



Gas Compliance & Servicing Policy

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Introduction

Aim:

This policy sets out:

1. how Solihull Community Housing (SCH) will minimise the risk to and protect the health and wellbeing of residents, visitors, contractors and staff from unsafe fixed gas installations and portable appliances (where applicable).
2. how SCH will comply with the legal duties implied upon landlords; and
3. a working framework for staff and Board Members which details their individual responsibilities.

Scope:

This policy sets out SCH's responsibilities to comply with the relevant legislation governing the maintenance and use of gas systems (including gas fittings, appliances and flues) in residential properties managed by SCH.

Landlords are responsible for carrying out an annual gas safety check of gas installations in their properties and providing evidence of this by issuing a Landlords Gas Safety Record (LGSR)

This document relates to all properties owned, occupied, or operated by SCH in its capacity as an Arm's Length Management Organisation (ALMO) on behalf of Solihull Metropolitan Borough Council (SMBC).

A gas installation is made up of all the fixed gas pipe work and fittings and equipment that is supplied beyond the gas meter of a property. It includes the pipework that are usually hidden in the fabric of the building (walls, floors, and ceilings), accessories (valves, fittings).

This policy covers the repair, upgrading, testing and inspection of all gas installations.

The policy also covers any gas equipment, appliance or portable equipment owned by the organisation as defined within L56 and as detailed within the In-Service Inspection and Testing of Gas Equipment Guidance, but this does not cover those owned by tenants.

[Link to Corporate Objectives](#)

This policy answers to the following strategic aim:

'Ensuring our homes and customers are safe'.

Policy Statement

Installations in SCH's owned or managed properties will be installed, maintained, and serviced to the current legislation, standards and approved codes of practice, and inspected at appropriate intervals to minimise the risk of gas leak or failure leading to a dangerous situation, fire, damage to property, injury and/or death.

All SCH properties will be tested at least every 12 months, or more frequently should a risk-based analysis determine, allowing the property to conform to current regulations and guidelines

(or on the date recommended by the Competent Person undertaking the previous test). However, where there has been minor, or other gas work, carried out at a property in between the last know gas safety check test carried out, and the next periodic test a new gas safety test must be carried out to allow the property to be compliant. Each inspection/test will result in the creation of a Landlord's Gas Safety Record (LGSR) as recommended by the Code of Practice for the Gas Installation & Use act 1998/2018 in Social Housing for all property types.

SCH will provide the tenant with a copy of the LGSR certificate within 28 days of a test.

A regular gas safety inspection programme will be managed through a live database – a register which records all data with relevant certificates and other documents held within a property specific file in the designated document storage repository. The register automatically flags when servicing and inspections are due and produces monitoring and performance reports. It also provides confirmation that the LGSR was satisfactory or appropriate remedial works undertaken, the date of last test and the date of next test (as recommended by the Competent Person undertaking the test).

A copy of the most current gas certificate will be made available to the test engineer before the inspection.

All appointed gas contractors will be Gas Safe registered. SCH will maintain a record of the qualification dates of individuals carrying out gas safety checks. Orders will not be created unless the qualifications are current.

Roles and Responsibilities

Chief Executive (Duty Holder)

The Chief Executive has the overall responsibility for the implementation of this policy. The key responsibilities are to ensure the organisation has sufficient resources and systems in place to achieve and maintain statutory compliance, including but not limited to:

- Ensuring adequate processes and procedures are in place to manage gas safety.
- Ensuring sufficient information instruction and training is carried out.
- Monitoring the performance of staff and contractors.
- Ensuring that members of the public, staff and contractors are not unnecessarily exposed to risk.

Although overall responsibility for Health & Safety in the workplace rests with the Chief Executive, management responsibilities will be delegated through the Organisational Structure. Executive Directors, Heads of Service, Senior Managers, Line Managers and Staff at all levels of the organisation are therefore responsible for Health & Safety at Work, though the extent of this responsibility varies according to the individual's position in the organisation.

