



Gas Safety and Servicing Policy

1. Introduction

- 1.1 Medway Council Housing Services (the Council) recognises that efficient processes associated to gas safety must be in place to ensure the health and safety of our residents
- 1.2 The current Gas Safety (Installation and Use) Regulations 1998 require 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.
- 1.3 This policy details how the Council in line with current regulations will manage and enforce gas safety and servicing of every residential property owned by Housing Services.

2. Purpose

- 2.1 The purpose of this policy is to ensure Housing Services:
 - 2.1.1 complies with our obligations under the Gas Safety (Installation and Use) Regulations Act 1998;
 - 2.1.2 undertakes gas safety checks of all domestic gas appliances on an annual basis;
 - 2.1.3 undertakes gas related activity in the safest possible method in accordance with current regulations.

3. Scope

- 3.1 This policy applies to all tenure and occupancy types and Medway Council staff involved in gas servicing duties including contractors and sub contractors used on the Councils behalf.
- 3.2 The duties apply to appliances and flues within council properties used for residential purposes.

4. Legislation and regulation

4.1 External

- 4.1.1 The Defective Premises Act 1972
- 4.1.2 The Landlord and Tenant Act 1985
- 4.1.3 The Housing Act 1985
- 4.1.4 Disability Discrimination Act 1995
- 4.1.5 Section 121 of the Leasehold Reform, Housing and Urban Development Act 1993
- 4.1.6 Gas Safety (Installation and Use) Regulations 1998
- 4.1.7 Gas Safety Guidance for Landlords (2005) Audit Commission

- 4.1.8 The Health and Safety Executives Code of Practice on Domestic
- 4.1.9 Gas Safety 2004, and Proposals for Change: procedural requirements
- 4.1.10 The Health and Safety Executive A Guide to Landlords Duties: Gas Safety (Installation and Use) Regulations 1998
- 4.1.11 Health and Safety at Work Act 1974
- 4.1.12 Corporate Manslaughter and Homicide Act 2007
- 4.1.13 Homes and Communities Agency regulatory standards – Home Standard
- 4.1.14 Gas Safety Management Regulations 1996

4.2 Internal

- 4.2.1 Repairs Policy
- 4.2.2 Tenancy Management Policy
- 4.2.3 Warning of Risk Policy
- 4.2.4 Medway Council corporate Lone Worker policy
- 4.2.5 Medway Council Tenancy Agreement(s)

5. The Policy

5.1 Gas safety checks and servicing

- 5.2 Gas appliance services in conjunction with a gas safety check will be carried out at residential properties at least every 12 months. The 12 month period will start from the date the appliance was installed.
- 5.3 The gas-servicing programme runs over a 10-month period to allow for any problems in gaining access into properties. Consequently some properties may have two services carried out within a 12-month period.
- 5.4 Residents will be written to offering them an appointment for a gas safety check and service to be carried out. Every effort will be made to work with residents to make an appointment at a time that is convenient.
- 5.5 Housing Services make efforts to provide out of hours appointments where it is required by residents.
- 5.6 Only Gas Safe registered engineers will be used to undertake a gas service or gas repair
- 5.7 Repairs and replacements identified at a gas safety check will be promptly completed and records of the work completed will be kept on our ICT system.
- 5.8 Residents will be issued with a copy of the gas safety record certificate within 28 calendar days of the check and any associated work being completed.
- 5.9 Customer profiling will be used to schedule gas safety checks, services and repairs to our more vulnerable households during the summer months. Customer profiling will also be used to identify tenants who may have difficulty interpreting appointment letters due to English not being a first language and/or sensory impairments and the Council will make efforts to use more suitable methods.

5.10 Annual gas safety checks will be promoted to tenants through tenant's newsletters, information leaflets and 'sign up' procedures.

5.11 Records relating to Gas appliances

5.12 Housing Services keep and retain on our database for a minimum of two years a comprehensive record of the following:

- 5.12.1 all properties with gas supplies;
- 5.12.2 details of the council's own gas appliances in the property;
- 5.12.3 details of any newly installed gas appliances, including date of installation;
- 5.12.4 records of all servicing work and gas safety checks completed.

5.13 Gaining access to properties

5.14 Residents as stated in their tenancy agreement are required to give council employees or people authorised by the council, access into their property to carry out gas servicing. Housing Services take all reasonable steps to ensure access to a property to complete a gas safety check.

5.15 Legal action will be taken against residents that do not respond to requests to complete a gas safety check, or consistently refuse access to their property. In such cases to fulfil our legal obligation as landlord action will be taken to obtain a Court Order to enter the property. Legal action will only be taken as a last resort.

5.16 Where access to a property is obtained through the court, Housing Services will be responsible for securing the property and making good any damage caused by entering the property. The cost of this work will be re-charged to the resident.

5.17 Appliances installed by residents

5.18 Residents must obtain written permission from Medway Council before installing their own appliances such as a fire or cooker.

5.19 Residents must ensure that the appliance is fitted by a Gas Safe registered installer

5.20 Residents are responsible for any necessary repairs works to their own appliances.

5.21 If a residents own appliance is found to be defective during a gas safety check/service the appliance will be disconnected and labelled as dangerous. The residents will be advised immediately of the defect and informed of their responsibility to carry out the necessary repair.

5.22 If a resident refuses to allow their appliance to be disconnected the gas contractor will immediately inform Housing Services and TRANSCO under Regulation 34 Unsafe Appliances of the 1998 regulations.

5.23 Damage to appliances

5.24 Residents that cause an appliance to be unsafe as a result of wilful neglect or deliberate damage will be responsible for repair or replacement of the item damaged. Housing Services reserve the right to carry out the necessary work and recharge costs to the resident in line with the rechargeable repairs policy.

5.25 Re letting properties

5.26 The annual service and safety check will be undertaken during the void period if the service is due within the next two months of the property being re-let. If the service is due after the two-month period then only a 'turn on and test' will be carried out.

5.27 All gas fittings and flues will be made safe before a property is re-let and a copy of the gas safety certificate will be given to new residents as part of the sign up procedure.

5.28 Leaseholders

5.29 Leaseholders will be given the opportunity to access gas servicing provided by its contractor across our stock at a rechargeable cost.

6. Role, Responsibilities and Authority

6.1 The Assistant Director of Physical and Cultural Regeneration retains overall responsibility for the implementation of this policy.

6.2 The Head of Housing Management is responsible for the operational delivery of this policy and the associated procedures.

6.3 Housing Management staff are responsible for implementing this policy.

7. Monitoring, Review and Evaluation

7.1 The Head of Housing Management will monitor this policy and its effectiveness when reviewing the relevant performance indicator.

7.2 This policy will be reviewed every two years or in line with legislative or regulatory changes.

Policy Version Control Sheet

Policy Title: Gas Safety and Servicing Policy

Policy Author(s): Business and Partnership Officer, Tenancy Management team

This Version: May 2017

Projected Date of Review: May 2019

Cross References: Cross-References: Repairs Policy, Tenancy Management Policy, Warning of Risk Policy, Medway Council Corporate Lone Worker Policy

This Version: May 2019 – Refresh of policy wording – no major changes made to policy content.