC Housing has a duty to ensure that gas heating and hot water appliances and gas installation pipework are maintained in a safe condition. All ECC Housing owned flues and chimneys on which gas appliances are installed are also maintained in a safe condition.

8.2 Servicing

ECC Housing is legally required under the Gas Safety (Installation and Use) Regulations 1998 to carry out a Landlord's Gas Safety Check to each property with a gas supply. The gas safety check must be carried out within twelve months of the previous year's safety check, on all systems and appliances in ECC Housing properties, regardless of ownership.

ECC Housing has entered into a contract with a gas servicing contractor, who is Gas Safe registered, to meet this obligation using an agreed appointment procedure.

8.3 Servicing Procedure

Our appointed Gas Servicing Contractor will write to the tenant advising them of when they will be attending to carry out the service, this will be approximately 10 Weeks before the expiry of the last Landlord's Gas Safety Record (CP12).

If the tenant is not home during this service or the tenant refuses access our gas servicing contractor will make a further attempt to enter the tenant's property to carry out the gas service.

Should the tenant refuse access or the gas servicing contractor is unable to carry out the service on the second attempt for whatever reason, the gas servicing contractor will refer this back to the Council for a legal appointment.

An appropriate officer will attempt to contact the tenant to arrange an appointment to carry out the gas service. If they are unable to do so, the officer will serve the tenant with a legal letter which states that the tenant must allow the gas servicing contractor access to carry out the gas service on a specific date and time (legal appointment).

On the day of the legal appointment the gas servicing contract will attend to carry out the gas service.

Should the tenant not be home at the time of the legal appointment or refuse access then the gas servicing contractor will refer this back to the Council. The Council will instruct the Legal Department to apply for a Court Injunction to compel the tenant to allow access to enable the gas servicing contractor to carry out the service.

Any costs associated with the refusal to allow access will be re-charged to the tenant in association with the relevant re-charge policy.

Following successful completion of the Landlord's Gas Safety Check the tenant will receive a copy of the CP12 certificate for the property within 28 days of the annual safety check.

8.4 Void Properties

At the start of the void period the gas is capped and a safety check is carried out. All gas equipment, including any appliances left by a previous tenant, is checked for safety, or removed before letting. Upon letting the property, the incoming tenant to contact our gas servicing contractor to uncapped the gas & carry out a turn on & test check. A copy of the latest LGSR certificate will be provided to the incoming tenant.

8.5 Mutual Exchanges

A gas safety check is carried out on all ECC Housing properties with a gas meter involved in a mutual exchange. Our gas servicing contractor will cap the gas on the day the tenants' move which should be a Friday or Monday and re-connect the gas and carry out a gas safety check on the day the new in-coming tenant moves in.

8.6 Record Keeping

ECC Housing retains all records of the annual gas safety certificates for a minimum of two years from the date of the certificate to ensure hard copies can be produced when required.

The gas servicing contractor retains all gas safety records including certificates electronically. They also keep accurate records of all their efforts to obtain access to carry out the annual gas safety check and all non-accesses and the dates and times that they were passed to ECC Housing. This will include records/copies of all letters, appointment cards, telephone calls etc.

8.7 Carbon Monoxide Detectors & Smoke Alarms

ECC Housing will install carbon monoxide detector(s) to all rooms that contain an ECC Housing gas appliance and any room where a flue passes through. ECC will also ensure that an adequate number of smoke alarms are installed in all properties in accordance with statutory guidance. The carbon monoxide detectors and smoke alarms will be tested in those properties that have a gas appliance during the landlord's gas safety check and a record of this will appear on the CP12.

8.8 Gas Cookers

Where there is a gas cooker in the property, the connection to the gas cooker up to the gas controls on the cooker is included in the Gas Safety Check.

Where the gas cooker has a glass lid, tenants will be asked to demonstrate that the automatic gas shut off mechanism works when the glass lid is closed. These checks do not include a service of the cooker, since this is the tenant's responsibility. Should the cooker fail the relevant safety check, the Gas Servicing Contractor will condemn

the cooker and isolate it. It will be the tenant's responsibility to fix the cooker or to replace it.

If the tenant does not permit the gas servicing contractor to condemn and isolate a failed cooker, this will be classified as a 'failure of the safety device.' In this situation, the gas servicing contractor will contact Wales and West Utilities and request them to attend under the Gas Industry Unsafe Situations Procedure and the Gas Safety (Installation and Use) Regulations 1998.

