



**The Langstane Group**

**Gas Safety Policy**

<b>Leadership team approval</b>	17 June 2024
<b>Board / Committee</b>	Performance committee
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<b>Implementation date</b>	7 August 2024
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<b>Version</b>	Version 4

<b>Policy version</b>	<b>Date of approval</b>	<b>Changes made to policy</b>
Version 1	-	New policy
Version 2	17 November 2017	-
Version 3	15 January 2018	SMT amendments
Version 4	28 April 2021	<ul style="list-style-type: none"> <li>• Amendments to job titles / responsibilities</li> <li>• Reordering of sections and rewording to match legislative requirements</li> <li>• Removal of duplicated sections</li> </ul>
Version 5	6 August 2024	<ul style="list-style-type: none"> <li>• Minor amendments to grammar, job titles and team names.</li> <li>• Policy reformatted to suit current policy template.</li> <li>• Scope of policy added</li> <li>• Approach to gas safety checks updated to deadline date style</li> <li>• Responsibilities updated</li> <li>• Information added on emergencies, quality assurance, empty properties, RIDDOR and notifiable events, record keeping and key performance indicators.</li> </ul>

## 1. Introduction

Langstane Housing Association is a Co-operative and Community benefit Society and a registered social landlord with charitable status.

The Langstane Group (Langstane) consists of Langstane Housing Association and its wholly owned subsidiaries.

Langstane is committed to maintaining the health and safety of tenants, employees and members of the public.

The risks in relation to gas supplies are significant, from either the risk of fire/explosion or from the incomplete combustion arising out of poor maintenance. Langstane will take all reasonable steps to ensure that residents, employees and members of the public are not put at risk from the effects of gas or carbon monoxide<sup>1</sup>.

Langstane has 2419 (as of May 2024) properties with gas supplies which require to be maintained and serviced annually. A further 52 properties are served by communal boilers.

## 2. Aims and objectives of this policy

The aim of this policy is to ensure the effective inspection, maintenance and management of gas systems within properties controlled by Langstane. The gas safety system inspection and monitoring programmes will also include the carbon monoxide (CO) monitoring systems which are considered to be an integral part of the gas safety management programme.

The main objective of this policy is to ensure compliance with the landlord duties set out in the Gas Safety (Installation and Use) Regulations 2018

## 3. Links to other strategic documents and policies

This policy should be read in conjunction with Langstane's:

- Health and Safety Policy
- Planned and Cyclical Maintenance Policy
- Responsive Repairs Policy
- Asset Management Strategy
- Procurement Strategy and Policy
- Rechargeable Repairs Policy
- Asbestos Management Policy
- Privacy Policy
- Gas Safety and Servicing Procedures

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<sup>1</sup> Carbon Monoxide (CO) is produced by the incomplete burning of natural gas or liquefied petroleum gas (LPG). This happens when a gas appliance has been incorrectly fitted, badly repaired or poorly maintained. It can also occur if flues, chimneys or vents are blocked.

Oil and solid fuels such as coal, wood, petrol and oil can also produce carbon monoxide. CO poisoning occurs when gas is inhaled and it replaces oxygen in the bloodstream. Even small amounts of the gas can cause CO poisoning, and long term effects can include paralysis and brain damage.

## 4. Policy

This policy applies to any premise, domestic or non-domestic, that is owned, managed or leased by Langstane. This includes:

- Domestic properties – social rented
- Domestic properties - mid-market private tenancies
- Lead tenancy properties
- Langstane's own offices
- Offices or commercial properties leased by Langstane to a third party (dependent on lease requirements)
- Hostels / supported accommodation units
- Housing in Multiple Occupancy

This policy is also relevant to communal boilers serving any property type.

Langstane occasionally coordinates gas safety inspections in non-Langstane owned properties on behalf of third party organisations. Such properties also fall within the scope of this policy.

