



Gas Safety Policy

January 2024

Owner: Property Compliance Manager

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6.0	Health Check	11/01/2024	HoST	December 2026
5.0	Health Check	11/11/2020	ELT	September 2023
4.0	Health Check	04/05/2017	HoST	May 2020
3.0	Full review	15/10/2014	NLH Board	October 2017
2.0	Health check	02/09/2010	Operations Committee	September 2012
1.0	New policy	28/09/2009	Operations Committee	Augst 2011

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1. Our policy...

- 1.1 At Ongo, we are committed to maintaining the health & safety of our staff, tenants and other customers. Our Project and Compliance Team have been given the delegated authority to act as the Ongo Homes Gas Administrator.
- 1.2 We recognise the potential risks associated with gas used for fuel in our premises and housing stock are significant, given the risk of fire/explosion, or from carbon monoxide poisoning due to incomplete combustion arising from poor or irregular maintenance of appliances and systems.
- 1.3 In common law, we have a duty of care to our tenants, staff and customers. To this end, we will have management systems and practices in place to adequately address all foreseeable risks from the effects of gas or carbon monoxide.

2. It applies to...

- 2.1 This policy applies to all our housing stock, work premises and our commercial lets.
- 2.2 It applies to all staff and contractors undertaking gas work on our behalf and anyone likely to be put at risk from work on those properties.
- 2.3 The policy should be read in line with our Health and Safety Policy and all other relevant policy and procedure documents detailed in section 6 of this policy.

3. Because we want to...

- 3.1 The aims of this policy are to ensure:
 - Our commitment to ensuring our staff, tenants and customers are not knowingly exposed to any risks that could affect their health and/or safety.
 - We satisfy the legal duties placed on us under the Gas Safety (Installation & Use) Regulations 1998, the Health and Safety at Work Act and the Management of Health & Safety at Work Regulations.

4. We will...

- 4.1 Take all reasonable steps to make sure appropriate management systems are in place to ensure nobody is put at risk from the adverse effects of gas or carbon monoxide.
- 4.2 Make sure gas appliances and their flues are maintained in a safe condition, annual safety checks are carried out and records are kept and issued (or displayed) to tenants. We will service and check the safety of all appliances and flues, this also includes purpose provided gas installation pipework and any of the

tenants own appliances connected to their property flues in line with the Gas Safety (Installation and Use) Regulations 1998.

- 4.3 As a minimum the safety check will include, but will not be limited to, the checks detailed in Regulation 26 (9) of the Gas Safety (Installation & Use) Regulations 1998. In respect of appliances not connected to flues owned by us, a visual inspection will be undertaken for safe use.
- 4.4 Gain access to properties where there is an outstanding annual gas service. We will make initial contact with the tenant to arrange the gas service 7 weeks before the expiry of the current certificate. Following our Operational Gas Servicing Procedures, if we are unable to contact the tenant or if appointments are missed, we will gain access to the property via controlled access, involving a lock change in line with the procedure, this will be used as a last resort after all attempts at carrying out the gas service with the tenant's permission have been exhausted. All properties where gas supplies have been disconnected in this way will be subject to follow up actions to ensure neither the tenant or the property is placed at risk due to these actions.

5. Making sure we do what we say...

- 5.1 The Chief Executive is responsible for:
- The effective operation of this policy across Ongo Homes.
 - Adequate resources being made available to develop and implement appropriate procedures.
 - Enabling responsibilities to be effectively delegated.
- 5.2 The Director of Property is responsible for:
- Interface with the Executive Management Team.
 - Making sure this policy is applied across all our housing stock, premises and commercial lets.
 - Making sure gas management systems and procedures are in place, maintained, monitored and reviewed across the organisations domestic rented accommodation.
 - The implementation of the policy and to make sure sufficient resources are available to support this implementation.
- 5.3 The Head of Property is responsible for:
- The dissemination of information from the Operations Management Group.
 - The provision of information and reports to the Operations Management Group.
 - The financial provision and budget for repairs and planned maintenance.

- The final approval for tender lists.

5.4 The Head of Landlord Services and their service managers are responsible for the effective management of:

- Problematic access
- Legal injunctions
- Actioning identified vulnerability issues
- Mutual Exchange

5.5 The Senior Project Manager is responsible for:

- Reporting on performance to the Executive Management Team.
- Developing effective management information systems and establishing, monitoring and reviewing performance indicators for gas servicing and repairs.
- Developing and managing effective services, procedures and management systems, which ensure compliance with this policy.
- Leading on the procurement, management and monitoring of gas contracts.
- Communication with other services to make sure the services requirements are dealt with.

5.6 The Project and Compliance Manager is responsible for:

- The management of gas related performance and monitoring.
- Gas Safety Register (GSR) gas registration.
- The verification of contractors and operatives.
- Ensuring property and appliance lists are updated.