Executive Directors

Executive Directors will assist and deputise for the Chief Executive and are responsible for the overall effectiveness of the Gas Compliance and Safety Policy in their areas of responsibility. They are required to nominate a deputy from within their own Directorate to liaise as required

with the Responsible Person. The nominated Deputy should be a relevant Head of Service or Senior Manager who will assist and deputise for the Director. Directors will be required to:

- Have overall responsibility for compliance with the Management of the Gas Compliance and Safety Policy in their Directorate.
- Ensure adequate resources are allocated to manage risk arising from gas installations.
- Monitor the performance of their employees against the policy.
- Ensure sufficient information instruction and training is carried out
- Advise the Chief Executive of any problem arising in connection with the management of gas compliance and safety.

Heads of Service

Heads of Service will act as nominated deputy for their Executive Director where required.

Heads of Service will: -

- Have overall responsibility for compliance with the Management of the Gas Compliance and Safety Policy in their Service area.
- Ensure sufficient resources are allocated to manage risks arising from Gas installations.
- Ensure that managers fulfil their responsibilities relating to the management of gas safety.
- Ensure sufficient information instruction and training is carried out within their service area
- Monitor the performance of their employees against the policy.
- Advise their Director of any problem arising in connection with the management of gas compliance and safety policy.

Head of Building Safety

The Head of Building Safety is nominated and appointed by the Chief Executive to manage the day to day procedures necessary for the management of gas installations and be responsible for the strategic management of gas compliance and safety within the responsibility of SCH.

The Head of Service has overall responsibility for delivering statutory compliance and is responsible for the preparation and monitoring of the policy, ensuring it meets with current legislation. Further areas of responsibility are:

- writing monitoring and reviewing the policy.
- ensuring risks associated with gas installations and safety are managed effectively.
- Formulate and revise the SCH Policy every 3 years or following significant incident or change in legislation.
- Formulate and revise the Gas Safety Management Plan.
- Facilitate Independent Expert assessments to ensure that the provisions within the Management Plan are being enforced to the standard required.
- Ensuring sufficient information instruction and training is carried out within their service area.
- Ensure risks arising from gas related activities are recorded, reviewed and mitigated.
- Ensure a designated deputy is available in their absence to manage the day to day procedures and be responsible for the strategic management of Gas safety within the responsibility of SCH as well as any other duties the Head of Building Safety is responsible for should the need arise.

Contract Officer

The relevant Contract officer is responsible for the day to day running of the Gas Safety Management Plan. The Contract Officer is responsible for:

- day to day delivery of works relating to gas compliance and safety, and carrying out defect works as set out in certificates, reports etc.
- ensuring all related documentation complies with the Regulations and is correctly completed and stored within Open Housing and Swordfish
- acting promptly to remedy any defects,
- checking orders and invoices are correctly matched and authorising them and passing them for payment.
- monitoring the performance of coordinators, maintenance staff and contractors,
- ensuring that residents, members of the public, employees and contractors are not unnecessarily exposed to risk,
- running regular monthly status reports to the Safer Homes Team Manager,

SMBC Health, Safety and Risk Service (HSRS)

The SMBC Health, Safety and Risk Service is responsible for providing a competent advisory service to SCH.

The SMBC Health, Safety and Risk Service will also give guidance relating to suitable training to effectively manage risks arising from the management of gas installations.

They will also ensure that all accidents/incidents/near misses reported that are notifiable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) are reported to the Health and Safety Executive.

Employees

All Employees of SCH, irrespective of their position shall:

- Take reasonable care for their own Health and Safety and that of other persons who may be adversely affected by gas installations, including members of the public, tenants, visitors and contractors.
- Co-operate with SCH and its managers to enable compliance with this policy and the legal duties it holds.
- Halt works that, in their opinion, may present a serious risk to health of themselves or others.
- Report any incident involving gas safety without delay.

Tenants

This policy is to be read in conjunction with Solihull Council's current Tenancy Agreement.

