

Gravesham Borough Council

DSO Building Management

Gas Safety Policy & Management Plan

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Index

Gas Safety Policy

1. Introduction
2. Aims and Objectives
3. Legal and Regulatory Framework
4. Duties of Landlord
5. Tenants Duties and Responsibilities
6. Leaseholder Obligations
7. Key Roles and Responsibilities
8. Policy Review

Management Plan

9. Annual Gas Safety Check and Service
10. Access for Gas Safety Checks
11. Emergency and Reactive Repairs
12. Boiler and Heating System Upgrades
13. Void Properties and Mutual Exchanges
14. New Build Developments
15. Performance and Monitoring
16. Competencies and Training

Abbreviations

<i>ACOP</i>	Approved Codes of Practice
<i>DEFRA</i>	Department for Environment, Food and Rural Affairs
<i>DSO</i>	Direct Services Organisation
<i>GIUSP</i>	Gas Industry Unsafe Situations Procedure
<i>GSIUR</i>	Gas Safety (Installation & Use) Regulations 1998
<i>HASAWA</i>	Health & Safety At Work Act 1974
<i>HSE</i>	Health & Safety Executive
<i>INDG</i>	Health & Safety Executive Industry Guidance
<i>LGSR</i>	Landlords Gas Safety Record
<i>OJEU</i>	Official Journal of the European Union
<i>RIDDOR</i>	Reporting of Injuries, Diseases and Dangerous Occurrences
<i>SEDBUK</i>	Seasonal Efficiency of Domestic Boilers in the UK

Gas Safety Policy

1. Introduction

- 1.1 Gravesham Borough Council (GBC) has a duty of care to its tenants to ensure that no tenant's health and safety is put at risk through the use of its gas appliances and installations. The Council also has a responsibility under the Gas Safety (Installation and Use) Regulations 1998 which require landlords to adequately and competently install, maintain and service all gas installations, appliances, flues and installation pipe work under their liability, specifically installations within its Housing stock.
- 1.2 This policy describes how DSO Building Management effectively manages these requirements to protect the health of our tenants, employees, contractors and members of the public from the potential risks associated with gas such as fire/explosion or carbon monoxide poisoning. It provides clear specific guidelines, processes and procedures for DSO Building Management, which will provide a road map for our day to day operations and reference points for our workforce.
- 1.3 The policy defines specific roles with designated responsibilities. The policy forms the basis for measuring performance and ensuring accountability at all levels throughout the Council.
- 1.4 The policy sets clear frameworks with rules and guidelines for effective consistent decision-making in all situations. It will maintain standards to ensure an efficient and effective delivery of services and protect the workforce from acting in a manner that might endanger the safety of themselves and others. This policy will empower staff to initiate actions, good practices and take responsibility.
- 1.5 For the purpose of this policy the Service Provider is defined as the partner contractor appointed by Gravesham Borough Council to carry out servicing and installations of gas appliances throughout GBC Housing stock.
- 1.6 For this purpose of this policy the Gas Consultant is defined as the consultant appointed by Gravesham Borough Council to provide consultancy advice and expertise relating to gas safety and auditing of works carried out by the Service Provider.

2. Aims and Objectives

- 1.7 The aim is to ensure that every Gravesham Borough Council property has compliant gas installations comprising; appliances, flues and pipe work and to ensure that each element is maintained in a safe condition to prevent the risk to property or injury to any person.

In meeting this aim we will ensure:

- All gas works are performed by Gas Safe registered engineers.

- Repairs to gas/heating installations will be prioritised and completed according to their urgency and classification, as shown in Management Plan 11.1
- 1.8 DSO Building Management will undertake a full annual service on every Gravesham Borough Council liable gas appliance installation.
- 1.9 Our target is for 100% of our properties to hold a valid Landlord Gas Safety Record (LGSR).
- 1.10 Our tenants will be issued with a copy of the Landlords Gas Safety Record (LGSR) within 28 days of the service for existing tenants, and prior to tenants taking up new residence.
- 1.11 All gas appliances installed by the tenant will be visually inspected as part of the annual safety check. Unsafe gas appliances owned by the tenant will be made safe and/or isolated from the gas supply.
- 1.12 Gravesham Borough Council has a duty to identify and reduce any potential hazards that could pose a risk of fire or carbon monoxide poisoning. In doing so GBC will remove all identified open flued gas fires, back boilers, solid fuel appliances and warm air units from occupied and void properties and upgrade them with new gas central heating systems. Where properties have no gas supply, other forms of heating will be considered such as electric storage heaters.
- 1.13 Any potentially dangerous situation identified by the Service Provider or GBC Staff in conjunction with the Housing Officer and Gas Surveyor (usually due to overcrowding) with non-compliant gas installations will be dealt with proactively following “The Gas Industry Unsafe Situations Procedure” (GIUSP) - *Appendix 1*. Dangerous situations will be notified to the Compliance Surveyor (Gas) and the relevant Housing Officer for a solution.
- 1.14 The Service Provider will perform a gas safety check, which will be carried out within 12 months of the last gas safety check. Should access to the property not be forthcoming, DSO Building Management will follow the “Non-Access Procedure” - *Appendix 2*.