6. Other things to bear in mind...

6.1 The main pieces of legislation and regulation relevant to this policy include:

- The Gas Safety (Installation & Use) Regulations 1998
- Health & Safety at Work Act 1974
- Management of Health & Safety at Work Regulations 1999

More in depth information on the above can be found in Appendix 1.

6.2 This policy also links to our:

- Health & Safety Policy;
- Maintenance Policy;
- Voids Procedure; and
- Mutual Exchange Procedure

Appendix 2 shows what procedures this policy should be read in conjunction with.

7. We'll look at this again...

- 7.1 This policy will be reviewed in 3-years' time unless there are significant changes in regulation or legislation that necessitate an earlier review.

Gas Safety (Installation and Use) Regulations 1998

These regulations, supported by their Approved Code of Practice (ACOP), stipulate exactly how gas safety will be achieved. The fundamental requirements are:

- Installations, appliances and their flues shall be installed in such a way that they will be safe to use, and installations, appliances and their flues shall be maintained in a safe condition so as to prevent risk of injury to any person (in lawful occupation). This also applies to employers or self-employed persons in respect of places of work under their control.
- Appliances and flues relevant to those appliances in premises which are let, shall be checked for safety at intervals of no more than 12 months. A certificate (referred to as the Landlord's Gas Safety Record), confirming the findings must be given to the tenant or responsible occupier
- Landlords shall ensure that the work undertaken on their behalf is done by a member or and employee of the Health and Safety Executive's (HSE) "Approved Class of Persons". For the time being the approved class of person is one currently registered with the Gas Safe Register (GSR).

It is very important to note the use of the terms "shall" and "Shall ensure". Tie makes the duty absolute. It does not consider cost, technical issues, or any other considerations; it must be done. The efforts that the organisation make in this pursuit cannot absolve it from the duty, but if called to account, may (where qualified by the regulations) be used as evidence in mitigation.

In common law, the organisation also has a general duty of care in respect of its tenants, service users, and the purchasers of it's properties. To this end the organisation must have in place management systems and practices to adequately address all foreseeable risks. Management in accordance with the Gas Safety (Installation and Use) Regulations is demonstrable evidence of such.

Regulations 36 – Duties of Landlords

Regulation 36 places important duties on most landlords of domestic property to ensure that gas appliances and flues are maintained in a safe condition. Annual safety checks are carried out, and records kept and issued (or in certain cases displayed) to tenants.

To summarise Regulation 36:

The Gas Safety (Installation and Use) Regulations; Regulation 36, places 2 duties upon a landlord, those being:

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

All properties to which the duty extends have been included in the “Service and Maintenance of Domestic Gas Fired Heating Appliances Document. The contract is so detailed that appliances owned by the organisation shall be serviced and checked for gas safety at intervals of no more than 12 Months from the previously recorded Gas Safety check/service date.

Gas Safety Installation and Use Regulations, Regulation 26 (9)

Where a person performs work on a gas appliance, he shall immediately thereafter examine:

- a) the effectiveness of any flue;
- b) the supply of combustion air;
- c) its operating pressure / heat input, or where necessary both;
- d) its operation so as to ensure its safe functioning.

and forthwith to take all reasonably practicable steps to notify any defect to the responsible person, and where different, the owner of the premises in which the appliance or flue is installed, or where neither is reasonably practicable, the supplier of gas to the appliance.

Health and Safety at Work etc. Act 1974

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

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 person not in his employment who may be affected thereby, are not thereby exposed to risks to their health or safety”.

This can be interpreted to mean, the organisation shall (so far as is reasonably practicable) ensure its housing stock (its business activity) does not cause harm to its tenants (non-employees).

Section 3 (1) is clearly a very broad duty and is a section increasing in use in prosecutions.

The Management of Health and Safety at Work Regulations

APPENDIX 1 – Legislation and Regulation applicable to the Gas Safety Policy

In general terms:

- Assess the risk of 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.
- Risk assess all work activities.

Gas Safety Management Systems (Policies & Procedures)

The requirements for a robust Gas Safety Management system and Maintenance system are clearly defined in Gas Safety (Installation and Use) Regulations, the Management of Health and Safety at Work Regulations together with the Health and Safety at Work Act and other regulations made under this Act.

To safely manage these and other regulations OH will ensure the following policies/procedures are adopted across all the areas and are continuously reviewed and amended as required.

Corporate Gas Safety Policy

This document covers:

A statement from the CEO to confirm the organisation's commitment to Gas Safety, and also to demonstrate OH commitment in ensuring its employees, tenants and the general public are not knowingly exposed to any risks that would affect their safety.

Specific Contractor Instruction

The purpose of this document is to provide guidance and specific instructions for all OH employees and external contractors, whilst undertaking gas contracts. This is with the aim of satisfying the legal duties of the current (Gas Safety Installation and Use) Regulations. The work detailed within the specification may also include other aspects that will assist the OH in satisfying its duty of care to its tenants.

