

# CARE HOUSING ASSOCIATION GAS SAFETY MANAGEMENT POLICY



<b>Implementation Date</b>	
<b>Created By</b>	<b>Mark Heywood (Asset &amp; Compliance Manager)</b>
<b>Last Committee Review Date</b>	<b>April 2024</b>
<b>Next Review Due</b>	<b>April 2026 (2 yearly)</b>

## 1. Objectives of the Policy

Care Housing Association (Care) is regulated by the Regulator of Social Housing (RSH) and has a statutory responsibility for gas safety management across properties they own or manage.

The objectives of this policy are:

- To ensure that Care provides a safe environment for tenants, support staff, colleagues, contractors and visitors who live in, work at or visit our properties.
- To achieve 100% gas safety compliance with Regulation 36 of the Gas Safety (Installation and Use) Regulations 1998 (L56 [Fifth Edition] 2018) to ensure that:
  - Gas appliances/flues and installation pipework are maintained in a safe condition.
  - An annual gas safety inspection of properties is undertaken where either gas is present or the potential for gas to be present exists.
  - Records of the annual gas safety inspections are kept.
- To provide clear lines of responsibilities for the management of domestic gas and carbon monoxide.

## 2. Compliance with Legal and Statutory Obligations

It is essential to Care that tenants, support staff, colleagues, contractors and visitors remain safe in the property in which they live in, work at or visit. Care accepts their responsibility to safely manage gas installations and understands that failure to do so could result in:

- Risk of harm to tenants, support staff, colleagues, contractors and visitors.
- Prosecution by the Health & Safety Executive under the Health & Safety at Work Act 1974.
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007.
- RSH serious detriment judgement.
- Reputational damage.
- Loss of confidence by stakeholders in the organisation.

This policy operates within the context of regulatory legal frameworks as follows:

- Health & Safety at Work Act 1974
- Gas Safety (Installation and Use) Regulations 1998 (and amendments)
- The Gas Act 1995.
- Gas Appliances (Safety) Regulations 1995
- The Building Regulations 2010 (and amendments)

- Pipelines Safety Regulations 1996
- Management of Health & Safety at Work Regulations (1999)
- Workplace (Health, Safety & Welfare) Regulations 1992
- Provision and Use of Work Equipment Regulations 1998
- Dangerous Substances and Explosive Atmospheres Regulations 2002
- Hazardous Waste Regulations 2005
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (2013)
- Construction Design and Management Regulations 2015
- Approved Codes of Practice (ACoP) (Health and Safety Commission)
  - ACoP Safety in the installation and use of gas systems and appliances L56
  - ACoP Landlords: A guide to landlords' duties Gas Safety (Installation and Use) Regulations 1998 – INDG285
  - ACoP Gas appliances: get them checked, keep them safe – INDG238
- The Social Housing (Regulation) Act 2023 – Safety and Quality Standard

### 3. Scope

This policy relates to all properties, offices and communal areas owned or managed by Care unless other parties are explicitly specified for statutory responsibility in the lease or management agreement.

### 4. Policy Detail

Care must ensure that annual gas safety inspections are carried out before the expiration of the current Landlord's Gas Safety Record (LGSR). Contractors must follow Care's Health & Safety Compliance – Access Process (Appendix 1) and work with Care, third party support providers, managing agents and tenants as applicable.

All gas appliances installed or managed by Care will be repaired and maintained to 'approved standards' and annually serviced in line with the manufacturer's recommendations at the time of annual gas safety inspection. The annual gas safety inspection will include an inspection of all carbon monoxide detectors present to ensure they are functioning correctly.

#### 4.1 Non-Care Gas Appliances

The repair and maintenance of any unauthorised gas appliance installed by a tenant, third party support provider or other party will be the responsibility of that party. However, during the annual gas safety inspection a visual inspection of non-Care gas appliances will be undertaken, with the results recorded on the LGSR. Where any non-Care gas appliances are found to be immediately dangerous, they will be disconnected or isolated by appointed gas contractors. If a void property due to be relet is found to have any additional gas appliances installed these will be assessed and either removed or serviced with the responsibility for repair and maintenance passing to Care.

#### 4.2 Domestic Gas and Carbon Monoxide Safety Commitments

- Gas safety inspections are carried out no more than 8 weeks in advance of the anniversary date but before the anniversary date.
- All gas work (including safety inspections, responsive repairs and replacement of boilers or other gas appliances) is only undertaken by competent engineers that are accredited with Gas Safe.

- Ensure at least one carbon monoxide (CO) detector is installed at every room of the property where a gas appliance, other than a gas oven or hob, is installed. The CO detector is to be tested annually as part of the gas safety inspection.
- To keep up to date, accurate, accessible records of gas service and maintenance visits.

## **5. Record Keeping**

- A record of whether a landlord's gas safety check is required will be kept in the Compliance Assets Master Tracker.
- A copy of the LGSR will be forwarded to each tenant at the property within 28 days of the test.
- Care will check the LGSR, the details of which will be recorded in the Compliance Assets Master Tracker and a copy saved on Care's shared drive.
- The gas contractor will provide an electronic copy of any responsive repairs visit record sheet which is to be checked and saved on Care's shared drive.
- Care will keep a record of the LGSR on file for a minimum of two years, or until a further two gas safety checks have been done.

## **6. Equality and Diversity**

Care is committed to respecting diversity in all aspects of our work and we will not tolerate any form of discrimination. We will proactively assess available data to help ensure access so safety tests can be completed on the first attempt.

Where we are made aware of or identify customers with specific needs, we will be proactive in targeting our communication and support appropriately and consider any specific needs individually.

## **7. Monitoring and review**

Gas safety is a high-risk area and this policy will be reviewed every 2 years, or as necessary in line with updates to legislation or guidelines.

Care's Board will act as Duty Holder and will receive regular reports on performance in line with this policy. The Board are responsible for ensuring compliance and that any necessary remedial actions are undertaken.

Care's CEO will act as the 'Responsible Person', retaining overall responsibility for the monitoring of and the consistent implementation of this policy and ensuring that any necessary remedial actions are undertaken and that sufficient resources are in place.

Care's Asset and Compliance Manager will produce a monthly compliance report. Housing Officers will provide tenants with a copy of the current LGSR at tenancy sign up and monitor that a current copy is kept at each property.

**Appendix 1 – Health & Safety Compliance – Access Process**