Depending on individual circumstances legal action may be taken to obtain access – this could include pursuit of a court warrant; an application to allow forced access through section 240 of the Housing Act 2004.

- 1.15 Heating systems including boilers will be upgraded on a planned programme prioritised according to age, efficiency and reliability. The programme improves the standard of existing installations to improve efficiency and comply with current Building Regulations. Boilers will also be replaced on reactive basis that have been deemed no longer economical to repair. The Service Provider where possible, will upgrade boilers with A-rated condensing combination boilers in all of GBC properties. A-rated boilers refer to the boiler efficiency rating as stated by the Seasonal Efficiency of Domestic Boilers in the UK (SEDBUK).

Benefits include:

- Combination boilers that lower the risk of hosting legionella bacteria as they keep the water moving and there is no standing water tank.
- Easier to maintain with less system components and pipework requiring future maintenance.
- Lower risk of pipework freezing.
- Instant hot water and responsive to tap usage
- The energy efficiency of the property can be improved.

Where it is determined a combination boiler is not suitable for that property an A-rated condensing system boiler will be installed and supplemented with a hot water storage vessel.

- 2.10 Where Gravesham Borough Council carries out planned and responsive works that may affect gas appliances, chimney/flues or ventilation requirements, the GBC Project Manager shall ensure a safety inspection is carried out by a Gas Safe registered engineer immediately to ensure they are not obstructed and are still operating correctly.
- 2.11 DSO Building Management in liaison with the Gas Service Provider will keep tenants informed of important changes to the industry and promote gas safety advice via the GBC's website, Gas Safety leaflets, letters, through telecommunications and further promote awareness during Gas Safety Week.
- 2.12 Servicing, installations and production of LGSRs will be subject to quality assurance audits by an external Gas Consultant.
- 2.13 Gravesham Borough Council will make available each year sufficient funds to support the anticipated servicing and boiler/heating upgrade programmes.
- 2.14 DSO Building Management will provide value for money through Official Journal of the European Union (OJEU) compliant procurement rules and procurement for gas contracts.
- 2.15 All contractors will adhere to the Gravesham Borough Council Code of Conduct and Service Standards, Diversity and Equality Policies.

3. Legal and Regulatory Framework

This policy is subject to, but not restricted to the following specific regulations, Approved Codes of Practice (ACOPS) and industry guidelines:

- Health and Safety at Work Act 1974 (HASAWA)
- Management of Health and Safety at Work Regulations 1999
- Gas Safety (Installation and Use) Regulations 1998
- HSE L56: Safety in the Installation and use of Gas Systems and Appliances
- The Gas Industry Unsafe Situations Procedure (GIUSP)
- INDG285 (rev 3): A Guide to Landlord's Duties
- Landlord and Tenant Act 1985
- Defective Premises Act 1972

- Housing Act 1988
- Housing Act 2004
- The Corporate Manslaughter and Corporate Homicide Act 2007

Details of the above legislation and guidance requirements can be found in *Appendix 1*.

4. Duties of Landlord

4.1 Regulation 36 of the Gas Safety (Installation and Use) Regulations 1998 imposes specific requirements for landlords. Generally these duties apply to any gas fitting (appliances and pipework), flue or chimney which the tenant would not be entitled to remove from the premises once they vacate.

Gravesham Borough Council is required to:

- Ensure gas fittings and flues are maintained in a safe condition. Gas appliances are serviced annually in accordance with the manufacturer's instructions by a Gas Safe registered engineer.
- Ensure an annual safety check is carried out on each gas appliance/flue.
- Keep a record of the gas safety check until two further checks have been carried out (this may be longer than two years). GBC's policy is to retain copies of the gas safety records (LGSRs) for a minimum of 3 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 before they move in.
- In cases where gas appliances are located in communal areas there is an option to display the record. GBC's policy is to keep a copy of the LGSR on their asset database.