## 5. Legislative & Scottish Housing Regulator Requirements

### 5.1. Legislative Requirements

Langstane has a number of legal obligations it must adhere to including:

- Gas Safety (Installation and Use) Regulations 1998
- Gas Appliances (Safety) Regulations 1995
- The Health and Safety at Work Act 1974
- Housing Scotland Act 2014
- The Management of Health and Safety at Work Regulations 1999
- The Construction (Design and Management) Regulations 2015
- Occupiers Liability Act (Scotland) 1980
- Building Regulations and Building Standards (Scotland) Regulations

**The Gas Safety (Installation and Use) Regulations 1998** set out the primary requirements for gas safety in homes. These require that landlords:

- Ensure gas fittings and flues are maintained in a safe condition.
- Ensure an annual safety check is carried out on each gas appliance / flue.
- Before any new lease starts, ensure that safety checks have been carried out within a 12 month period before the start of the lease date. Langstane exceeds this standard by carrying out a safety check prior to all new leases regardless of the date of the previous safety check.
- Keep a record of the gas safety check until two further checks have been carried out
- Issue a copy of the latest safety check record to the tenant within 28 days of the check being completed, or to any new tenant before they move in.
- Ensure that any work to gas systems is carried out by competent person.
- Ensure that any gas appliances considered to be dangerous are not used until any defects are rectified

The Regulations require that landlords check and maintain landlord owned equipment, including equipment which serves a property but is not located in that property (such as communal boilers). They do not require landlords to check and maintain:

- Appliances owned by tenants
- Flues / chimneys connected solely to an appliance owned by a tenant

## 5.2. Scottish Housing Regulator requirements

The Scottish Social Housing Charter sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The following charter outcomes are relevant to this policy:

**Quality of housing:** that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) which includes, under Annex E, Element 46, the requirement for the gas system and any appliances to be safe. This is evidenced through compliance with the Gas Safety (Installation and Use) Regulations 1998.

Annually, Langstane must complete an Annual Return on the Charter (ARC) to allow the Scottish Housing Regulator to assess and report on landlord performance. Gas safety falls under two indicators within the ARC:

Indicator 6 – Scottish Housing Quality Standard (SHQS) compliance.

Indicator 11 – the number of times in the reporting year that the statutory duty to complete a gas safety check was not met

## 6. Roles and Responsibilities

Gas safety is a high risk area for Langstane and it is important that everyone involved in the gas safety programme of works understands their role. The following table sets out roles and responsibilities for all parties involved in gas safety:

Function / Task	Responsibility
Overall responsibility for health and safety	Chief Executive
Gas Safety and Servicing Policy – review, amendment and approval	Review and amendment - Director of Property  Approval – Performance Committee
Delegated responsibility for ensuring statutory compliance against this policy	Director of Property

Function / Task	Responsibility
Responsibility for key aspects of this policy including: <ul style="list-style-type: none"> <li>• Procurement of gas contracts</li> <li>• Contract management</li> <li>• Regular monitoring and review of performance</li> <li>• Reporting on performance</li> <li>• Any continuous improvement actions required</li> </ul>	Property Manager
Responsibility for day to day management of the gas safety contract including: <ul style="list-style-type: none"> <li>• communicating with tenants to ensure the main contractor can access properties and for maintaining gas servicing data (spreadsheets and database information and records of annual safety checks)</li> <li>• monitoring progress and alerting senior staff to any access issues which may impact on ability to carry out an annual safety check within timescales</li> </ul>	Property Compliance Team Leader and Property Compliance Assistant
On behalf of Langstane, responsibility for the servicing, remedial work and installations of new heating systems using a safe method of working and ensuring compliance with gas safety regulations	Gas Servicing Contractor
On behalf of Langstane, responsibility for carrying out random audits of the Gas Servicing Contractors works (or installations carried out by other contractors) to ensure a high standard of work is being delivered	External audit engineer / consultant

The Performance Committee will receive quarterly updates on compliance with this policy and will receive notification of any gas safety breaches.

