

GAS SAFETY MANAGEMENT POLICY

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hebridean housing
partnership

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INTRODUCTION

- 1.1 Hebridean Housing Partnership is committed to maintaining the Health and Safety of employees, tenants and members of the public. We recognise the potential health risks associated with gas used for fuel in our premises and in our housing. Potential risks associated with gas as a fuel are significant, given the risk of fire/explosion, or from carbon monoxide poisoning due to incomplete combustion arising out of poor or irregular maintenance of appliances and systems.
- 1.2 We will take all reasonable steps to ensure that appropriate management systems are in place to ensure employees and members of the public are not put at risk from the effects of gas or carbon monoxide.
- 1.3 The Gas Safety Installation and Use Regulations places important duties on landlords of all properties to ensure that gas appliances and their flues are maintained in a safe condition, annual safety checks are carried out, and records are kept and issued (or in certain cases displayed) to tenants. These duties are in addition to the more general ones that landlords have under the Health and Safety at Work Act and the Management of Health and Safety at Work Regulations.

AIMS

- 2.1 The aim of this document is to demonstrate our commitment to ensuring our employees, tenants and the general public, are not knowingly exposed to any risks that would affect their safety. The documents covered by this Policy will provide guidance and specific instructions for all our employees and external contractors, whilst undertaking gas contracts. This is with the aim of satisfying the legal duties of the Gas Safety (Installation and Use) Regulations. The work as detailed within the specification may also include other aspects which will assist us in satisfying our duty of care to our tenants.

GAS SAFETY (INSTALLATION AND USE) REGULATIONS

- 3.1 These regulations, supported by their Approved Code of Practice (ACOP), stipulate exactly how gas safety will be achieved. The fundamental requirements are:
 - Installations, appliances and their flues shall be installed in such a way that they will be safe to use, and installations, appliances and their flues shall be maintained in a safe condition so as to prevent risk of injury to any person (in lawful occupation). This also applies to employers or self-employed persons in respect of places of work under their control.

- Appliances and flues relevant to those appliances in premises which are let, shall be checked for safety at intervals of no more than 12 months. A certificate (referred to as the Landlord's Gas Safety Record), confirming the findings must be given to the tenant or responsible occupier.
- Landlords shall ensure that the work undertaken on their behalf is done by a member or employee of the Health and Safety Executive's (HSE) "Approved Class of Persons". For the time being the approved class of person is one currently registered with the Gas Safe Register (GSR).

3.2 It is very important to note the use of the terms "shall" and "shall ensure". This makes the duty absolute. It does not consider cost, technical issues, or any other considerations; it must be done. The efforts that we make in this pursuit cannot absolve us from the duty, but if called to account, may (where qualified by the regulations) be used as evidence in mitigation.

3.3 In common law, we also have a general duty of care in respect of our tenants, service users, and the purchasers of our properties. To this end we must have in place management systems and practices to adequately address all foreseeable risks. Management in accordance with the Gas Safety (Installation and Use) Regulations is demonstrable evidence of such.

3.4 Regulation 36 places important duties on most landlords of domestic property to ensure that gas appliances and flues are maintained in a safe condition and that annual safety checks are carried out and records kept and issued (or in certain cases displayed) to tenants.

In summary it places 2 duties upon a landlord, those being:

- to maintain all gas appliances, flues and gas installations; (appliances that the tenant cannot legally remove); and
- to undertake an annual safety check of gas appliances and flues and produce documents to support this.

3.5 All properties to which the duty extends have been included in Planned Gas Servicing contract. The contract requires that appliances owned by us shall be serviced and checked for gas safety at intervals of no more than 12 months from the previously recorded Gas Safety check/service date.

TENANT APPLIANCES

- 4.1 We will service and check the safety of all appliances and flues that the tenant cannot legally remove. This also includes our installed gas installation pipework.
- 4.2 In respect of tenant's own appliances we accept our liabilities to the flues of the properties that tenants' appliances are connected to. In recognition of those liabilities, we will undertake a gas safety check on all appliances connected to our property flues.
- 4.3 As a minimum the safety check will include, but will not be limited to, those checks detailed in the Gas Safety (Installation and Use) Regulations, Regulation 26 (9). In respect of appliances not connected to flues owned by us, a visual inspection for safe use will be undertaken.

