



Gas Safety Policy

A.9 APPENDIX A

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1. Statement of Intent

Tendring District Council aims to ensure that all gas systems within council properties are properly managed and operate safely. All new installations, maintenance and safety checks are carried out in accordance with our duties as landlords as required by the Gas Safety (Installation and Use) Regulations 1998 and the Gas Safety (Installation and Use) (Amendment) Regulations 2018.

This policy is intended to focus on housing stock owned by TDC, but will also set policy in relation to other buildings including, offices, depots and other corporate buildings.

This policy will cover the following works:

- New or Replacement Gas Installations and Gas Heating.
- Landlords Annual Gas Safety Inspection.
- Gas Servicing.
- Gas Repairs and Maintenance Work.
- Empty Property Gas Safety Checks.

The Council is committed to sustainable development and will identify sustainability aims and principles when implementing this policy. This will include, wherever possible, the use of sustainable materials, products and specifications, which will maintain properties to a high standard of energy efficiency.

2. Definitions

New or Replacement Gas Installations and Gas Heating includes the fitting of gas installations in new build properties as well as the replacement of installations through planned or reactive maintenance work. Gas installations cover gas central heating, gas fires, gas cookers, ovens or hobs as well as gas supply pipe work to feed potential future gas appliances.

Landlord's Annual Gas Safety Inspection is the annual check required by the Gas Safety Regulations on all gas installations. In addition to the safety check, an annual service on all gas appliances that are the Council's responsibility will be carried out.

Gas Repairs and Maintenance Work are the essential day-to-day repairs that are categorised as either emergency, urgent or routine that cannot be left to the next cycle of programmed or planned maintenance, without posing a threat to the safety or health of the tenant, the property or the landlord's repairing obligations. Day-to-day repairs are reactive repairs mostly reported by tenants or those that arise from re-lets and inspections carried out by Tendring District Council.

Change of Tenancy Gas Safety Checks are checks carried out before the start of a new tenancy either at a change of tenancy or a mutual exchange.

Emergency Repairs covers any situation where works are required to make a property safe, where there is a safety risk to the tenant or members of the public.

Urgent Repairs are works that are not classed as emergencies but which would cause a high degree of unavoidable inconvenience to the tenant but where there is no immediate threat to health, safety or the security of the property. This includes a significant loss of heat or hot water or water leaks from the system that could damage the occupant's property or property belonging to the Council.

Where action can be undertaken by the Council or by the tenant in the short term to remove or reduce the major inconvenience, that action will be done and further repair would then be re-categorised as a routine repair.

Routine Repairs are works identified as not being urgent and not causing any immediate danger to the tenant or the public but which do have a significant effect on heating or hot water output.

Defects are faults occurring with a new building or a major repair or renovation project within the defect's liability period of the completed project. This period is 1 year but for smaller projects may be less. These faults are due to material failures, workmanship issues, or other issues within the control of the contractor or developer and so must be put right by them at no additional cost. The full definition of a defect will be found in the conditions of contract for the relevant project.

Gas Safe Registration – Gas Safe Registration or such other registration scheme approved by the Health & Safety Executive for the purposes of showing appropriate qualification and competence under The Gas Safety (Installation and Use) Regulations.

Contractor refers to all external contractors who carry out gas safety checks, servicing, repairs, and maintenance work.

3. General Principles

- To ensure all gas installations and appliances are operated and maintained in a safe and useable condition.
- To provide a prompt, efficient and effective service which is also sympathetic to the customer's needs.
- To ensure compliance with all relevant legislation and regulations and to ensure gas installations and appliances are maintained in accordance with the landlord responsibilities set out in the tenancy agreements.
- To clearly define the levels and standards of service for the installation and maintenance of gas systems and appliances.
- To ensure that the works carried out pursuant to this policy are undertaken safely, effectively, and efficiently, in compliance with recognised good practice.
- To have in place an effective monitoring system of both staff and contractors' performance considering tenant and resident feedback.
- To exercise tenant and resident consultation, encouraging them to monitor the service and provide constructive feedback.
- To have appropriate procedures in place to ensure the aims of this policy are implemented.