- Tenants will allow reasonable access to SCH or its contractors to undertake activity in compliance with this policy.
- Tenants will not interfere with the gas installation in any way unless permission has been granted by SCH
- Tenants will report any defects in the gas installation that they are aware of.

Contractors

This policy is to be read in conjunction with SCH's Code of Conduct for Contractors. Contractors are required to immediately report any risks or concerns to the respective SCH Contract Officer or Project Manager and stop ongoing works until they are satisfied their concerns have been mitigated.

Contractors will not work on any gas systems and equipment unless competent to do so.

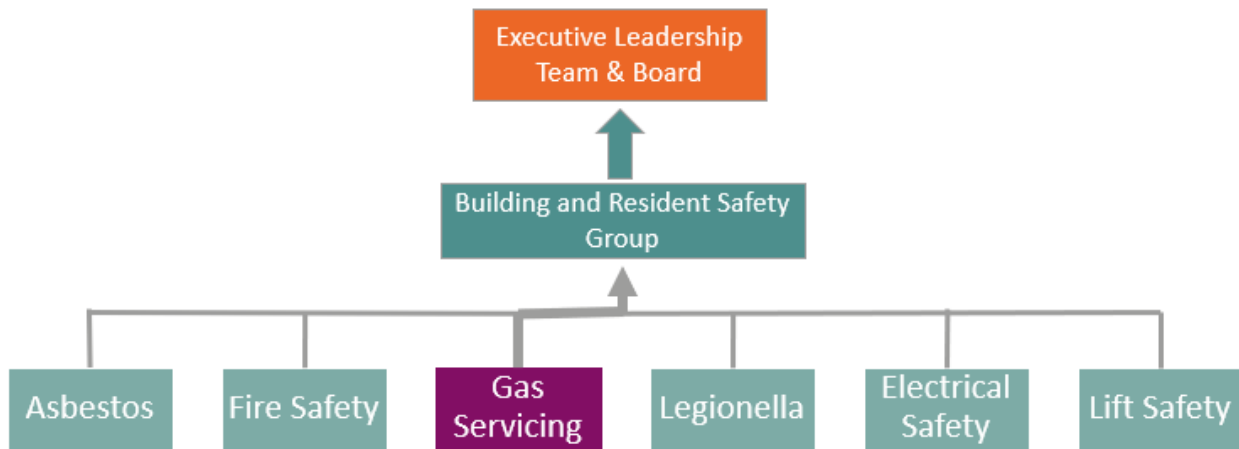
All contractors deemed competent to work on gas systems and equipment will be able to prove registration to a governing body covering the area of work being completed and hold a relevant insurance cover for the same aspect. Hold up to date copies of all standards and regulations within the area of work carried or completed. Demonstrate adherence and use of information made available to them through this policy through testing as part of SCH's ongoing audit regime.

- provide required inspection certificates / reports to SCH within 7 days of undertaking the site activity
- Comply with SCH's Health and Safety Policy
- Take reasonable care for their own health and safety
- Consider the safety of other persons
- Report to management any unsafe acts or unsafe conditions that may compromise the health, safety or welfare of themselves or others, DON'T WALK BY!
- Notify SCH of any serious Health and Safety incident or near miss

The contractor is to provide SCH with relevant certification and evidence of competency prior to commencing works and is to provide SCH with copies of all legally required, and relevant documentation upon completion of works.

Communication

All SCH employees and stakeholders are required to immediately report any concerns regarding gas safety directly to their line manager. To support this approach a formal communication system is established within SCH's communication framework to provide specialist advice and support to the organisation, as illustrated below.



Training

SCH shall ensure that adequate information, instruction, and training is given to their employees at levels proportionate to the risks of exposure and their roles. SCH will undertake regular training of managers and staff, regular building users and contracted third parties,

The Head of Building Safety will ensure that all staff responsible for gas safety management and all appointed responsible persons:

- will receive appropriate training and annual refresher training.
- training records are up to date
- all staff currently working in this area have received appropriate training in the required timeframe.
- A record of all training completed will be kept electronically through Learning Pool

Managers are responsible for ensuring all relevant staff attend the applicable training course.