4.2 The Gas Safety (Installation and Use) (Amendment) Regulations 2018 enables landlords to have the annual gas safety check carried out any time from 10 to 12 calendar months after the previous check but still retain the original deadline date as if the check had been carried out exactly 12 months after the previous check. Gravesham Borough Council has adopted and implemented the new arrangement from 1st April 2019 (commonly known as MOT style servicing).

4.3 Flues and chimneys serving the tenants own appliances are not covered under Regulation 36, however, it is important to note that Landlords have a "duty of care" under the Health & Safety at Work Act 1974.

If a chimney or flue is not suitable, blocked or not working correctly, the gas engineer will follow the Gas Industry Unsafe Situations Procedure (GIUSP) and if necessary the gas appliance will be disconnected.

5. Tenants Duties and Responsibilities

- Gravesham Borough Council tenants will be informed of their duties and responsibilities within their tenancy conditions and handbook, gas safety leaflets, letters and via the GBC website. Tenants must:
- Allow Gravesham Borough Council and its Service Provider access for all safety checks, servicing, installation and maintenance on gas fittings and flues. Should access to the property not be forthcoming, DSO Building Management will follow the "Non-Access Procedure" - *Appendix 2*.
- Allow access or be subject to legal action that will include pursuit of a court warrant; an application to allow forced access through section 240 of the Housing Act 2004. Any associated costs incurred with obtaining court authorisation to enter the property will be recharged to the tenant.
- Comply with their duty under Regulation 34 (1 & 2) of the (GSIUR 1998) not to use a gas appliance or permit a gas appliance to be used if at any time they have reason to suspect that it cannot be used without constituting a danger to any person.
- Report any defects to the gas installation or heating system immediately to GBC's Service Provider to enable for the repair to be completed according to its urgency and classification.
- Under any circumstances interfere, adapt, remove or attempt to repair any GBC gas appliance where there is a potential risk of fire, explosion and loss of life, which may result in legal proceedings.
- Accept a recharge to recover the cost of repairs to the heating system due to damage, neglect, misuse or abuse by tenants, their family, pets or visitors to the property.
- Not use or store liquefied petroleum gas (LPG) cylinders in the property and communal areas.

5.2 In respect of tenants own gas fittings:

- It is the tenant's responsibility for ensuring that their own gas appliances including cookers are installed correctly by a Gas Safe registered business and meet the Gas Safety Regulations and comply with the terms and conditions contained within their Tenancy Agreement.
- Regulations state that only new cookers that incorporate a Flame Sensing Device (FSD) on all burners can be installed in buildings containing more than one dwelling. This device shuts off the gas supply to the burners in the absence of a flame.
- During the Annual Gas Safety Check, all gas appliances will be limited to a visual and operational safety inspection only. Should any defects be discovered these will be brought to the tenant's attention by recording them on the Landlords Gas Safety Record (LGSR).

- If the tenant's own gas appliances are deemed unsafe then the Gas Industry Unsafe Situations Procedure (GIUSP) will be invoked, including where necessary the appliance disconnected, warning notice issued and the appliance labelled accordingly confirming the nature of the defect and what action the tenant needs to take.

5.3 In the event of a suspected gas escape tenants are advised by the National Gas Emergency Service to:

- Open doors and windows to ventilate the property.
- Turn off the gas supply at the gas meter.
- Put out naked flames and not to smoke.
- Not turn on or off any power or light switches.
- Phone the National Gas Emergency number on **0800 111 999**.

Where tenants contact the Service Provider or DSO Building Management regarding suspected gas leaks, they are instructed to contact the National Gas Emergency Service directly and given the above advice.

5.4 Due to the dangers associated, Gravesham Borough Council does not permit installations of new wood burners, coal appliances (including smokeless) and open fireplaces.

We have made this decision due to the following considerations:

- **Potential Fire Risk** - Even burning wood in a safely engineered, regularly inspected and swept chimney still poses a danger. There are also wider risks if an errant spark from the burning wood escapes the confines of the fireplace and alights on carpeting, furniture or other flammable materials.

While modern appliances are often equipped with glass doors or mesh screens designed to prevent errant sparks, on some occasions accidents do happen.

- **Carbon Monoxide Poisoning** - Almost all cases of carbon monoxide poisoning with solid fuel are the result of a blocked or leaking chimney or poor maintenance. Chimneys must be inspected regularly and if the chimney is blocked, or leaking, or if the appliance airways or throat plate are not clear, then the gases will not escape into the atmosphere, but flow back into the property, or on occasion into an adjoining property, through a common chimney, with possible deadly results.
- **Environmental Effects** - Most areas of Gravesham Borough are designated as Smoke Control Areas which prohibits the emission of smoke from a chimney or flue. Smokeless fuels or DEFRA approved wood/coal burners produce less pollution than non-approved appliances; however these still create air pollution which contradicts the council's commitment to improving air quality.