## 7. Contractor competency

All contractors appointed to carry out annual gas checks and/or carry out maintenance to gas systems will be Gas Safe registered and employ fully qualified engineers.

Usual contractor competency checks will also be carried out at procurement stage in accordance with the Procurement Policy and manual.

Contractors will comply with Langstane's Contractor Code of Conduct.

A formal system of contractor monitoring will be established and maintained and regular contract meetings will be held to discuss contract performance.

## **8. Management of gas safety**

### **8.1. Gas safety checks**

Langstane carries out gas safety checks in accordance with Regulation 36A of the Gas Safety Regulations which allows the deadline date of an appliance to be retained, as long as the annual check is carried out within the two month period prior to the deadline date.

Where gas safety checks are carried out outwith the two month period, the deadline date is revised.

To ensure that annual checks are achieved by the deadline date, the process will begin with initial contact to the tenant at least 2 months in advance of the deadline.

To assist with this process Langstane has fitted service programmers to the majority of gas heated properties. The service programmer can be set to limit the functionality of the heating system if the tenant does not arrange a service date within a particular time period.

Where access is gained, the contractor will carry out the safety check and provide a copy of the Landlord Gas Safety Record (previously referred to as a CP12) to Langstane and the tenant.

Where a gas appliance fails the safety check the contractor will advise Langstane and the appliance will be isolated until a repair can be carried out. The tenant will be advised not to use the appliance.

Where the safety check cannot be carried out due to a lack of gas supply (for instance due to a lack of credit on the gas meter) the contractor will cap the gas supply until the tenant is able to arrange for their gas supply to be reinstated. The tenant should then contact Langstane to arrange for the gas supply to be reconnected and the safety check will be carried out at that time.

If a tenant fails to give access to the contractor after three attempts, access will be taken in accordance with the Master Key Procedure.

Where the tenant refuses to allow master key access, and there is an external gas meter to the property, the gas supply will be capped until such time as access can be gained.

The Gas Safety Procedures provide more detailed guidance on actions to be taken where access cannot be agreed with the tenant.

### **8.2. Reactive gas repairs and emergencies**

In addition to carrying out gas safety checks, Langstane's appointed gas safety contractor will provide a full reactive repairs and emergency response service in relation to gas appliances and systems.

Where repairs cannot be made to the heating system and it is inoperable for any reason the contractor will provide temporary heating, in the form of electric heaters, and advise Langstane of the repair issue so that remedial action can be agreed.

Gas leaks:

Currently SGN have a statutory duty to attend gas escapes within two hours of them being reported. SGN will normally shut down the gas supply to an individual property where a leak is found and will not carry out any further works. Langstane will therefore follow up on gas leaks by instructing the gas contractor to attend.

### 8.3. Gas appliances fitted by other contractors

To ensure that deadline dates for gas safety checks are not missed, information on gas appliances fitted by contractors other than the gas safety contractor (for instance in new build properties or through planned maintenance contracts) must be passed to the Property Compliance team with an accompanying schedule giving information on:

- boiler type
- boiler and gas meter location
- date of installation
- ends of defects period
- warranty registration and warranty period

This information will then be passed to the Langstane's gas safety contractor to add to their database before properties are outwith their defect period and relevant information will also be added to Langstane's housing management system.

### 8.4. Voids and mutual exchanges

All void properties where there is an existing gas supply will have a gas safety check carried out before re-letting.

Any appliance which has been installed by a previous tenant will be removed before re-letting (and any remedial works in connection with the removal will be recharged to outgoing tenant if applicable). No gas appliance should be gifted to the incoming tenant.

Tenants moving in to a Langstane property through a mutual exchange arrangement will have a gas safety check carried out on their property on the day of exchange. The Housing Officer overseeing the exchange will ensure this is booked with a Gas Safe contractor via the Property Compliance Assistant

### 8.5. Gas appliances belonging to tenants

Langstane is not responsible for the repair or servicing of tenants' own gas appliances (such as gas cookers) or any flues which solely serve these appliances.