Customer Contact

SCH will use all reasonable methods of consultation and communication to increase customer's awareness and its own information regarding the hazards posed by gas installations within the stock portfolio.

Tenants

Customers will be given a copy of the Landlord gas Safety Report (LGSR) that relates to their tenancy before the start of the tenancy agreement.

SCH will provide guidance notes to tenants and leaseholders regarding gas safety. These guidance notes will be available to view on our website, and information will be communicated to our customers on a regular basis through varying communication channels.

SCH will contact the tenant by letter up to three times before the anniversary of the cyclical safety inspection to arrange the next test.

Tenants will be required to provide reasonable access to SCH or its contractors to undertake activity in compliance with this policy. If the tenant does not provide access, SCH will deal with the refusal as a failure to comply with tenancy conditions and legal access injunction will be pursued. Tenants will be charged in full for any legal costs involved in obtaining access

Existing Leaseholders and Owner Occupiers

Once the property has been sold, gas safety is not the responsibility of the Council or SCH within the actual dwelling itself.

Monitoring

Performance against key performance indicators relevant to this policy will be reported to the Executive Director of Operations and the Executive Leadership Team at least monthly. Performance and risks arising from this policy will be monitored by the Building and Resident Safety Group (BRSG). Quarterly update reports will be provided to SCH Group Board.

KPI Description	Target	Rationale
Proportion of homes for which all required gas safety checks have been carried out	100%	Tenant Satisfaction Measures (TSM)

Review

This Policy shall be reviewed by the Head of Building Safety every three years, or if there are any significant changes to current Gas Safety Legislation, HSE approved codes of practice or guidance, or as the result of the outcome of an incident review.

Version number	<i>1.2</i>
Effective from	<i>May 2024</i>
Policy Owner	<i>Executive Director Operations</i>
Policy Author	<i>Jaspal Rehal, Building Safety Manager</i>
Review Date	<i>May 2027</i>

Appendix 1

Regulatory Requirements and Guidance

The following list sets out the key legislation and guidance:

- [The Gas Safety \(Installation and Use\) Regulations 1998 \(Document L56\)](#)
- [The Gas Safety \(Installation and Use\) \(Amendment\) Regulations 2018 \(Document L56\)](#)
- [IGEM/G/11 Edition 2](#)
- [IGEM/G/11 Supplement 1](#)
- [Data Protection Act 2018](#)

[Health and Safety Executive](#)
[Building Regulations](#)
[Construction Design and Management Regulations 2015](#)
[Housing Act 1985](#) OR [Housing Act 1988](#) /[Housing Act 2004](#)
[Housing Health & Safety Rating System](#)
[Landlord and Tenant Act 1985](#)

Appendix 2

Management Procedures

Gas Safe

SCH will ensure that a current LGSR is in place for all gas installations for which it is responsible.

A competent registered Gas Safe Engineer will carry out the annual gas safety check. In line with the manufacturer's instructions and following the Gas Safe standards/regulations and document L56 section 26.9 – Gas Safety (Installation and Use) Regulations 1998 as amended and The Gas Safety (Installation and Use) (Amendment) Regulations 2018 (Document L56)

The gas safety check will be carried out in advance of the expiry date of the current LGSR following the latest government guidelines. In addition, the gas safety check will be carried out every time the status of a property or its tenancy changes. This is usually when a property becomes empty (void), when a mutual exchange takes place or if a new gas appliance/heating system is installed.

The gas safety checks will include full servicing, in accordance with manufacturer's instructions and completing all checks as per Regulation 26.9 Gas Safety (Installation and Use) Regulations 1998/2018 as amended, of all the appliances owned by the landlord. This will be recorded on the LGSR. Appliances owned by the resident are the resident's responsibility and are not included in the safety check.