4. Legal Framework

The Gas Safety (Installation and Use) Regulations set out the requirements for landlords to inspect and service gas installations on an annual basis and to only allow qualified and approved gas engineers to work on any gas appliances or installations. These sit within the wider context of the Health & Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. Under the terms of this legislation, the landlords' specific responsibilities are:

- To ensure that all gas appliances (in the Council's ownership or adopted by it), flues and gas installation pipe work are maintained in a safe condition.
- To ensure that all relevant gas fittings receive a safety check at least every 12 months
- To keep all records for a minimum of two years.
- To ensure that any gas related work carried out on the landlord's behalf is carried out by a Gas Safe registered engineer.

5. Selection and Appointment of Contractors

Only qualified and competent gas contractors and engineers will be allowed to work on or install gas systems and appliances. These companies and engineers must be registered on the Gas Safe Register.

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 gas systems. Such written confirmation will also confirm which areas of gas work the individual engineers are qualified and certified to carry out.

6. New or Replacement Gas Installations and Heating

The Council will ensure that a completion/commissioning certificate is received for each property prior to handover signed by an approved engineer. The certification must confirm that the installation has been-

- Installed as per the manufacturer's instruction and in accordance with the Gas Safety (Installation & Use) Regulations 1998.
- Installed by a competent person.
- The system has been fully commissioned in accordance with the manufacturers requirements.
- Rust inhibitor of suitable concentration has been added to the system.
- That the following checks have been carried out and recorded: -
 - The effectiveness of any flue.
 - The adequate supply of combustion air.
 - The operating pressure and/or heat input.
 - That it is operating safely.

7. Landlords Annual Gas Safety Check

Annual safety checks must be carried out on all appliances at least every 12 months to comply with the current legislation. To ensure this is complied with the Council works on a 10-month cycle for safety checks where the process to carry out the next safety check will be started 10 months after the date of the previous one. The Council will follow a robust non-access procedure that will ensure that the safety check will be completed within the required 12-month period.

The non-access procedure will allow up to three attempted appointments/visits to be made to each property by the appointed contractor to carry out the safety check and service.

If access is not provided on the or by the third visit the gas supply will be isolated and capped if the meter is external. For properties with internal meters, entry will be obtained under powers of entry these allow us to enter the property giving 24hours notice.

If tenants stop an officer/contractor from gaining access under powers of entry in the Council will take legal action including, where appropriate, obtaining a warrant to enter from the courts to allow forced entry in to allow the safety check and service or isolation to proceed.

If access is gained on the third visit but no live gas or electric supply is available due to lack of credit in the meter or for any other reason the gas supply will be isolated and capped to make it safe.

Once credit is obtained, the tenant will be required to contact the Council to have the gas uncapped and the safety check and service completed before they will be able to use the gas system in the property.

Where tenants are identified as being vulnerable, additional measures will be considered depending on the circumstances. This may include offering the use of temporary heaters for a reasonable period after the gas supply is capped to allow the safety check to be carried out.

The appointed contractors will provide a programme at least two months before service visits are due which will be checked to ensure it complies with the policy and procedure timescales and includes all appropriate properties.

The appointed contractor will ensure that a qualified and approved engineer carries out all gas safety checks in accordance with the current regulations at the time being. On completion the engineer will issue a Safety Check Certificate. The certificate will record the required statutory information and any additional information required under the contract. This will be issued to Tendring District Council and a copy left in the property for the tenant.

In accordance with The Gas Safety (Installation and Use) (Amendment) Regulations 2018, if the new check was carried within the two months 2 months before the expiry

of the current one, the new safety check certificate will be dated as having been done on the anniversary date of that current certificate.

On receipt, all Safety Check Certificates will be checked for accuracy by the Council and will be inputted electronically onto the Council's asset management system (Lifespan) and will be retained for a minimum of 2 years from the date of the check.

8. Gas Repairs and Maintenance

The appointed contractor will run a call handling service to deal with all daytime and out of hour's repairs calls made directly by tenants or through the Council's staff.

All day-to-day repairs required to gas installations or heating systems up to but not including complete replacement of systems or appliances will be categorised into one of the following four categories. For emergencies and urgent categories, the timescale is from the time of reporting the repair. For all other categories the timescales are from the first working day after the repair is reported.

- Emergency - Attend within 4 hrs and repair or make safe.
- Urgent – Same Working Day for all calls received before 8pm.
- Routine 2 – 10 Working Days for Non-Urgent Repairs or situations where parts or materials cannot be obtained.

