

GAS MANAGEMENT POLICY

TO:	Management Committee
PREPARED BY:	Gail Sherriff (Head of Property)
SUBJECT:	Review of the Gas Management Policy
DATE OF MEETING:	24 January 2023
APPROVED BY:	Paul Martin (Director)

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1. INTRODUCTION AND POLICY STATEMENT

Milnbank Housing Association (MHA) is committed to implementing effective gas safety checks and follow-on maintenance, ensuring that all gas related work is conducted in a safe manner and in accordance with all applicable regulations. This policy is written to demonstrate how MHA will achieve this.

As a Registered Social Landlord (RSL), MHA has a legal responsibility to ensure the safety of its tenants in properties where there is gas installations and appliances. MHA has a duty to ensure that the gas appliances and flues provided for tenants' use are maintained in a safe condition and checked for safety each year by a Gas Safe registered installer.

The overall purpose of this policy is to set out how MHA will protect the health and safety of its tenants, staff, visitors, and contractors living and/or visiting MHA properties which have gas fired appliances.

This policy applies to the management of MHA's rented properties, offices and other buildings owned and managed by the Association containing gas fired appliances. It will be implemented in a consistent manner and there will be no disadvantaged groups as equality and diversity reflect the core values of MHA, embedded throughout all services, policies and decision making by the Association.

2. REGULATORY EXPECTATIONS

MHA as a Registered Social Landlord is expected to:

- Advise the Scottish Housing Regulator (SHR) on an annual basis of the Association's performance on gas safety checks.

- Take prompt action to gain entry to ensure the safety of tenants.

- Recognise the importance of gas safety and promote a culture of responsibility in meeting these duties with all relevant and current legislation met.

- Have in place, robust procedures, to ensure MHA's responsibility as a landlord is met in relation to gas safety legislation.

- Be prepared to respond quickly and effectively to any concerns relating to the gas servicing programme, including tenants' health and safety.

3. LEGISLATION AND APPROACH METHOD

This policy and all gas related procedures and practices are compliant with the current Gas Safety (Installation and Use) (Amendment) Regulations 2018 (GSIUR) which came into force in 2018, including the Approved Code of Practice (ACOP). It is recognised that these Regulations introduce a degree of flexibility to the timing of landlords' annual gas safety checks. That is, annual gas safety checks can take place during the 2-month

period preceding the existing certificate expiring whilst retaining the existing expiry date in terms of future services.

It is noted that the Regulations place a duty on MHA as a landlord to ensure that gas appliances, flues and installation pipework are maintained in a safe condition, as well as annual gas safety checks being carried out.

MHA will also adhere to all other, relevant pieces of legislation relating to this policy and works relating to gas appliances, including

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Construction (Design and Management) Regulations 2015

To ensure that all legislation is complied with, MHA will work closely with its gas servicing and repairs contractor continuously to ensure the highest levels of gas safety are achieved.

MHA will always carry out a gas service to void properties, regardless of when the existing gas safety certificate expires. This will result in a new expiry date being established.

To ensure full compliance with legislation, only when there is no other option to ensure that the necessary, annual service check is carried out within the essential period will MHA force access to properties. This is a last resort and only after several attempts have been made requesting access from the tenant, in line with the standard procedures that will be read in conjunction with this policy.

4. COMPLIANCE

MHA will take a robust and effective approach to gas safety compliance, providing the tenants and SHR with the necessary reassurance in terms of gas safety requirements. This will include regular website updates.

MHA will only appoint gas maintenance contractors in accordance with its Procurement Policy. This will include all necessary due diligence checks being carried out, including obtaining up-to-date, relevant insurances prior to any contract award. MHA will only appoint gas contractors who are part of the Gas Safe Register and whose operatives carry Gas Safe ID cards.

MHA will ensure staff have the necessary skills, training, and authority to manage the gas servicing programmes. A review of training needs will form part of the MHA's annual Training & Development Plan.

To ensure the gas servicing programme is effectively managed in a robust manner, MHA will run the gas servicing programme via its IT system. This will record all follow-up repair work and new boiler installation dates, as well as acting as a database for the make and model of boilers. The IT system will also record the void handover pack from the Asset Team to the Housing Services Team, including copies of new CP12s.

Update reports will be provided to the Services Committee on the servicing programme at meetings throughout the year.

As part of the ARC (Annual Return on the Charter), MHA will report to the SHR any late services with an explanation detailing the reasons for the late service. In the event of any late services identified during the year, MHA will alert the SHR as part of a Notifiable Event.

To monitor the service from the gas services and repairs contractor, independent audits are carried out throughout the year in relation to servicing, repairs, and new boiler installations. MHA aim to ensure that no less than 10% of these are subject to an independent audit which will subsequently be reported to the Services Committee. MHA will ensure that any information passed to its contractor relating to tenant details will accord with the GDPR and MHA's associated policy.

5. TENANT ENGAGEMENT

MHA will actively cover gas safety responsibilities from the outset with new tenants and highlight the importance within the tenant's handbook. This will include clearly explaining procedures in the event forced access is required for tenants not providing access enabling MHA to comply with its legal responsibilities.

All tenants will be provided with a copy of the gas safety check record (CP12) for appliances and flues at the time of the gas service, or in the case of a void property and new tenancy, at the time of signing.

MHA will continually communicate with its tenants on the importance of the annual gas service via its website and newsletters. This also includes details of the out of office number to call in the event of an emergency heating or hot water breakdown. The website will continually update tenants on the action to take in the event of smelling gas.

MHA recognises that sometimes there are difficulties in gaining access, and that tenants do not grant access for several reasons due to vulnerabilities. MHA will proactively engage with tenants in such circumstances as detailed within our procedures; however as highlighted above, to ensure compliance with the Regulations, forced access will be a route used if required. MHA will reserve the right to charge a reasonable fee to recover costs associated with forcing access.

Where necessary, gas supplies will be capped if this is the only way to ensure the health and safety of tenants. This will be a last resort as MHA does not wish any of its tenants to be living in such housing conditions. The Income Maximisation Team will be requested to assist tenants where gas supplies have been capped because of financial difficulties.

6. MONITORING AND REVIEW

This policy will be reviewed annually by the Services Sub-Committee or as otherwise required. The procedures will be monitored regularly and no less than annually to ensure they remain fit for purpose.