

Appendix A

RUNNYMEDE

BOROUGH COUNCIL

Housing

Gas Safety Policy -

Draft

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Introduction

This is Runnymede Borough Council's (RBC) statement of general policy with respect to Gas safety in line with the Gas Safety (Installation and Use) Regulations 1998. This policy document requires compliance both with this policy and other relevant RBC policies and procedures and should be read in conjunction with them.

This policy applies to:

- RBC employees;
- Interim and temporary staff;
- Residents;
- Consultants working directly for RBC or through an agency;
- Contractors to the Council.

Contractors, consultants and others working on the organisation's premises will be expected to comply with the RBC Housing Gas Safety policy and procedures and all relevant statutory provisions, Approved Codes of Practice (ACoPs), such as ACOP L56 Safety in the installation and use of gas systems and appliances, (which gives practical advice and guidance on the Gas Safety (Installation and Use) Regulations), Gas Safety (Installation and Use) Regulations 1998 as amended, and relevant guidance. We will, wherever necessary, work with our contractors to assist them in developing Gas Safety procedures within their own organisations to help them achieve the standards required by RBC, although the responsibility for doing so remains entirely theirs.

Policy Statement

The Council is committed to providing safe and healthy working conditions for all its employees, and to providing safe premises, facilities and services for residents, visitors, contractors, and others who may be affected by its activities so far as is reasonably practical. RBC aims to achieve Gas Safety performance that not only complies with the law but is also the best in its sector. To support this aim, The Council will ensure full compliance with the requirements of the related legislation.

All employees of The Council and others who work for, and with, The Council are expected to co-operate with management to help ensure the effective implementation of this policy and all employees, consultants and contractors are regularly reminded that failure to comply with this policy by either action or inaction may result in the termination of contracts and cancellation of agreements, and may, in very serious cases, result in civil or criminal prosecution.

Legislation and Guidance

As a responsible landlord, The Council has legal responsibilities to ensure the health and safety of our tenants by keeping the property safe and free from health hazards. The Council will adhere to all relevant legislation, although not exhaustive, will include: -

- Gas Safety (Installation and Use) Regulations 1998
- The Health and Safety at Work etc Act 1974

- The Management of Health and Safety at Work Regulations 1999
- The Construction (Design and Management) Regulations 2015
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

Selection and Appointment of Contractors

Only approved competent gas contractors and engineers will be allowed to work on or install any of the RBC's gas systems and appliances. These companies and engineers must be registered on the Gas Safe Register. <https://www.gassaferegister.co.uk>

All contractors will be required to show evidence of their Gas Safe Registration and provide written confirmation of the Gas Safe Registration for individual engineers that will be working on any of the RBC's properties. Such written confirmation will also confirm which areas of gas work the individual engineers are qualified and certified to carry out.

Questionnaires will be issued to all new contractors prior to their appointment to gather the above information.

Control – Landlord responsibilities

The Council have duties as a landlord to ensure that gas appliances and flues provided for tenants' use in residential property are installed and maintained in a safe condition. The Council are required to perform an annual safety check, which must be undertaken by a Gas Safe registered engineer, on each appliance and flue.

RBC is responsible for the following: -

- Arranging for a gas safety check to be carried out any time from 10-12 months after the last check, without affecting the original check expiry date. If it is less than 10 or more than 12 months after the last check, the property will end up with a new deadline date - 12 months from the most recent check.
- Ensuring that all gas appliances (in RBC's ownership) flues and gas installation pipe work are maintained in a safe condition. This also applies to the safe fitting of gas installations in new build properties as well as the replacement of installations through planned or reactive maintenance work.
- Giving a copy of the landlord's Safety Certificate to the tenants within 28 days of the safety check.
- Ensuring that all new tenants, and mutual exchange tenant transfers, are given a copy of the Safety Certificate prior to occupation of the property.
- Ensuring that any work carried out on The Council behalf is carried out by a Gas Safe Engineer.

Gas Servicing Regime

The 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 42 days before the expiry of the last Landlord's Gas Safety Record (LGSR).

The Council expects the tenant will facilitate access to the property on the due date to enable its statutory duty to be completed.

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

No Accesses

If the tenant is not home during this service or the tenant refuses access, the Gas Servicing Contractor will make a further two attempts 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 third attempt for whatever reason, they will refer this back to The Council to commence legal proceedings to gain access to complete the gas safety check.

The Gas Servicing Contractor keeps 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 The Council. This will include records/copies of all letters, appointment cards, telephone calls etc.

The Compliance Officer will attempt to contact the tenant to arrange an appointment to carry out the gas service. If they are unable to do so, they will send the resident a letter requesting them to contact the Gas Servicing Contractor directly within 7 days. If after 7 days no appointment has been made, the Compliance Officer will forward the details to the Housing Officer to serve the tenant with a Legal Letter. This states the tenant is in breach of their Tenancy Agreement and must enable the Gas Servicing Contractor access to carry out the gas service, on the specific date and time. If access is not provided at this time, then The Council will refer this to our Legal Department to apply for a Court Injunction to compel the tenant to enable the Gas Servicing Contractor to carry out the service.