9. Practical Implications

9.1 General

- a) Responsibility for complying with the Gas Safety (Installation and Use) Regulations 1998 and other relevant legislation rests with the 'Responsible Person'.
- b) If a council senior manager, Councillor, executive officer, committee, or panel directly or indirectly influences or changes this policy or supporting procedure then they will assume a proportionate amount of the Responsible Person status.
- c) If there is more than one Responsible Person in any type of premises (for example, a multi-occupied complex), all must take all reasonable steps to co-operate and co-ordinate with each other.
- d) The Health & Safety Executive (HSE) are the enforcing authority. They have powers to inspect premises, to serve a notice requiring alterations, to serve an enforcement notice requiring specific steps to be taken to remedy a breach of the Regulations and, in extreme circumstances, to serve a prohibition notice preventing the use of a specific property until steps have been taken to make it safe. Failure to comply with a notice is a criminal offence.
- e) If ECC Housing - are not the employer, landlord, or premises manager/agent but have any control of premises which contain more than one workplace or common area, ECC Housing are also responsible for ensuring that the requirements of the Gas Safety (Installation and Use) Regulations 1998 are complied with in those parts over which we have control.
- f) The Responsible Person must ensure an LGSR are carried out. The LGSR will help identify risks that can be removed or reduced and to decide the nature and extent of the general gas safety precautions that need to be taken.

- g) The Responsible Person must provide for all safety measures identified by the LGSR.
- h) The significant findings of every LGSR shall be recorded.
- i) ECC Housing will provide residents with information on what to do in the event of a gas escape or suspicion of a gas leak.
- j) Where tailored information is provided, it should form part of the 'key collecting' process for all new tenants and new tenants should confirm they have understood the information provided.

10. Procedure

10.1 Boiler & Heating Systems Repairs

In the event that an ECC Housing tenant encounters a fault with their gas appliances (other than a gas escape), our Appointed Gas contractor and/or relevant officer will operate in accordance with ECC Housing Boiler & Heating System Repairs Procedure.

In the event of a boiler breakdown and loss of heating our appointed gas contractor will offer the resident(s) effected temporary electrical heaters. In this circumstance, ECC Housing will offer £5.00 per day, per electrical heater to the tenant affected.

10.2 Gas Escape

If an ECC Housing tenant encounters or suspects a gas escape they are advised to contact Wales and West Utilities without delay via their emergency number – 0800 111999.

The tenant will also be advised to:

- 1) Switch off gas, liquid and/or solid fuel appliances
- 2) Turn off gas supply at meter.
- 3) Open all doors/windows and to vacate the premises
- 4) To contact Wales and West Utilities without delay via their emergency number – 0800 111999
- 5) Contact our appointed gas contractor to report the situation

10.3 Carbon Monoxide

In the event that an ECC Housing tenant or officer encounters or has concern regarding Carbon Monoxide, our appointed gas contractor and/or relevant officer will operate in accordance with our Carbon Monoxide Procedure.

The resident will be advised to:

- 1) Switch off gas, liquid and/or solid fuel appliances
- 2) Turn off gas supply at meter.
- 3) Open all doors/windows and to vacate the premises
- 4) Any ill health or with associated carbon Monoxide inhalation symptoms should seek immediate medical attention.
- 5) Contact Wales and West Utilities without delay via their emergency number – 0800 111999
- 6) Contact our appointed gas contractor to report the situation

10.4 Cyclical Works and Servicing of Gas Equipment

ECC Housing will operate in accordance with our 'Cyclical Works and Servicing of Gas Equipment Procedure' for all cyclical works and equipment servicing.

10.5 Gas Servicing

ECC Housing will operate in accordance with our Gas Servicing Procedure for all cyclical works and equipment servicing.

11. External Auditing

Exeter City Council - Housing have procured an independent qualified and competent auditor to carry out audits on 5 – 10% of all gas servicing and/or works.

12. Monitoring and reviewing gas safety controls

12.1 The Service Lead shall put a management system in place which shall ensure all aspects of this policy are monitored including but not limited to:

- a) Staff training
- b) Information provided to tenants
- c) Ensuring the most recent approved document is distributed electronically and available on the intranet for all staff to access.

13. Equality and diversity

ECC Housing will ensure it adheres to both the Equality Act 2010 and Exeter City Council's Equality and Diversity Policy in the implementation of the Gas Safety Policy and related activities.

ECC Housing will not discriminate against any tenant on the grounds of their race, ethnic origin, gender, sexuality, maternity, marital status, disability, age, religion, or class.

Please refer to the Exeter City Council's Equality and Diversity Policy for further information.

14. Data Protection

ECC Housing will comply with the principles of the Data Protection Act 2018 and to Exeter City Council's General Data Protection policy. Together these govern how ECC Housing uses personal data received or obtained and stipulates that it will respect the rights and freedoms of those individuals when processing their details.