



Cloch Housing Association

Gas Maintenance Policy

Policy Name	Gas Maintenance
Policy Category	PS
Version	5
Policy Number	025
Approved by	Board or H&PS Sub-Committee
Responsibility of	Property Services
Date Adopted	April 2011
Last Review	November 2021
This Review	29 October 2024
Next Review	October 2027
Equalities Impact Assessment Required	No
Link to other policies	Void Management, Reactive Repairs, Complaints, Procurement, Asbestos Management and Condensation, Mould & Damp.
Consultation	Yes – External by Scottish Housing Safety Network.
Need for Procedure	Yes in place

1.0 DEFINITION

- 1.1 Gas and other fossil fuel burning appliances have associated risks if they are not safety checked and maintained appropriately. As an employer and registered social landlord, Cloch Housing have a statutory duty to ensure the safety, health and wellbeing of all staff, tenants, contractors and visitors to all buildings owned and managed by Cloch Housing. We also have duties as a landlord to ensure all gas systems including pipework, flues and appliances are annually safety checked and maintained appropriately by a Gas Safe registered competent engineer. Failure to carry out our duties could lead to gas installations becoming unsafe and lead to injury, ill health, loss of life, fire, explosion and CO poisoning. We will therefore ensure we understand our legal duties and have in place suitable and sufficient management arrangements to ensure we comply and remain compliant.

2.0 AIMS AND OBJECTIVES

- 2.1 The Gas Maintenance policy outlines how the Association will manage the legislative responsibility to ensure that all gas appliances within its properties and owned by Cloch Housing Association will be maintained and serviced in accordance with all relevant legislation. This includes the following:
- Carrying out an annual safety check to 100% of all gas fittings and flues.
 - All void properties will be subject to a safety inspection prior to being re-let.
 - A tightness test will be carried as part of Landlords Gas Safety Record.
 - A service will be carried out as part of the Landlords Gas Safety Record annually to comply with the requirement of Regulation 36 of GSIUR.
 - We will also ensure that reactive repairs as reported by tenants will be attended to by a nominated contractor.
 - At Risk and Immediately Dangerous Defects will be rectified in accordance with GSIUR.

3.0 RISK MANAGEMENT

- 3.1 A written and detailed Gas Maintenance Policy and Procedure ensures that the Association is able to provide a uniformed and professional approach in ensuring that the service delivered is compliant with our legal responsibilities, best practice and internal policy.

- 3.2 The risk associated with a failure to comply with Gas Safety Regulations has also been identified in our Risk Management Strategy which is in place and outlines how this risk is measured and actions which are in place to mitigate this risk.

4.0 LEGISLATION AND REGULATION

- 4.1 The legislation governing the issue of gas safety is the “Gas Safety (Installation and Use) Regulations 1998”. This current legislation was subsequently amended in 2018 and placed certain duties on installers, landlords and some gas suppliers. These regulations aim to prevent injury to consumers and the public from either carbon monoxide (CO) poisoning or fire/explosion.
- 4.2 The main change to the GSIUR as amended which are relevant to the Association is the clause to *“introduce a degree of flexibility to the timing of landlords’ annual gas safety checks. This change means that landlords can carry out the annual gas safety check in the two months before the due date and retain the existing expiry date. This avoids landlords waiting until the last minute and not gaining access or having to shorten the annual cycle check to comply with the law. There is no change to the legal requirement for an annual gas safety check or for maintenance to be carried out.”* Cloch Housing Association does not adopt the MOT type servicing frequency option mentioned in regulation 36A.
- 4.3 As a landlord we have a duty to ensure that the gas appliances and flues provided for our tenants’ use are maintained in a safe condition at all times and are inspected for safety at a period no later than 12 months from the previous inspection. This must be carried out by a ‘Gas Safe’ registered engineer. We must also ensure that a safety check and service is carried out to an appliance in a void property prior to re-let.
- 4.4 Our contractor is obligated to provide a copy of the certificate of inspection for the tenant within 28 days. The record must be kept until two further records have been received. Failure to comply with the legislation is an offence, unless we can show that we have taken “reasonable steps” to prevent that contravention.
- 4.5 The Scottish Secure Tenancy Agreement which is provided by Cloch Housing Association and signed by all tenants, incorporates section 5.11 which states as follows;

We have the right to come into your house to inspect it and its fixtures and fittings or carry out repairs to it, or adjoining property, during reasonable times

of the day. We will give you at least 24 hours' notice in writing except in the case of an emergency. We have the right of access to your house in order to lay wires, cables and pipes for the purposes of telecommunications, water, gas and electricity, providing we give you reasonable notice in writing. We have the right of access to the common parts at any reasonable time. If you refuse us entry, we will have the right to make forcible entry provided we have given you every reasonable opportunity to let us in voluntarily. If we have to make forcible entry, in this situation, you are liable for the costs of any damage reasonably caused. In an emergency, we have the right to make forcible entry to your house without notice.