Tenant Owned Appliances

Tenants may choose to improve their homes but must seek written permission from The Council. If permission is refused, The Council will provide the tenant with a reason.

During the annual gas service, tenants' own appliances will be visually checked for safety but not serviced. If the resident's own appliance is found to be faulty, it will be isolated by the gas contractor, and the resident notified. A record is to be made of this on the LGSR, to make The Council aware.

Tenants are not permitted to replace/make alternations to The Council owned boilers. To do so would be a breach of tenant obligations under their Tenancy Agreement.

Carcasses

Carcasses will be checked on an annual basis in line with the Landlord Gas Safety Record. Tenants will permit the Gas Servicing Contractor access to the property to undertake this inspection in the same way as the gas safety checks.

Communal

Communal boilers are serviced and maintained on an annual basis. At the same time, the Landlord Gas Safety Record is completed.

Breakdown, Repairs and Maintenance

RBC has through its Gas Contractor a 24-hour, year-round, breakdown service to allow for breakdowns or malfunctions of Council owned appliances or systems.

The comprehensive service shall include the provision of all parts, component parts, pipework and other items that may be necessary to affect any repair to any Council owned appliance type or system together.

Reporting under RIDDOR

Certain gas-related incidents also need to be reported under RIDDOR. These are incidents that have caused fatal or major injuries, for example, unconsciousness or the need for hospitalisation for more than 24 hours, to gas consumers. The death or injury may be a result of either the acute symptoms of carbon monoxide poisoning or the effects of gas escapes and any associated fires or explosions.

Audit Process

RBC commissions an independent audit of gas servicing by a Gas Safe registered consultant to ensure that the quality of work meets both our statutory requirements and best practice. This will be carried out on a sample basis of completed works for domestic installations and communal boiler installations.

Confidentiality, Safeguarding and Equality Duty

Under the Data Protection Act 1998 and the Human Rights Act 1998 all personal and sensitive information, however received, is treated as confidential. Officers will ensure that they only involve other agencies and share information with the consent of the tenant or Leaseholder concerned unless required to by law, or where the information is necessary for the protection of children and/or vulnerable adults in accordance with The Council's Safeguarding policy.

The Council is committed to fulfilling its Public Sector Equality Duty.

Change of Tenancy Gas Safety Checks

A gas safety check will be carried out on the gas installation and any Council owned appliances at the start of each new tenancy.

Only approved contractors and engineers will be used.

Safety checks will be completed within the timescales set in the contract. The engineers will complete the appropriate certificate required by the regulations and contract and submit this to The Council within the contract timescales.

The timescale will only be deemed to have been met once the properly completed Safety Check Certificate is returned to The Council along with any keys issued.

The tenants' copy of the completed Safety Check Certificate will be passed to the Housing Department for issuing to the new tenant at allocation.

Properties with gas installations will not be allocated to new tenants without a current safety certificate.

Gas Appliance Register

RBC will hold a register of gas appliances. This register will detail:-

- A description of the appliance.
- The make, model and location.
- Date of installation.

When appliances are added or replaced, the Compliance Officer will update the register accordingly. Where any other section or department commissions the installation or replacement of appliances they must notify the Compliance Team of the changes to enable the register to be updated.

Responsibilities

Members are corporately responsible through the committee structure for ensuring that adequate resources are made available for The Council to meet its statutory obligations and it is the Housing Committee who must consider any reasonable request for resources needed to ensure Gas Safety in Council owned housing properties is suitable and sufficient.

The Chief Executive is deemed to be the responsible person within the organisation and is ultimately responsible for ensuring the implementation of the policy at all levels within RBC.

The Corporate Head of Housing is responsible for the provision of adequate resources to meet the requirements of the Gas Safety (Installation and Use) Regulations 1998 and any other relevant regulations and guidance within Housing by ensuring:

- i. Systems are properly assigned and accepted.
- ii. That sufficient financial resources are available for the implementation and administration of this policy and associated management systems.
- iii. That the responsibility for the implementation of and compliance with Gas Safety is relevant and in line with all current legislation and guidance.
- iv. Council policies and management system are complied with and properly assigned, understood and actioned by their staff

The Head of Housing and Technical Services is responsible for the implementation of the policy within Council owned and managed stock and the provision of adequate resources to meet the requirements of this policy. They must also ensure a coordinated approach is delivered through the servicing, maintenance and management of properties by:

- v. Ensuring that the gas safety awareness training programme for their staff is followed and suitable records retained.
- vi. Liaising with consultants, other members of staff and enforcement officers over Gas Safety matters.
- vii. Ensuring that any contractors (including contract or agency staff) taken on are competent
- viii. Ensuring that contractors are adequately assessing and managing gas in relation to maintenance, servicing, major works and improvements.