Regulation 26 (9)

Where a person performs work on a gas appliance, he shall immediately thereafter examine:

- *the effectiveness of any flue;*
- *the supply of combustion air;*
- *its operating pressure / heat input, or where necessary both;*
- *its operation so as to ensure its safe functioning.*

and forthwith to take all reasonably practicable steps to notify any defect to the responsible person, and where different, the owner of the premises in which the appliance or flue is installed, or where neither is reasonably practicable, the supplier of gas to the appliance.

TENANTS OWN INSTALLATIONS

- 5.1 Throughout our properties there may be a number of propane gas cylinders which provide LPG gas to tenants' cookers. Gas Safety (Installation and Use) Regulations 1998 make no reference to this type of installation as landlords duties apply only to
- *".. gas appliances, fittings and flues provided for tenants."*
- 5.2 The Regulations are specific on landlord duties regarding appliances that belong to tenants:
- *"If a tenant has their own gas appliance that you have not provided, then you have responsibilities for parts of the associated installation and pipework but not for the actual appliance."*

- 5.3 We have no responsibility to service or maintain appliances, cylinders or pipework where the installation and pipework was not installed or provided by us.
- 5.4 Tenants who wish to use appliances that require the use of propane/butane cylinders must obtain permission from us before they are installed. The installations must be carried out by a member or an employee of the Health and Safety Executive's (HSE) "Approved Class of Persons". For the time being, the approved class of person is one currently registered with the Gas Safe Register (GSR). Appropriate certification must also be provided to us.
- 5.5 Tenants should service and check the safety of all appliances that they own where the installation and pipework to a propane gas cylinder was not installed or provided by us. They will also install carbon monoxide detectors.
- 5.6 As a minimum the tenant will arrange for a safety check that will include, but will not be limited to, those checks detailed in the Gas Safety (Installation and Use) Regulations, Regulation 26 (9).

Regulation 26 (9) (Appendix 2)

Where a person performs work on a gas appliance, he shall immediately thereafter examine:

- the effectiveness of any flue;
 - the supply of combustion air;
 - its operating pressure / heat input, or where necessary both;
 - its operation so as to ensure its safe functioning.
- 5.7 The tenant(s) should undertake such servicing at an interval of no more than 12 months and should submit the gas service details to us to allow them to continue using propane gas.
- 5.8 We will maintain a record of propane cylinder installations as part of the HHP gas register.
- 5.9 We will write to tenants two months before the 12-month servicing period to remind that a service is due.
- 5.10 If proof of service is not received within the 12-month period we will withdraw permission and commence enforcement action to achieve the removal of the installation.

- 5.11 Butane cylinders serving portable gas heaters will not form part of the register. Tenants will not require permission to use these heaters in their home. They will be advised to have them checked but not serviced. They will also be advised to install a carbon monoxide detector.

HEALTHY AND SAFETY AT WORK. ACT 1974

- 6.1 There are two sections of the Health and Safety at Work etc. Act 1974 relevant to this context:

Section 2 (1)

"It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees".

- 6.2 This is supported by specific reference to maintaining the workplace in a condition such that it is safe and does not put employees at risk.

Section 3 (1)

"It shall be the duty of every employer to conduct his undertaking in such a way so as to ensure, so far as reasonably practicable, that person not in his employment who may be affected thereby, are not thereby exposed to risks to their health or safety".

- 6.3 This is interpreted to mean, we shall (so far as is reasonably practicable) ensure our housing stock (our business activity) does not cause harm to our tenants (non-employees).

Section 3 (1) is clearly a very broad duty and is a section increasing in use in prosecutions.

THE MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS

- 7.1 In general terms these require us to:
- Assess the risk of Health and Safety of all employees and to anyone who may be affected as a result of work undertaken.
 - Endeavour to provide comprehensive information, instruction, training and supervision with the aim of ensuring, so far as is reasonably practicable, the health and safety at work of every employee or person so affected.
 - Risk assess all work activities.