Servicing dates are planned at least eight weeks before expiry of the current certificate to ensure that adequate time is allowed for arranging appointments with tenants to gain access to the property and allow for missed appointments, no access and, if necessary, legal action where required.

Assurance and Targets

- 100 per cent of installations, within scope, requiring a LGSR have one in place to meet all HSE and Gas Safe standards.
- a process is in place to monitor the status of gas safety checks by regular scrutiny of performance reports via Insight Report Information and 100% of LGSR are audited to ensure standard and to fall in line with Gas Safe standards and regulations.
- appropriate action as identified in Section 4, will be taken where gas safety checks and servicing remain outstanding or are delayed.

- continually seek to improve performance and minimise the risk to the health and safety of the SCH's residents.
- working practices, procedures and resident liaison are monitored and reviewed regularly, with the view to improving the efficiency of the gas safety operations.
- a robust quality monitoring process is in place for gas servicing activities and documentation provided both by SCH and contractors which is as per Gas Safe audit required levels of 5% per work activities completed and 100% of all LGSR Documentation.

Annual Servicing

SCH is legally bound under the Gas Safety (Installation and Use) Regulations 2018 (as amended) section 26.9 to carry out a gas safety check and service to each relevant appliance in line with manufacturer's instructions and provide an LGSR in every property with a mains or LPG gas supply.

The data must consist of minimum requirements of 26.9 (the operating i.e. gas pressure and /or heat input of the appliance to be checked). The engineer should carry out the most appropriate test / s for the appliance. This information is usually shown in the manufacturer's instructions, or on the appliance data badge.in certain cases, e.g., when the appliance burner pressure is modified or replaced, such as for conversion from LPG to natural gas, it may be necessary to check both operating pressure and heat input. SCH will ensure that any regulation in line with the Hydrogen changes are met.

The gas safety check will be booked to be completed within 12 months of the previous year's safety check, where access cannot be gained refer to section 4.

No Access to the property

Residents will be given reasonable opportunity to provide access as specified in **Appendix 3 – Gas Compliance - Timeline.**

Timeline for no access process:

10 months service cycle

7 days before the 10 months date a letter is sent by the contractor to the resident address advising the date and time of the first service visit attempt.

Example:

First attempt 01/01/2023 letter sent for appointment on **08/01/2023.**

The engineer will knock the door if there is no answer the engineer will call the resident while outside the property. If no answer on the phone the engineer will contact the office to allow them to try and contact the customer.

If still no answer on phone and at the door a no access card will be posted through the letter box advising the resident of the attempted access and to contact the office to rebook. The engineer will also take a photo of the door and the no access card.

Second attempt 08/01/2023 second letter sent for appointment with a seven-day gap on **15/01/2023.**

Again, the engineer will knock the door if there is no answer they will try and contact the resident by phone, if there is still no answer the engineer will contact the office to allow them to try and contact the customer.

If still no answer on phone and at the door a no access card will be posted through the letter box advising the resident of the attempted access and to contact the office to rebook in. The engineer will also take a photo of the door and the no access card.

Third attempt 15/01/2023 third letter sent for appointment with a seven-day gap on **22/01/2023**. Again, the engineer will knock the door if there is no answer they will try and contact the resident by phone, if there is still no answer the engineer will contact the office to allow them to try and contact the customer.

If still no answer on phone and at the door a no access card will be posted through the letter box advising the resident of the attempted access and to contact the office to rebook in. The engineer will also take a photo of the door and the no access card.

Customer Liaison Officer (CLO) visit fourth attempt between **22/01/2023** and **29/01/2023**

The CLO will attend the property at no confirmed date or time to try and see if they can get hold of the resident. If there is again no access the CLO will post a no access card add a sticker to the lock so it can be monitored for any access to help with the process.

The engineer will also try and call the resident from outside the property. If there is no answer, they will contact the office to allow them to try and contact the resident.

Time period covers 28 days leaving 1 month (4 weeks)

Passed to SCH Safer Homes team.