- ix. Ensuring that incidents are reported to The Council in accordance with policy and procedure.
- x. Ensuring that contractors/ consultants report all RIDDOR reportable incidents to the HSE and informing the Compliance Manager as soon as possible.
- xi. Investigating Gas Safety incidents related to activities undertaken by the contractors or consultants and providing suitable reports in line with RBC procedures.
- xii. Ensuring that contractors or consultants identify the Gas Safety training needs of their staff and fulfil them accordingly.
- xiii. Ensuring communication and co-operation with contractors or consultants as appropriate to implement this policy
- xiv. Ensuring that all employees of contractors or consultants are responsible for the reporting to their manager and or most appropriate or named person of any Gas Safety matter of a serious nature or one which may pose an immediate danger to any person, or has resulted in injury, in a timely manner.

The Technical Services Compliance Manager is responsible for the production and review of the Housing Technical Services Gas Safety Policy and is also the designated competent person to provide advice on the management of gas safety for Housing.

They area duty holder and responsible for:

- I. Ensuring that all planned maintenance activities and contractors carrying out work in any housing stock are adequately monitored and controlled.
- II. Ensuring each property is maintained and has a gas safety check carried out every 12 months, as far as is reasonably practicable.
- III. Ensuring a competent appropriately qualified independent gas auditor carries out quality monitoring of contractors who implement gas servicing, safety and repairs and provides regular reports to the Compliance Manager.
- IV. Providing advice on Gas Safety.
- V. Supporting implementation of the Housing Gas Safety Policy
- VI. Advising and developing appropriate policies and procedures to provide The Council with necessary guidance for achieving compliance with legislative requirements
- VII. Reporting to the organisation any actions relating to gas safety taken by enforcement agencies, both formal and informal, and monitoring progress made by The Council in complying with those actions.
- VIII. Monitoring gas safety incidents within Housing where staff, residents or visitors are involved.
- IX. Monitoring reporting of gas safety RIDDOR incidents to the HSE
- X. Ensuring that adequate arrangements are made to provide appropriate gas safety awareness training at all levels

- XI. Will ensure the Gas Safety Policy is kept up to date as per legislative and/or good practice changes.
- XII. Ensure all changes are communicated to all staff involved in the gas process, providing information or training where necessary.

Housing Maintenance Inspectors and staff are responsible for:

- I. Being aware of the importance of their role in the gas safety process.
- II. Ensuring they are aware of the gas safety policy and procedures and adhering to them as appropriate.
- III. Reporting any dangerous/potentially dangerous incidents relating to gas to the Compliance Manager

The Senior IRL Manager and IRL Managers are responsible for:

- i. Encouraging all their team members to be gas safety conscious.
- ii. Ensuring that the Gas Safety Policy is distributed and communicated to all members of their teams.
- iii. Supporting their staff and providing guidance on how to respond to any reported concerns to ensure they are monitored, reviewed and that appropriate action is taken.
- iv. Ensuring their staff manage their premises and equipment in a safe way.
- v. Liaising with consultants, enforcement officers and other members of staff about gas safety matters and ensuring their staff notify the Compliance Manager of any such visits.

The Head of Housing Services is responsible for the dissemination of any gas safety information relevant to property, either generic or specific, at the time of letting that property. If these responsibilities are delegated to another member of staff, then that person must be deemed competent through the completion of appropriate training or briefings.

The Gas Contractor is responsible for:

- I. Identifying any gas risks prior to undertaking any repair or maintenance.
- II. Being aware of the importance of their role in the gas safety process
- III. Following the procedures and processes to try to identify any problematic access/safety issues as soon as possible.
- IV. Appropriately and accurately record what action they have taken at each step of the process as per the procedures.
- V. Ensuring all Gas Engineers are competent and registered with Gas Safe Register and quality monitoring and training reviews are undertaken by the contractor.

The Independent Gas Auditor is responsible for:

- I. Ensuring competent and appropriately qualified independent external auditor carries out a quality monitoring work of contractors, who implement the gas servicing, safety, and repairs, and providing reports for the Compliance Manager.

Monitoring, and Review

The Head of Technical Services is responsible for the auditing the Gas Safety Policy to ensure compliance. The Technical Services Compliance Manager is responsible for the regular review and management of the delivery of the outputs resulting from the LGSRs relating to the housing stock.

The Technical Services Compliance Manager is responsible for ensuring that all 'urgent' remedial works identified through the LGSRs, or through the audit inspection processes, are completed in a timely fashion to ensure compliance.

Reviews of individual training requirements, including gas safety, will form part of the regular appraisal process. New members of staff will receive gas safety training as part of their induction, and it will be the responsibility of the relevant line manager to ensure the delivery of this is relevant to the position held.

The Technical Services Compliance Manager is responsible for ensuring all staff with premises management responsibility receive detailed and specific gas safety training. The training will include awareness of the hazards associated with gas, relevant legislation, requirements for Landlord gas safety inspections and the Gas safety policy and procedures.

This policy will be subject to periodic audits and reviewed as necessary through the authorised process to ensure that the procedures relating to Gas Safety are kept up to date and relevant. The procedures will be made accessible to all staff and to all other interested parties on request.