Where the Service Provider or GBC staff visit a property and find an open fire or wood/coal burner which has not been granted written permission from Gravesham Borough Council and Building Control approval, the tenant will be required to remove it.

6. Leaseholder Obligations

Leaseholders will be informed of their obligations within the conditions of their lease and via the GBC Leaseholder Services Officer.

- 6.1 Leaseholders are responsible for the maintenance and safety of the gas supply, appliances, pipe installations, apparatus and equipment exclusively serving their property. This is so that they shall not present a safety risk or danger to anyone in the flat or any other flats in the building.

Only new cookers that incorporate a Flame Sensing Device (FSD) on all burners can be installed in buildings containing more than one dwelling.

- 6.2 Leaseholders must arrange for an annual gas safety check to be carried out every 12 months by a Gas Safe registered Engineer and ensure that they are current and valid. The GBC Leaseholder Services Officer will request copies of LGSRs from Leaseholders and provide these to the Compliance Surveyor (Gas) for review.

- 6.3 Leaseholders that sublet their property are classified as a landlord, and have a legal responsibility to their tenant under the Gas Safety (Installations and Use) Regulations 1998. Therefore they have a legal duty to ensure that an annual safety check is carried out on each appliance and/or flue that is provided for the tenants use and that a record of each safety check is kept for at least 2 years.

- 6.4 As the Freeholder Gravesham Borough Council is responsible for the building structure and safety of its residents. Permission for alterations and improvements including new and replacement gas installations, forms part of the lease agreement and all requests must be sent to GBC's Legal Services. Legal Services will contact the Leaseholder Services Officer with details, who will consult with the Compliance Surveyor (Gas) to manage and consider all applications for alterations or improvements affecting the building including communal areas, roof and loft space. This guarantees the structure of the building remains safe for all occupants and ensures any changes made do not adversely affect the rights of other individuals who live in the building.

- 6.5 Under Regulation 34 (1 & 2) of the (GSIUR 1998) the responsible person (leaseholder) has a duty not to use a gas appliance or permit a gas appliance to be used if at any time they have reason to suspect that it cannot be used without constituting a danger to any person.

7. Key Roles & Responsibilities

- 7.1 The Chief Executive, Directors, Assistant Directors and Service Managers are collectively responsible for ensuring that Regulation 36 of the Gas Safety (Installation and Use) Regulations 1998 are complied with and that:
- The Gas Policy and Management Plan is implemented effectively within Gravesham Borough Council.

- An organisation structure that is capable of managing the risks associated with Gas is created and maintained.
- The Gas Management Plan is in place to manage the Gas Servicing and Installation programmes within Gravesham Borough Council properties.
- Sufficient resources are made available to fulfil the objectives given in the Gas Policy and Management Plan. If resources are not immediately available, seek solutions that reduce the authority's risks to an acceptable level and at all times within the law.
- The Gas Management Plan is integrated into all business activities alongside that of the Health and Safety Policies and Procedures of Gravesham Borough Council.
- Adequate pro-active and reactive monitoring procedures are in place to test whether Gravesham Borough Council is meeting policy objectives.

7.2 The Chief Executive

The Chief Executive has the ultimate responsibility and accountability regarding gas safety at board level and is considered to be the 'Duty Holder.'

7.3 The Assistant Director (DSO Building Management)

The Assistant Director is responsible for service strategy and quality of services provided by DSO Building Management. The Assistant Director also has overall budget responsibility for all gas servicing and maintenance programmes and ensures adequate resources are made available to both develop and implement the Gas Management Plan.

7.4 The Asset Manager

The Asset Manager is responsible for procurement, and selection of the Service Provider to undertake gas related works within Gravesham Borough Council managed properties. The Asset Manager is also responsible for service delivery, staff training and ensuring that the Gas Safety Policy and Management Plan continue to be robust and effective.

7.5 Compliance & Projects Manager

The Compliance & Projects Manager is responsible for putting in place and monitoring arrangements to ensure that the systems and procedures outlined in this Management Plan are carried out. The Manager will monitor and action Service Provider performance and ensure gas compliancy is achieved in all areas of the service.

7.6 The Compliance Surveyor (Gas)

The Compliance Surveyor (Gas) has day to day operational responsibilities to ensure the Service Provider conduct their work as per the terms and conditions of the contract.

7.7 The Gas Consultant

The Gas Consultant is responsible for monitoring and auditing engineer competency and gas services provided by the Service Provider.