SCOPE

- 8.1 This policy applies to all our properties, domestic rented properties, domestic housing stock and commercial responsibilities, and all work undertaken in these properties on our behalf.
- 8.2 For the purpose of any specifications or instructions given the Gas Contract Administrator (CGA) will be detailed within those instructions as being HHP, and the named person being the Chief Executive Officer (CEO). Their duties will be expressed in delegating responsibilities to the senior management team.
- 8.3 This policy will apply to all our employees and contractors undertaking gas work on our behalf and anyone likely to be put at risk from work on those properties.
- 8.4 The specifications as compiled will include the Health and Safety Policy, and our working procedures.

DELEGATED AUTHORITY

- 9.1 HHP is the Client Gas Administrator (CGA).
- 9.2 From this point forward, reference to the client will be HHP. The purpose of this delegated responsibility is to provide us with a structured means of delivery and control of gas contracts within our properties, domestic rented properties, domestic housing stock and commercial responsibilities and all work undertaken in these properties on our behalf.

GAS SAFETY MANAGEMENT SYSTEMS (POLICIES AND PROCEDURES)

- 10.1 The requirements for a robust Gas Safety Management system and Maintenance system are clearly defined in Gas Safety (Installation and Use) Regulations, the Management of Health and Safety at Work Regulations together with the Health and Safety at Work Act and other regulations made under this Act.
- 10.2 To safely manage these and other regulations HHP will ensure the following procedures are adopted and are continuously reviewed and amended as required.

CORPORATE GAS SAFETY MANAGEMENT POLICY

- 11.1 This document is a statement from the Chief Executive to confirm HHP's commitment to Gas Safety, and also to demonstrate HHP's commitment to ensuring its employees,

tenants and the general public are not knowingly exposed to any risks that would affect their safety.

SPECIFIC CONTRACTOR INSTRUCTION

The purpose of this document is to:

- 12.1 Provide guidance and specific instructions for all HHP employees and external contractors, whilst undertaking gas contracts. This is with the aim of satisfying the legal duties of the current Gas Safety (Installation and Use) Regulations. The work detailed within the specification may also include other aspects that will assist HHP in satisfying its duty of care to its tenants.

PROCEDURE FOR QUALIFYING CONTRACTORS AND OPERATIVES

This procedure covers:

- 13.1 The duties placed on HHP by the Gas Safety (Installation and Use) Regulations. HHP must ensure that our employees, or contractors we intend to use, are suitably Gas Safe registered and competent for the categories of work they are expected to undertake.
- 13.2 After completion of the evaluation a register of all HHP's employees and contractors employed on the above work will be kept on electronic file. Copies of current Gas Safe registration, insurance certificates, operative's registration and qualifications, will be kept. Details will be checked regularly and updated annually as detailed in the procedure.

PROCEDURE FOR UNIFORMITY OF DOCUMENTATIONS

The purpose of this procedure is:

- 14.1 To provide guidance for HHP employees and contractors to identify all gas safety documentation utilised by HHP and to ensure that all documents used are and remain fit for the purpose.
- 14.2 To demonstrate that operatives have carried out the tests and checks required by the relevant Gas Safety (Installation and Use) Regulations, HHP will have in place uniform documentation and paperwork that will allow positive records to be completed for confirmation and future reference. Where any tests and checks are carried out by an operative the work records will 'positively record' the information detailed in the procedure.

UNSAFE SITUATIONS PROCEDURE

The purpose of this procedure is to:

- 15.1 Provide guidance for HHP employees and contractors to follow when dealing with unsafe situations and clarifies HHP's interpretation of specific aspects within the Industry Unsafe Situations Procedure, as produced by CORGI (USP1).
- 15.2 This procedure will also ensure HHP meets Regulations 34 (1) & (2 (Appendix 5)) of the Gas Safety (Installation and Use) Regulations, in ensuring the safety of its tenants in respect of gas escapes or suspected emission of products of combustion (fumes) in domestic properties.

GAS ESCAPES PROCEDURE

This procedure is to:

- 16.1 Ensure HHP meets Regulation 34 (1 & 2) of the Gas Safety (Installation and Use) Regulations in ensuring the safety of its tenants from gas escapes or suspected emission of products of combustion (fumes) in domestic properties.