4.6 The policy will comply with a wide range of legislative and regulatory requirements including:

- Health and Safety At Work Act 1974.
- Gas Safety Installation and Use Regulations 1998 (GSIUR) as amended.
- Gas Safety (Management) Regulations 1996.
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR 2013).
- Safety in the Installation and Use of Gas Systems and Appliances.
- Equalities Act 2010.

5.0 GOVERNANCE

5.1 CHA Board are provided with assurance that Cloch are managing, monitoring and reporting on all aspects of managing gas safety. This includes contractor management, reports to Director of Property & Assets, quarterly reports to Housing & Property Services Sub Committee, reporting on business plan KPI's and reporting to the Scottish Housing Regulator via the ARC submission.

6.0 ANNUAL SERVICING AND REPAIRS CONTRACT

6.1 Cloch will ensure that a contract will be procured in accordance with our Procurement Policy and that we will award the contract to a competent and experienced contractor who has demonstrated their ability to carry out the annual servicing, void safety checks and reactive repairs to our gas appliances and flues. This contractor must be enrolled on the "Gas Safe Register" and will have a proven track record in carrying out this work. The contractor gas registration certificate must be provided either through their "on-line portal" or on hard copy at the point of renewal.

6.2 The contractor will be required to provide the names and qualifications of the operatives who will work on the contract. This should be supplied by the contractor either through their "on-line portal" or hard copies where this option

is not available. Any operative whose qualifications have not been copied to the Association will not be permitted to work on the Association's gas appliances. This registration for each operative is renewed annually with details being provided to the Association for recording and monitoring.

- 6.3 The Scottish Housing Regulator expects the Association to meet its legal duties in relation to checking the safety of gas appliances in 100% of our properties within any 12-month period. The main obstacles to achieving this is where tenants fail to consistently provide access. Section 5 explains in more detail how we will ensure that we comply with our policy and procedures in our attempts to gain access. It is also felt good practice to schedule our annual inspection period to 10-month cycles for each appliance within our contract to ensure that we maximise the opportunity of carrying out 100% servicing, at least within the 12-month legislative period.
- 6.4 In addition to the checking and inspecting of gas appliances, the contractor will also detail and test the connected smoke and heat detectors and also the CO detector. Where any detectors fail to operate then they will be replaced. The test information will be recorded on the Landlord Gas Safety Record certificate which is the landlords' annual service inspection record.
- 6.5 Although only a void safety check is required when properties are empty, our contractor will carry out a full safety check and service. This will then supersede the future planned service date.
- 6.6 While attempts will be made to service all appliances, there are occasions when there is no gas present in the property due to meter debt or non-use. In these cases when the engineer attends to carry out the service the meter will be capped to ensure that should the gas be connected again, then the contractor will need to remove the cap; and carry out the required safety checks on all gas appliances. This will be detailed on a Landlord Gas Safety Record.

7.0 ACCESS TO PROPERTIES

- 7.1 The Associations procedure on Gas Maintenance details the steps involved in engaging and communicating with tenants both by the contractor and the landlord in a bid to gain access to service the gas appliances. The monitoring of tenants who fail to provide access will be managed by the Property Services Assistants who will implement the various stages relating to no-access. These include making telephone calls and sending reminders to tenants where access is denied. Ultimately where access has not been successful a decision will be taken to force access to the tenants' home. This is carried out in accordance with the section referred to at 4.5 (extract from our Scottish Secure Tenancy) of this Policy document.
- 7.2 Forcing access should be considered as the last resort by the Association and will follow hand delivered correspondence advising that it will take place. Arrangements for forcing access will ensure that two staff from the Association

is in attendance, as well as the Gas Engineer and a Joiner. Police attendance will be requested if there are any known safety concerns. The Association will reinstate the security of the property, change locks where required and leave notification of what has taken place. A note will be placed on the door advising the tenant that dependant on office hours the keys will be left either at the Associations offices or the local Police Station. All attributable costs will be pursued and recovered through the recoverable repairs procedure.

- 7.3 Cloch recognises that low income and other financial pressures may contribute to “fuel poverty” which can cause tenants not to heat their home, and also be unable to keep their credit meters topped up to allow the engineer to carry out the safety check. We have amended our no-access process to try and identify these tenants and provide financial energy assistance by referring them to the Energy Activators service.