However, where the gas safety contractor identifies that the tenant has their own gas appliance, the contractor will carry out a visual inspection and where the appliance is identified as unsafe the contractor will terminate the gas supply to the appliance and advise the tenant on the required repairs. Langstane reserves the right to rectify any damage that is caused to the gas system through this action and recharge the tenant for any remedial work carried out.

#### 8.6. Quality Assurance (QA)

An external third party will be appointed to carry out inspection of a minimum of 10% of gas safety checks.

The contractor undertaking the QA work will require to be Gas Safe registered and employ fully qualified engineers.

Where a QA check identified non-compliances, or where unsatisfactory performance of a primary gas contractor is being observed, details of the problems and suggestions for rectification will be clearly set out in the QA contractors report.

Where a QA check identifies an immediate risk to health, this will be notified to Langstane immediately, and outwith the normal reporting regime.

#### 8.7. Empty properties

Where a property is to remain empty long-term the gas supply will be disconnected from the pipework within the property.

The gas supply will be physically disconnected at the meter point and both cut ends blanked.

Where appropriate, SGN will be advised and requested to remove the meter supply from the property.

### 9. Record keeping

Under current legislation Langstane must retain the following:

- Copies of gas safety checks from the past two years
- A record of each gas safety check until two further checks have been carried out (this is to provide an audit trail evidencing the deadline date)

A copy of the Landlord Gas Safety Record will be provided to the tenant within 28 days of the check being carried out.

Langstane will retain the following records:

- Dates of previous gas safety checks
- Date of the latest check
- The preserved deadline date for each property which will be reset as and when necessary

- Copies of gas safety records from the last two years
- Records of all properties with capped gas supplies
- QA reports
- Emergency situations and actions taken

**10. RIDDOR and notifiable events**

RIDDOR relates to work related injury or dangerous occurrences therefore notifications in relation to gas escapes, carbon monoxide incidents or death or injury due to gas safety are generally reported by pipeline operators or contractors.

Advice on the requirements for RIDDOR reporting in relation to gas safety can be found on the HSE website.

A single missed gas safety check will not normally be a notifiable event but where there is a serious service failure (for instance Langstane cannot carry out any gas safety checks due to contractor insolvency) this would be a notifiable event and the Regulators guidance on notification should be followed.

**11. Information to tenants**

Langstane will highlight the importance of gas safety to tenants in a number of ways:

- Tenants’ handbook which details tenant responsibilities under their Tenancy Agreement
- Gas safety leaflet which explains the importance of gas safety and details the process for organising and carrying out gas safety checks
- Annual article in the tenants’ newsletter
- Gas safety page on Langstane’s website

New tenants will be provided with the Gas Safety leaflet as part of their new tenant pack.

**12. Monitoring**

The following Key Performance Indicators will be monitored to ensure compliance with this policy:

Description	Frequency of reporting	Reported to
Number of times the duty to carry out a gas safety check was not met  Target = 0	Monthly / quarterly / annually	<ul style="list-style-type: none"> <li>• Monthly performance group</li> <li>• Performance Committee</li> <li>• Landlord Facilities Safety Group</li> <li>• Scottish Housing Regulator (as part of ARC report)</li> </ul>

Number of properties with a capped gas supply	Monthly / quarterly / annually	<ul style="list-style-type: none"> <li>• Property Team report</li> <li>• Landlord Facilities Safety Group</li> </ul>
For information		

Key performance reports will include commentary on non-compliance issues and actions to be taken to regain compliance.

This policy will be reviewed every three years or as and when changes to legislation or best practice guidance necessitate it.

### **Equality and diversity**

The Langstane Group / Langstane Housing Association is committed to promoting equality and diversity across all areas of work. Discrimination or harassment of any kind is not tolerated.

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