PROCEDURE FOR GAINING ACCESS

The purpose of this procedure is to:

- 17.1 Provide guidance for all HHP employees and external contractors involved in the process to follow; to demonstrate that all reasonably practicable steps to gain access to tenanted properties has been undertaken. This is with the aim of satisfying the legal duties of the current Gas Safety (Installation and Use) Regulations. Landlords have a duty to maintain all the appliances they own, as well as undertake a safety check and produce a safety record. This is to be undertaken at intervals of no more than 12 months.
- 17.2 The basic steps and who is responsible are detailed below:
 - Planned appointment – Contractor / CGA
 - Personal visits – Property Services Team / Housing Services Team
 - Legal Options – HHP
- 17.3 HHP will service and check the safety of all appliances and flues that the tenant cannot legally remove; this also includes HHP purpose provided gas installation pipework. In respect of tenant's own appliance, HHP accepts its liabilities to the flues of the properties that tenants own appliances are connected to. In recognition of those

liabilities HHP will undertake a gas safety check on all appliances connected to HHP property flues.

VOID PROCEDURE

This procedure is to:

- 18.1 Be followed by HHP employees and contractors to ensure that in the case of a tenant vacating a property, gas fittings/appliances are safe before the property is re-let. When a property becomes vacant, HHP will ensure that gas fittings/appliances are capped before the property is re-let or worked in by other trades.
- 18.2 Once the incoming tenant has set up an account with a gas supplier, HHP will ensure that a full service/safety check and inspection of the installation will be undertaken and a landlord's Gas Safety Record produced and issued to HHP. A copy will be given to the tenant. The tenant will also be given instruction on the safe use of appliances and controls.
- 18.3 Where there are issues with the gas supply to the property a full service/safety check and inspection of the installation will be undertaken on the day the gas supply is restored. Until this point, the gas supply will remain unavailable to the tenant.

MUTUAL EXCHANGE PROCEDURE

This procedure is to:

- 19.1 Be used as a guide for HHP employees and contractors to ensure that in the case of a tenant vacating/exchanging a property that gas fittings/appliances are safe before the property is re-let.
- 19.2 When an application for 'Mutual Exchange' of properties has been approved, HHP need to ensure that gas fittings/appliances are safe before the exchange can take place. Mutual exchanges constitute a new tenancy and therefore the requirements of the Gas Safety (Installation and Use) Regulations 36 (6b) apply. A copy of the new Landlord's Gas Safety Record will be given to a new tenant before taking up occupancy.
- 19.3 Where there are issues with the gas supply to the property a full service/safety check and inspection of the installation will be undertaken on the day the gas supply is restored. Until this point, the gas supply will remain unavailable to the tenant.

QUALITY ASSURANCE PROCEDURE

- 20.1 HHP will carry out an external review of gas processes and work quality at least every 3 years.
- 20.2 This will provide a systematic approach to Quality Assurance that is robust and reduces risk to the business. HHP will ensure it has Quality Assurance procedures that monitor and record the quality of domestic gas work that is carried out by all gas operatives working within HHP domestic premises.
- 20.3 This procedure will also allow HHP to demonstrate its duty to the Health and Safety at Work Act and the Management of Health and Safety at Work Act. All work carried out on gas systems and appliances by operatives will be subjected to a formal audit on standards of workmanship to ensure the specification of the tender document is being met.

This will include:

1. Contractors' quality control
2. Internal quality control
3. External, independent quality control

PROCEDURE FOR STORAGE AND RETRIEVAL OF LANDLORD GAS SAFETY

RECORDS

The purpose of this procedure is to:

- 21.1 Provide guidance for HHP employees to follow when dealing with gas documentation, especially in the vetting, storage and retrieval of all Landlord Gas Safety Records. It is a legal requirement that these documents be kept for a minimum of 2 years, and a HHP requirement that they are archived for a further 3 years to comply with internal policies

STATEMENTS OF INTENT

- 22.1 Chief Executive of Hebridean Housing Partnership

As Chief Executive (CEO) of HHP I am committed to the effective operation of the Corporate Gas Management Policy across HHP. I will ensure that effective procedures are developed to implement the policy within HHP. I am also committed to ensuring that adequate resources are made available to both develop and implement appropriate procedures, enabling responsibilities to be effectively delegated and key personnel trained. I believe that the proper implementation of the Corporate Gas Safety Policy will contribute directly to ensuring the well-being of our tenants.