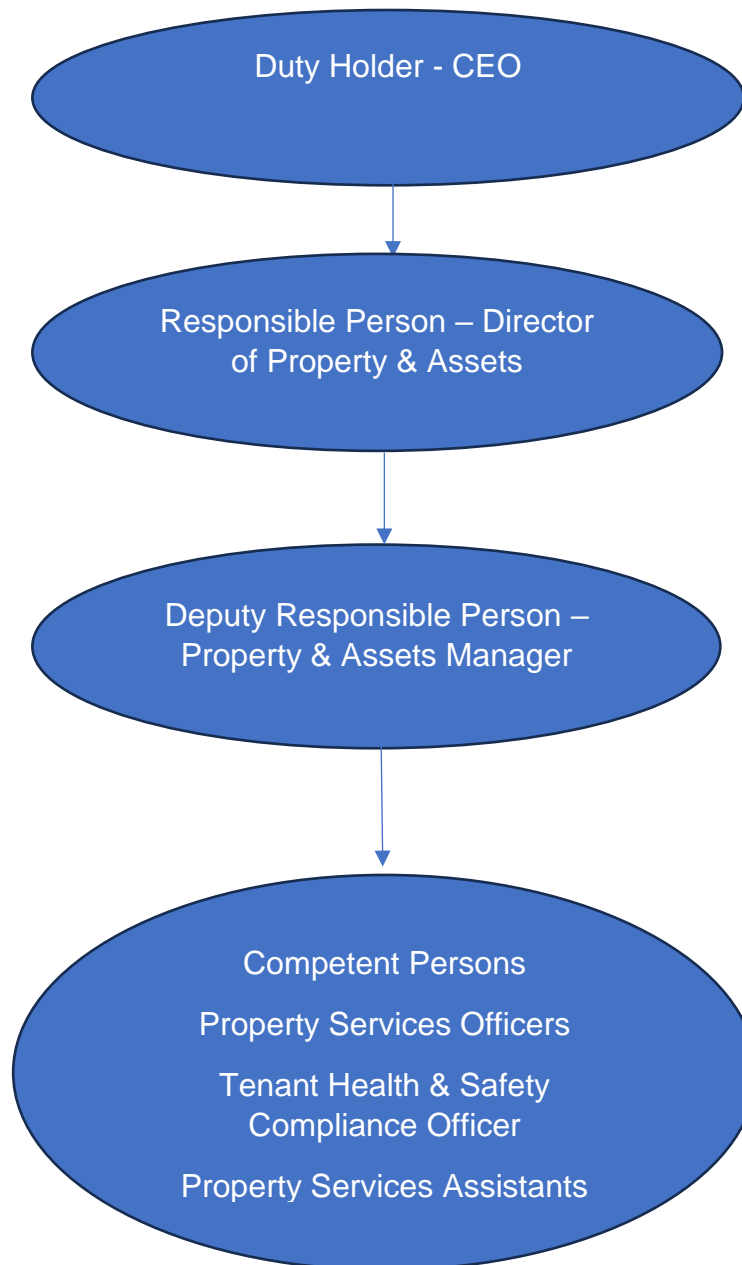
8.0 KEY PERFORMANCE INDICATORS AND REACTIVE TIMESCALES

- 8.1 The Key Performance Indicators (KPI`s) relate to our current Gas Servicing and Maintenance Contract, including our response times. These are combined with the results for all reactive maintenance repairs.

9.0 MONITORING AND REPORTING

- 9.1 Property Services will monitor on a daily basis our gas contractor in terms of their performance against target for both reactive repairs and servicing. They will also ensure that all relevant certificated documentation is received in accordance with the contract. The Property Services Assistant will also update our planned maintenance module with the completion date for the service at each property.
- 9.2 The Association will hold monthly meetings with the Gas Contractor to review and report on performance and discuss any operational or contractual issues. The meeting will be documented to ensure that all aspects of performance and agreed areas for improvement are actioned.
- 9.3 The contractor will provide monthly performance reports on servicing and reactive repairs completions. The Association will also undertake an independent audit and appoint a qualified organisation to visit a 10% sample of properties every month to check that the servicing was carried out as required and that the gas appliance complies with current regulations. They will also carry out a compliance check of the Landlord Gas Safety Record. This report will be provided to the Association. Any issues or notes of concern will be made known to the contractor for comment and improvement.
- 9.4 The performance of the contractor will be included in the contractor performance report against targets to the Housing and Property Services Sub Committee.

10.0 ROLES AND RESPONSIBILITIES



10.1 More information relating to the roles and responsibilities is detailed within the management procedure.

11.0 TRAINING

- 11.1 It is important that staff who deal with the management of gas safety have training that is fit for purpose, up to date and carried out frequently or when new staff are employed.
- 11.2 Training records are kept by the Association, including the frequency for refresher training. This is jointly overseen by the Tenant Health and Safety Compliance Officer and Corporate Services.

12.0 COMPLAINTS

- 12.1 Tenants who feel that they have received an unsatisfactory level of service either from Cloch or the contractor will have their complaint handled in accordance with our existing complaints handling policy.

13.0 EQUALITIES COMMITMENT

- 13.1 Cloch Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.
- 13.2 Cloch seek to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.

14.0 REVIEW

- 14.1 This policy, procedure and tenant information will be reviewed every three years or, should there be any changes in legislation, guidance or good practice, then this policy will be reviewed sooner.

15.0 RECOMMENDATION

- 15.1 Committee are asked to review and approve this policy.