8. Policy Review

- 8.1 This policy will be reviewed on an annual basis to ensure its continuing suitability, adequacy and effectiveness or as required by the introduction of new legislation or regulation that impacts on the gas safety management obligations of Gravesham Borough Council.

Management Plan

9. Annual Gas Safety Check and Service

- 9.1 The Service Provider will perform an annual gas safety check according to industry guidance and servicing performed in accordance with the bespoke manufacturer's instructions, (or if these are unavailable, best generic practice) on all GBC owned gas appliances and relevant flues/chimneys. A tightness test will be carried out on the gas carcass and an inspection of the pipework
- 9.1 DSO Administration Team will raise automated orders to the Service Provider for annual Gas Safety Checks via its job scheduling system. The Service Provider will have access to close down job orders and update the system.
- 9.2 An electronic copy of each Landlord Gas Safety Record (LGSR) is uploaded by the Service Provider to its live web portal and also forwarded to DSO Administration Team on a weekly basis and uploaded into GBC's asset database.
- 9.3 All completed LGSRs will also be forwarded by the Service Provider to the Gas Consultant to be audited to ensure they are to the required standard. LGSRs found to be deficient in any way are to be returned to the Service Provider, who is required to re-attend the property if needed in order to submit a new correctly completed LGSR at no cost to GBC.
- 9.4 At the time of the Gas Safety Check the engineer will record all gas appliances installed in the property including those owned by the tenant. A visual and operational check will be carried out on tenants' own appliances including any connected flues and chimneys. All ventilation requirements and safety devices on appliances should be operating correctly. Any failure in the above will result in the engineer recording the failure and advising the tenant to employ their own Gas Safe registered engineer to complete any remedial works. The appliance will be left safe in accordance with the Gas Industry Unsafe Situations Procedure (GIUSP).
- 9.6 Gas safety inspections performed during void properties, mutual exchanges and boiler installations do not represent a replacement or a substitute record for the Annual Gas Safety Check & Service.

10. Access for Gas Safety Checks (Appendix 2)

- 10.1 The Service Provider will provide flexible appointment times to tenants to carry out a Gas Safety Check & Service including evening and Saturday appointments.
- 10.2 The Service Provider will commence the access process 8 weeks prior to the LGSR expiry date. A initial letter will include an appointment giving at least 7 days' notice and will provide them with a free phone contact number to rearrange the appointment if not convenient.
A text message confirming the appointment is also sent, with reminders at 5 day, 3 days and 24 hour intervals before all appointments. Text messages will also provide a link for tenants to access the Service Provider's website to book an alternative appointment date.
- 10.3 If access cannot be obtained at the time of the first appointment, the gas engineer will leave an abortive call card advising the tenant of a second appointment for the Gas Service allowing 7 days' notice.
The call card will also advise the tenant to contact the Service Provider within 7 days to rearrange the appointment if the time is inconvenient. The Service Provider will provide photographic evidence of the call card at the property address clearly showing the entrance door and call card before being posted through the letterbox.
- 10.4 If access cannot be obtained on the second appointment, the gas engineer will leave a second call card advising the tenant to contact the Service Provider within 7 days to arrange a new appointment. The engineer will provide photographic evidence of the call card at the property address clearly showing the entrance door and outcard before being posted through the letterbox.
- 10.5 Following the second non-access the Service Provider's Resident's Liaison Officer (RLO) will attempt to contact the tenant by telephone, email and by visiting the property over the next 7 days.
- 10.6 If access is not obtained, GBC will commence the legal process to obtain a warrant via the Magistrates Court. The Compliance Surveyor (Gas) / RLO will hand deliver a letter to the property, explaining to the tenant court action will commence unless access is given to carry out the Gas Safety Check. The letter will include information of the court date to obtain the warrant for access and the rechargeable costs for obtaining the warrant and forced entry.
- 10.7 Once a court warrant for access is obtained and access has still not been forthcoming, the Compliance Surveyor (Gas) will hand deliver letter to the property, notifying the tenant the date the warrant will be executed and forced entry obtained, to carry out the Gas Safety Check.
- 10.8 On the day of the execution of the warrant and if access has still not been forthcoming, DSO Building Management will carry out a forced entry and locks will be changed and new keys passed to the Housing Officer.
Notification will be left at the address advising the tenant the nature of the forced entry and where to collect the keys.

10.9 Vulnerable tenants will be dealt with compassionately and all avenues will be explored to gain access before any legal action is considered as a last resort. To ensure due process is followed a record of all communication will be kept which must be available for magistrates to view before granting a warrant for access.