Gas Service Specification – Ongo Homes to Main Contractor

Gas Installation Specification –Ongo Homes to Main Contractor

Procedure for Qualifying Contractors and Operatives

This document covers:

The duties placed on OH by the Gas Safety (Installation and Use) Regulations, the organisation must ensure that OH employees, or contractors it intends to use, are suitably GSR registered and competent for the categories of work they are expected to undertake.

After completion of the evaluation a register of all OH's employee's and contractors employed on the above work will be kept on electronic file. Copies of current GSR registration, insurance certificates, operative's registration and qualifications, will be kept. Details will be checked regularly and updated annually as detailed in the procedure.

Procedure for Uniformity of Documentation

The purpose of this procedure is to provide guidance for OH employees and contractors to identify all gas safety documentation utilised by the organisation and to ensure that all documents used are and remain fit for the purpose.

It will also demonstrate that operatives have carried out the tests and checks required by the relevant Gas Safety (Installation and Use) Regulations, OH will have in place uniform documentation and paperwork that will allow positive records to be completed for confirmation and future reference. Where any tests and checks are carried out by an operative the work records will 'positively record' the information detailed in the procedure.

Unsafe Situations Procedure

The purpose of this document is to provide guidance for OH employees and contractors to follow when dealing with unsafe situations, and clarifies the organisation's interpretation of specific aspects within the Industry Unsafe Situations Procedure, as produced by CORGI (USP1).

This procedure will also ensure OH meets Regulations 34 (1) & (2 (Appendix 5)) of the Gas Safety (Installation and Use) Regulations, in ensuring the safety of its tenants in respect of gas escapes or suspected emission of products of combustion (fumes) in domestic properties.

Gas Escapes Procedure

This procedure is to ensure OH meets Regulation 34 (1 & 2) of the Gas Safety (Installation and Use) Regulations in ensuring the safety of its tenants from gas escapes or suspected emission of products of combustion (fumes) in domestic properties.

Procedure for Gaining Access

The purpose of this document is to provide guidance for all OH employees and external contractors involved in the process to follow; to demonstrate that all reasonably practicable steps to gain access to tenanted properties has been undertaken. This is with the aim of satisfying the legal duties of the current Gas Safety (Installation and Use) Regulations. Landlords have a duty to maintain all the appliances they own, as well as undertake a safety check and produce a safety record. This is to be undertaken at intervals of no more than 12 months.

The basic steps and who is responsible are detailed below:

- Planned appointment – Contractor / GCA
- Personal visits – Housing /ASB/TLO/ GCA
- Legal Options – Legal Team / GCA

OH will service and check the safety of all appliances and flues that the tenant cannot legally remove; this also includes purpose provided gas installation pipework. In respect of tenant's own appliance the organisation accepts its liabilities to the flues of the properties that tenants own appliances are connected to. In recognition of those liabilities the organisation will undertake a gas safety check on all appliances connected to their property flues.

Voids Procedure

This procedure is to be followed by OH employees and contractors to ensure that in the case of a tenant vacating a property, gas fittings/appliances are safe before the property is re-let. When a property becomes vacant OH will ensure that gas fittings/appliances are safe before the property is re-let or worked in by other trades.

On first official occupancy day of the property a full service/safety check and inspection of the installation will be undertaken and a landlord's Gas Safety Record produced and issued to OH, and a copy given to the tenant. The tenant will also be given instruction on the safe use of appliances and controls.

Mutual Exchange Procedure

This procedure is to be used as a guide for OH employees and contractors to ensure that in the case of a tenant vacating/exchanging a property that gas fittings/appliances are safe before the property is re-let.

When an application for 'Mutual Exchange' of properties has been approved, OH need to ensure that gas fittings/appliances are safe before the exchange can take place. Mutual exchanges constitute a new tenant and therefore the requirements of the Gas Safety (Installation and Use) Regulations 36 (6b) apply. A copy of the new Landlord's Gas Safety Record will be given to a new tenant before taking up occupancy.

Quality Control Procedure

The purpose of this procedure is to provide OH with a systematic approach to QC that is both efficient and effective, and the results clearly demonstrated and documented. The organisation will ensure it has QC procedures that monitor and record the quality of domestic gas work that is carried out by all gas operatives working within their domestic premises.

This procedure will also allow the organisation to demonstrate its duty to the Health and Safety at Work Act and the Management of Health and Safety at Work Act. All work carried out on gas systems and appliances by operatives will be subjected to a formal audit on standards of workmanship to ensure the specification of the tender document is being met. This will include:

- Contractors quality control
- Internal quality control

- External, independent quality control

Procedure for Storage and Retrieval of Landlords Gas Safety Records

The purpose of this document is to provide guidance for OH employees to follow when dealing with gas documentation, especially in the vetting, storage and retrieval of all Landlord Gas Safety Records. It is a legal requirement that these documents be kept for a minimum of 2 years, and a OH requirement that they are archived for a further 3 years to comply with internal policies.