The safer homes team TENANT LIASON OFFICER TLO will attend the address to try and contact the resident if they are unable to gain entry, they will carry out wellbeing checks. Checking with police and local hospitals speaking with the neighbours to see if they have seen the resident.

If there is still no access or contact, it will then be passed to the housing team to try and other methods of contact.

Safer Homes to contact the resident by telephone, text messages, WhatsApp, emails, and personal visits in addition to sending and hand delivering the prescribed letters to the tenant.

When access is not provided, SCH will send letters which escalate in severity with each stage of the process. If access is not granted by residents they will be in breach of their tenancy agreement.

There is clear warning within the letters issued to residents that this process could lead to legal action. Letters are detailed in the relevant Appendices 4-6.

The Safer Homes will liaise with the wider SCH group, for example Neighbourhood Services to gain access where tenants are considered or known to be vulnerable. The handover to the Neighbourhoods' team will occur when 3 visits have been attempted and 1 further TLO visit. The Neighbourhood Team will then work in conjunction with the Safer Homes Neighbourhood Officer to prepare legal paperwork.

Both the Safer Homes Neighbourhood Officer and Neighbourhood Services Teams will continue efforts to liaise with third parties to assist in gaining access from the date that the first letter regarding the annual gas safety and service check until the gas safety check has been completed.

If access is not granted prior to four weeks before the expiry of the current certificate and there is evidence that no less than four attempts have been made to arrange/attend an appointment, a witness statement is prepared for injunction with SMBC Legal Services.

Working practices

Where residents are known to be vulnerable for any reason and require additional support as per the SCH Vulnerable Resident Policy, this will be provided by the relevant operational teams within SCH.

SCH will ensure that all engineers are Gas Safe registered.

Void and mutual exchange properties

A valid LGSR will be provided for all gas installations in void properties prior to the property being re-let listing all gas appliances connected to the property's gas supply, including any appliances left by a previous tenant which will be removed before the property is occupied again.

Contractor Management (if applicable)

SCH will ensure that all engineers employed to carry out gas works on behalf of SCH are Gas Safe registered.

Contractors appointed by SCH to carry out gas-related works will be managed following the terms of the contract, including performance and quality assurance.

The Safer Homes Team and the Contractor will establish a data sharing protocol that will be applied to gas safety servicing information. This will be in accordance with the Data Protection Act 2018 guidance and best practice.

Capping gas supply

As a last resort after the planned visits and the TLO visit, and the gas meter is external, residents will be advised that SCH plan to cap the gas supply. The letter advising of the date the gas will be capped will be issued to resident giving 7 calendar days' notice.

SCH will 'cap off' gas supplies if residents refuse to allow access to enable gas safety checks to be carried out.

The decision to do this will be based on the meeting of **ALL** the following criteria:

- the gas service visit is due on that day or overdue,
 - the gas meter to the property is external.
 - the tenant has had the planned visits and the TLO visit;
 - the Safer Homes Team has sent letters to the tenant in line with the Gas Policy Timeline;
- and

- the Safer Homes Team has written to the tenant to advise them of a new appointment, detailing that if there is no access, the engineer will cap off the meter externally.

The Safer Homes Team must be satisfied that all reasonable steps have been taken and that there are no known vulnerabilities with anyone residing at the property.

Combined teams but overseen by the safer homes Gas safe section will provide instruction to the Safer Homes Team to arrange for the gas supply to be capped off, and an LGSR produced to evidence this.

Once the tenant has contacted SCH to arrange an appointment, the team will instruct the Gas Engineer to attend the site, uncap the meter and undertake a full service and issue a valid LGSR.

Where the gas supply has been capped off due to affordability reasons and the tenant has provided authorisation to cap the gas, the tenant should be referred to SMBC Winter Warmth Helpline and if agreed by the tenant & necessary, a referral made to SCH's Money Advice Team.

Appendix 3

Gas Compliance - Timeline

To Follow

Appendix 4

Letter 1

Appendix 5

Letter 2

Appendix 6

Letter 3