- 22.2 Director of Operations

In my role as Director of Operations I will be responsible for ensuring the Corporate Gas Management Policy for HHP's domestic rented accommodation is applied. In addition, I will be responsible for ensuring gas management systems and procedures are in place, maintained, monitored and reviewed across HHP's rented accommodation. The Director's position is responsible for ensuring that the Corporate Gas Management Policy and procedures are robust and effective and to regularly confirm that the persons currently in roles of responsibility can commit to the statements of intent published below.

I will also be responsible for ensuring that tenants of HHP's domestic rented accommodation adhere to the requirements of the tenancy agreement in respect of maintenance of gas systems and the ultimate provision of access to those properties for work to be undertaken

22.3 Investment Manager

I will be responsible for the operational management of the Corporate Gas Management Policy within HHP's domestic rented accommodation and for reporting to the Director of Operations on all service delivery aspects of the Corporate Gas Management Policy

Hebridean Housing Partnership

Management Chart

CHIEF EXECUTIVE

Key responsibilities:

Effective operation of the Corporate Gas Management Policy across HHP as a whole

Adequate resources are made available to both develop and implement appropriate procedures

Enable responsibilities to be effectively delegated

DIRECTOR OF OPERATIONS

Key responsibilities:

Interface with Corporate Management team

Reporting to Chief Executive

Ensure the Corporate Gas Management Policy for HHP's domestic rented accommodation is applied

Responsible for ensuring gas management systems and procedures are in place, maintained, monitored and reviewed across HHP's domestic rented accommodation

Responsible for the implementation of the policy and to ensure sufficient resources are available

Financial provision and budget responsibility for repairs and planned maintenance

INVESTMENT MANAGER

Key responsibilities:

Reporting on performance corporately

Effective management of:

- Problematic access
- Legal injunctions
- Actioning identified vulnerability issues
- Mutual exchanges

Provision of information and reports to the HHP Board

Develop effective management information systems, establish, monitor and review performance indicators for gas servicing and repairs.

Develop and manage effective services, policies, procedures and management systems, which ensure compliance with the Gas Safety Management Policy

Lead Officer in contracts team, in the procurement, management and monitoring of gas contracts.

Responsible for budget performance monitoring and service delivery improvements.

Responsible for communication with other services to ensure that the services requirements are dealt with.

Responsible for providing reports for Director of Operations

GAS OPERATIONAL TEAM

Key responsibilities:

Liaison with client service

Management of gas related performance and monitoring

GSR gas registration

Verification of contractors and operatives

Reviewing and updating GSR records on database and filing certificates

To monitor the quality of Services provided by contractors ensuring compliance with contract conditions

To recommend specification/contract changes

Provide technical advice as required

To ensure the integrity of HHP computer records

To generate position statements based on computer records

Oversee administration functions

Responsible for ensuring property and appliance lists are updated

INTERPRETATIONS & ABBREVIATIONS

The following interpretation and abbreviations are used in this policy:

WORD	INTERPRETATION
<i>HHP or Partnership</i>	Hebridean Housing Partnership
<i>Board</i>	Means the Board of the Hebridean Housing Partnership
<i>Board Members</i>	All Members of the Board including co-opted Members
All references to the masculine gender in this policy shall read as equally applicable to the feminine gender	



HHP is a registered society under the Co-operative and Community Benefit Societies Act 2014, Registered Number: 2644R(S), Registered Office: Creed Court, Gleann Seileach Business Park, Willowglen Road, Stornoway, Isle of Lewis HS1 2QP. It is a charity registered in Scotland, Charity Number: SC035767, registered as Registered Social Landlord with the Scottish Housing Regulator, Registration Number: 359 and registered as a Property Factor, Registration Number PF000183

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