In accordance with the Council's approach to continuous improvement, the above response times will be reviewed on a regular basis.

The type of work required will determine the category into which a repair is categorised as well as the effect the problem is having on the occupants and the property as defined.

Delays and exemptions to the above timescales may occur in circumstances out of the Council's control or the control of its contractors. This could be due to extreme weather or non-availability of parts and materials, or where the extent of the work is so large that the timescale cannot realistically be achieved. In such cases the response time will be extended to allow for these events. Any tenants affected will be notified of any delays or extensions to target timescales as soon as possible and wherever possible or necessary alternative measures or heating provided.

Flexibility may also be introduced in respect of the above categorisation of work or timescales, particularly in the case of vulnerable tenants with particular needs. In such cases repairs may be classified with a more urgent timescale or the target timescales for the particular repair may be reduced. The decision to apply this flexibility will be at the Council's discretion.

For routine repairs where the nature of the repair cannot be ascertained from the information available or where other factors require it, a pre-inspection will be carried out before the repair work can be instructed. If this is required, then the target

timescale for the work will be extended by the time needed to carry out the pre-inspection.

9. Change of Tenancy Gas Safety Checks

A gas safety check will be carried out on the gas installation and any appliances owned by the Council prior to the start of each new tenancy. Gas Safety checks will be completed to empty properties promptly in order to minimise the empty period. Other Gas 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. The Council will check and retain certificates in the same way as Annual /Gas Safety Checks.

The timescale will only be deemed to have been met once the properly completed Safety Check Certificate is received, along with the return of 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 without a new gas safety certificate.

10. Gas Appliance Register

The Council will hold a central register, within its lifespans system, of gas appliances and service/safety check information. This will detail: -

- A description of the appliance.
- The make, model and where possible the location.
- The date of installation.
- The date of the current safety check.

When appliances are added or replaced the records will be updated accordingly by the Council's Data and Compliance Officer.

11. Quality Control

Under the Council's gas servicing and maintenance contract, it is a requirement of the appointed contractors to carry out in-house quality control inspections on a percentage of the work carried out by them under the contract.

The contractors will be required quarterly produce details of the quality control inspections carried out to allow the Council to monitor that the checks are being done and that any issues identified are being dealt with appropriately. In addition to the contractors' in-house quality control, it is the intention of the Council to appoint a qualified gas quality control assessor to do an audit of at least 10% of all work carried out by the contractors.

These third-party inspections will cover landlords' annual safety checks but will also include an element of reactive repair work and replacement installations. The third-party quality control audit will be done on a yearly basis or sooner if negative feedback is received from tenants and officers and the results of these inspections,

together with any recommendations that are made, will be passed to the gas contractor involved. Where necessary feedback will be obtained from the contractor on any improvement measures necessary to address any failings or shortcomings identified by the audit.

12. Complaints

If there are any complaints from tenants or any others affected by work covered by the Gas Safety Policy, tenants are encouraged to raise concerns direct with engineers while on site. Where this is not possible the Council's staff will deal with complaints and concerns raised and where this is unsuccessful a formal complaint can be made in accordance with the Council's Complaints Policy.

13. Monitoring

The contractor will advise weekly on all properties where safety checks were completed, or access was not allowed.

The Data and Compliance Officer will generate monthly management reports to monitor the annual gas safety check programme, the non-access procedure and the contractors' performance in relation to the agreed programme. These reports will monitor the following: -

- Number of Safety Checks due and completed by the anniversary date
- Number of properties at the second or third visit stage
- Number of properties passed for legal action
- Number of properties capped
- Contractors' performance in relation to the agreed annual safety check programme
- Contractor's performance in relation to the timescales achieved for arranging second and third visits where required
- The Building and Development Manager will consider Weekly and monthly reports and give instruction on measures to maintain compliance.

Annual Performance reports will be run on asset management system (Lifespan) to evidence the percentage of properties that have an up to date certificate.

13. Policy Review

This policy will be reviewed three years from the date of implementation, latest review date, or if there is any change in legislation, which will be the date the policy is approved by the Council's Cabinet, or earlier if deemed appropriate. In reviewing the policy, feedback from customers about their satisfaction with the quality and effectiveness of the servicing and repairs service will be considered.