11. Emergency and Reactive Repairs

11.1 When a tenant reports a repair by telephone call or email, the Service Provider will prioritise repairs as follows:

- **Emergency** repairs should be responded to within 2 working hours – gas leaks, fumes, uncontrollable water leaks etc. and repaired within 1 working day.
- **Urgent** repairs – within 24 working hours for total loss of heating or hot water. Vulnerable tenants – elderly and children under 5 to take priority.
- **Routine** repairs – all other repairs including partial loss of heating within 7 days (Including weekends and Bank Holidays)
- **Follow up work/ Fit Parts** – Parts to be installed within 2 working days of initial call and diagnosis.

11.2 Every engineer shall be equipped with a stock of spare parts so that reported repairs can be diagnosed and fixed first time. This requirement is irrespective of whether parts or other items are required to complete a repair. The Service Provider shall ensure that if it is not possible to rectify a problem on the first visit the tenant must be advised by the engineer when it is likely that the repair will be completed.

11.3 The Service Provider must also advise the Compliance Surveyor (Gas) on each and every occasion that a repair is not possible first time and the tenant is going to be deprived of heating and/or hot water for period in excess of 24 hours and when the work is scheduled to be completed.

11.4 Whenever a heating failure occurs and repair is not possible as detailed above, temporary heating will be supplied. This will take the form of the provision of a new electric fan or convector heater for each bedroom and reception room to include the delivery and full user instructions to the tenant. In addition they shall each be supplied with some form of surge protection device. Where temporary heating is offered and declined this shall be recorded.

12. Boiler and Heating System Upgrades

12.1 All boiler and heating installations shall be completed by the Service Provider in accordance with their Health and Safety risk assessments and method statements.

12.2 Reactive Boiler Replacement

Reactive boiler replacements will be carried out if parts are no longer available or it is uneconomical to repair. If the boiler is deemed uneconomical to repair, the Service

Provider will need to demonstrate this to the Compliance Surveyor (Gas) by supplying an appliance condition report with supporting photographic evidence to validate the claim. The Surveyor will decide on the appropriate action and whether a replacement boiler is warranted. The Service Provider will abide by any decision and any repairs must be completed within the specified timescales and aim to complete new boiler installations within 3 days of notification of a breakdown.

12.3 Planned Boiler Replacement Programme

Heating systems including boilers will be upgraded on a 15 year planned programme prioritised according to age, efficiency and reliability. Tenants are informed by letter with an accompanying leaflet on the necessity to make planned improvements and the benefits a new condensing combination boiler will bring them. Where it is determined a combination boiler is not suitable for that property an A-rated condensing system boiler will be installed and supplemented with a hot water storage vessel.

12.4 The Service Provider will provide user instruction manuals to tenants for any gas appliances installed and be shown by the gas engineer on how to use them.

12.5 The DSO Administration Team will raise orders for planned and reactive boiler installations to the Service Provider via its job scheduling system. The Service Provider will carry out a site survey and complete a schedule of rates costing sheet and both uploaded to GBC's job scheduling system for the Compliance Surveyor (Gas) to review. Once reviewed the Surveyor will authorise and release orders to the Service Provider.

11.5 The DSO Administration Team will update the GBC asset database to reflect the new installation. Information will include:

- Date of boiler installation
- Planned renewal date.
- Manufacturer and model of boiler
- Building Regulations Compliance Certificate

13. Void Properties and Mutual Exchanges

13.1 All voids will have a full Gas Safety Check and a Landlord's Gas Safety Record (LGSR) made available before a property is re-let.

13.2 When a property becomes void, the contractor carrying out the void works will carry out a check of the system (visual if gas and electric are not available) and complete a LGSR. The internal gas supply carcass will be tested for tightness and recorded on the LGSR. The gas supply will then be capped at the meter and labelled with a warning notice. A copy of the LGSR is left on site for the incoming tenant and the original passed to DSO Administration Team to be uploaded onto the job scheduling system.

13.3 The tenant will arrange an appointment with the DSO Administration Team for the gas to the property to be reconnected by the Service Provider. The Service Provider's gas engineer will carry out a gas safety inspection and a "Turn on and Test" (TOT) on all relevant appliances. An updated LGSR certificate will be produced and provided to the tenant within 28 days and also emailed to the DSO Administration Team to be uploaded onto to the job scheduling system.

- 13.4 The tenant will be instructed by the gas engineer how to operate all gas appliances and their associated controls. The new tenant will be shown where and how to operate the emergency control valve (ECV) normally located adjacent to the gas meter.
- 13.5 Anywhere a flue passes through a void space within a property, DSO Building Management will ensure that there are sufficient access panels as per legislation, and that these are fully inspected by a registered gas engineer. The gas engineer must report any flues that cannot be inspected or checked because of boxing and the subsequent access panels be installed as soon as possible.
- 13.6 All gas equipment other than boilers (including any appliance left by a previous tenant) is removed before re-letting. All gas fires left by the outgoing tenant or GBC owned will be removed and the builders opening bricked up and vented to prevent build-up of condensation building up in the chimney.
- 13.7 It is the responsibility of the new tenant to employ the services of Gas Safe registered engineer to install their own gas appliances (including cookers) and commission them in accordance with the manufacturer's installation instructions.
- 13.8 Properties purchased by GBC will have a conditional report completed by the Service Provider on the boiler and heating system whilst void. This is to ensure the existing system has been installed to all regulatory requirements, is safe, efficient and fit for purpose. Heating systems that do not meet the criteria will be upgraded by the Service Provider.
- 13.9 **Mutual exchanges** are subject to the same conditions as Voids, except the gas supply is not capped at the meter.
- Cookers that are 'gifted' to the new occupier by the previous tenant must be noted on the LGSR. The new tenant will then be responsible for safety checks and maintenance of these appliances.
 - As with Void properties all gas fires and solid fuel appliances whether the property of the outgoing tenant or GBC owned will be removed.
 - A copy of the LGSR is left on site for the incoming tenant and the original passed to DSO Administration Team to be uploaded onto the job scheduling system.

14. New Build Developments

- 14.1 Housing Development will engage with DSO Building Management at an early stage of new build projects to ensure that future maintenance requirements have been considered.
- 14.2 Housing Development will provide details of the boiler and heating specifications to the Compliance Surveyor (Gas) for each new heating installation, with operating instructions left for the tenant in every home.

14.3 New properties will be added to the gas contract by the DSO Administration in order that the properties are covered by the maintenance contract. The reconciled list is to be forwarded to the Service Provider to update the property list on their system.

15. Performance and Monitoring

15.1 Regular customer satisfaction surveys will be carried out by the Gas Consultant following the completion of a repair and data will be used to shape the service improvements in the future.

15.2 Tenants who are dissatisfied by the service provided are able to complain in accordance with GBC's complaints procedure. A copy of Gravesham Borough Councils Complaints policy and procedure is available upon request or via the GBC website.

15.3 The Service Provider's service quality and delivery will be regularly audited by the Gas Consultant to ensure their obligations and accuracy is to the legal and contractual standards.

This includes auditing:

- 100% of all Landlord Gas Safety Records (LGSRs)
- 10% of all Gas Safety Checks and Servicing
- 75% of all new Boiler and Heating upgrades

A monthly cumulative table of performance will be collated by the consultant and made available to DSO Building Management to illustrate performance.

15.4 Monthly contract meetings between DSO Building Management, the Service Provider and the Gas Consultant will form the basis of good communication and collaborative working for problem solving and striving to improve the service.

The Service Provider will provide full details of recorded key performance indicators against targets for specified servicing, maintenance and installation programmes, as stated in their contract.

Key performance indicators will provide clear indication of measuring performance and show business trends enabling DSO Building Management and the Service Provider to develop a strategy to further improve the service to our tenants.

15.5 The Service Provider will provide an effective monitoring system of Health and Safety incidents and measures to address causes during all contractual activities.

GBC's Compliance and CDM Officer will carry out random Health and Safety Inspections on a range of the Service Providers servicing, maintenance and installation work activities. Health and Safety inspection reports will be provided to be reviewed at monthly contract meetings.

16. Competencies and Training

16.1 The Asset Manager will arrange ongoing training to DSO Building Management front line staff on Gas Awareness to promote awareness of incident protocols with regards to gas escapes and carbon monoxide issues.

- 16.2 All gas engineers shall be Gas Safe registered, carry a Gas Safe ID card and have the appropriate qualifications to work on specific types of gas work. The Service Provider will provide full list of gas engineers and their qualifications working on GBC properties to the Gas Consultant and update list when required. The Gas Consultant will cross-reference the engineers qualifications with the gas work audited and monitor expiry and validity of each qualification and licence.

DRAFT

Appendix 1 – Legislation/Guidance

Health and Safety at Work Act 1974 (HASAWA)

There are two sections of the Health and Safety at Work, etc. Act 1974 particularly relevant to this policy:

- **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.”

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.

- **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 persons not in his employment, who may be affected thereby, are not thereby exposed to risks to their health or safety”

Gravesham Borough Council, in the context of this policy therefore, shall (so far as is reasonably practicable) ensure its housing stock and third parties or premises (its business activity) does not cause harm to its tenants.

Management of Health and Safety at Work Regulations 1999

In general terms, Gravesham Borough Council must:

- Assess the risk to 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 with the aim of ensuring, so far as is reasonably practicable, the health and safety at work of every employee or person so affected.
- Assess the risk of all work activities.
- Record risk assessments on their database
- For any new work activity, risk assessments should be carried out by the appropriate party but in all cases the assessments are to be held jointly and reviewed annually for any changes in legislation.
- Have a competent person to advise in respect of these regulations such as a Health and Safety Advisor.

Gas Safety (Installation and Use) Regulations 1998

The regulations place duties on gas consumers, installers, suppliers and landlords to ensure that:

- Only Gas Safe registered engineers shall work on gas installations.
- No one is permitted to use suspect gas appliances.
- Landlords are responsible, to ensure fittings, flues and installation pipe work are maintained.
- With the exception of room-sealed appliances there are restrictions on gas appliances in sleeping accommodations.
- Instantaneous gas water heaters must be room-sealed or fitted with appropriate safety devices.

HSE L56: Safety in the Installation and use of Gas Systems and Appliances

This Approved Code of Practice and guidance gives practical advice on the Gas Safety (Installation and Use) Regulations (GSIUR). It is for anyone who may have a duty under the regulations, including those who install, service, maintain or repair gas appliances and other gas fittings.

To reduce the risks associated with the use of appliances and installations:

- Gas installations will be designed and installed by qualified and competent persons in accordance with the Gas Safety (installation and use) Regulations 1998
- Gas installations are maintained in a safe condition by carrying out annual safety checks and regular maintenance
- Portable appliances are inspected and tested frequently as required
- Monitoring of gas inspection, design and installation work is carried out by competent persons
- Safety information is exchanged with contractors ensuring that they are fully aware of Health and Safety requirements
- Detailed records required by the regulations and in relation to the above are maintained.

The Gas Industry Unsafe Situations Procedure (GIUSP)

The industry agreed document which classifies unsafe gas fittings. The procedure indicates different categories of danger for defective fittings along with Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) reporting criteria. The guidelines include procedures for the repair, making safe or disconnection of defective gas fittings.

Classifications for unsafe gas fittings:

- **Immediately dangerous (ID)**, which if operated or left connected to a gas supply, is an immediate danger to life or property. To be physically disconnected, capped off and labelled 'do not use'.
- **At risk (AR)**, where one or more recognised faults exist and which, as a result, if operated, may in the future constitute a danger to life or property. To be turned off at and labelled 'do not use'.
- **Not to current standard (NCS)**, is currently operating safely but does not meet current standards. To be notified to the customer with a description of the improvements needed to meet current standards.

Gas Safe registered engineers may only turn off or isolate appliances with the customer's permission.

In addition the guidance describes situations which may be defined as:

- **Reportable (R)**, those gas fittings that should be reported under RIDDOR Reg.6 (2). The appendix is a brief summary of RIDDOR 6(2) requirements and may be copied to interested parties.
- **Not reportable**, but a matter of concern which an installer may wish to notify as a complaint to HSE, e.g. by telephone/letter.

INDG285 (rev 3): A Guide to Landlord's Duties

This document is aimed specifically at landlords and explains some of the main requirements of the Gas Safety (Installation and Use) Regulations 1998 as amended by the Gas Safety (Installation and Use) (Amendment) Regulations 2018.

Landlord and Tenant Act 1985

This includes a statutory responsibility for repairs to be carried out on gas installations in GBC properties.

- *Section 11b*
"To keep in repair and proper working order the installations in the dwelling-house for the supply of water, gas and electricity and for sanitation (including basins, sinks, baths and sanitary conveniences, but not other fixtures, fittings and appliances for making use of the supply of water, gas or electricity)".

Defective Premises Act 1972

Section 4 of the Defective Premises Act 1972 outlines a statutory duty of care to tenants and anyone who could be affected by defective equipment as defined under the Act.

Housing Act 1988

Section 16 of the Housing Act 1988 states the tenant shall afford to the landlord access to the premises for executing any repairs which the landlord is entitled to execute.

Housing Act 2004

Section 240 of the Housing Act 2004 provides a mechanism for Gravesham Borough Council to obtain a court warrant to enter premises (by force if necessary), where access has not been forthcoming to carry out a gas safety inspection.

The Corporate Manslaughter and Corporate Homicide Act 2007

Under The Corporate Manslaughter and Corporate Homicide Act 2007 companies and organisations can be found guilty of corporate manslaughter as a result of serious management failures resulting in a gross breach of a duty of care.

Appendix 2

Gas Safety Check & Service Non-Access Procedure

