



Gas Safety & Maintenance policy

Yorkhill Housing Association Ltd.	
Policy Name	Gas Maintenance and Annual Servicing/Safety Visits
Policy Category	Repairs and Maintenance
Date passed by committee	Signed:
Last Review	2023
This review	2025
Next review	2027
Consultation	internal and external

1.0 Introduction

1.1 This policy aims to ensure that the gas boilers, fires, flues and gas pipework leading from the gas meter outlet to the appliance/s that Yorkhill Housing Association (the Association) provides for tenants' use are serviced annually and maintained to ensure they are in a safe condition at all times. Tenants are contacted 10 months after their Annual Gas Service to arrange their next appointment to ensure there is adequate time to plan suitable appointments to allow the Association to meet our legal obligations.

This policy will also include smoke, Carbon Monoxide (CO) alarms and heat detectors that the Association provides for tenants ensuring that these safety devices are checked during the annual gas safety check (AGSC) and maintained within our existing repairs procedures.

It covers the following areas:-

- Risk Management
- The Association's Responsibilities
- The Contractor's Responsibilities
- Gas Repairs
- The Association's Non Access Procedures
- Quality Control
- Responsibility

➤ Policy Review

1.2 Related documents:

- Planned Maintenance Policy
- Asset Management Policy
- Procurement Principles and Methodology Report 11/2/2016

Regulatory Assurance associated with this Policy

- Standard 1 The Governing body leads and directs the RSL to achieve good outcomes for tenants and other service users.
- Standard 2 The RSL is open and accountable for what it does. It understands and takes account of the needs and priorities of tenants, service users and stakeholders. Its primary focus is the sustainable achievements of these priorities.
- Standard 3 The RSL manages its resources to ensure its financial wellbeing and economic effectiveness.
- Standard 4 The Governing Body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.
- Standard 5 The RSL conducts its affairs with honesty and integrity.
- Standard 6 The Governing body and senior officers have the skills, experience, knowledge and training to successfully lead and manage the organisation

1.3 In implementing this policy our objectives are to:

Ensure that policies comply at all times with all current legal and regulatory responsibilities and codes of good practice.

Provide a prompt, economic and efficient repairs service, including an out of hour's emergency service for all of our tenants and owners who have taken up the offer to have the contractor provide the same contract conditions and costs as to the Association.

Achieve a high standard of customer care and satisfaction by monitoring our service providers' performance regularly and enabling tenants and other service users to comment on repairs undertaken.

Establish and maintain a comprehensive and systematic program of planned maintenance and property improvements.

Provide a value for money service by seeking competitive quotes or tenders for work in accordance with the expenditure levels.

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Next Review Due June 2027

Provide opportunities for tenants to be involved in the decision-making process, in accordance with our policies and the Scottish Social Housing Charter. (See further detailed below)

Ensure that all our tenants are given clear information on the division of responsibility for repair and maintenance between us as landlord and themselves as tenants.

Ensure that all internal procedures supporting this policy are clear, comprehensive and available to all staff, to ensure a consistent approach to managing, implementing and budgeting for all aspects of this area of our repairs and maintenance service

The Scottish Social Housing Charter (SSHC)

The SSHC sets out the standards and outcomes that all social landlords should endeavour to achieve when carrying out their housing activities. The following outcomes can be related directly to maintenance:

- ◆ Outcome 2 - Communication - Social landlords should manage their business so that tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides
- ◆ Outcome 4 - Quality of Housing – Social landlords should manage their business so that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard by April 2015 and continue to meet it thereafter, and when allocated, are always clean, tidy and in a good state of repair.
- ◆ Outcome 5 - Repairs, maintenance and improvements – Social landlords should manage their business so that tenants' homes are well maintained with repairs and improvements carried out when required and tenants are given reasonable choices about when work is done.
- ◆ Outcome 13 - Value for money - Social landlords should manage all aspects of their business so that tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

2.0 Risk Management

2.1 The provision of a written detailed Gas Maintenance Policy and Procedure ensures the Association can deliver a uniform and professional approach throughout the organisation, and that the service delivered is compliant with law, best practice and internal policy. The overall aim of this policy is to ensure the safety of people in properties owned by Yorkhill Housing Association which have gas-fired appliances or a gas supply pipe entering the property. We aim to protect the health and welfare of the occupiers of our properties, residents, visitors, staff, contractors and the general public so far as is reasonably practicable.

2.2 Not having this Policy in place would lead to systems being vulnerable to interpretations which may fall out with the current legislation. The significance of the legislation must not be underestimated as, should an accident or fatality occur and these systems have not been checked for safety in accordance with the legislation, and the policy and procedure not adhered to, then ultimately the Association and officers of the Association could face legal charges.

3.0 The Associations Responsibilities

3.1 *Gas Safety (Installation and Use) Regulations 1998. Approved Code of Practice and guidance L56 (Second edition) (GSR)*

Guidance for landlords under Regulation 36 of the above has been removed and replaced with a small amount of Approved Codes of Practice (ACoP) text. Detailed guidance for landlords is available from the Health and Safety Executive (HSE) website. - ***Landlords responsibility for Gas Safety***, which states that landlords are legally responsible for the safety of their tenants in relation to gas safety.

By law, landlords must ensure that all gas fittings – to include installation pipework, valves, fixings, appliances and associated flues – are maintained in a safe condition, that annual safety checks are carried out by a competent person and that records are kept and issued (or in certain cases displayed) to tenants. Failure to comply with the regulations is a criminal offence which could result in the prosecution of The Association's Senior Staff both in the Civil and Criminal Courts by the HSE

3.2 The Association will procure (in line with the current procurement policy) a suitably attested and experienced contractor to carry out annual servicing, safety checks to void properties and repairs and maintenance. The contractor will be enrolled on the 'Gas Safe Register', their employees will hold current relevant qualifications under the Accredited Certification Scheme (ACS), listing the areas of gas work that the installer can undertake. The contractor will have a proven track record in carrying out this type of work and will self-audit 10% of their services.

3.3 The names and qualifications of the operatives who will work on the contract will be registered with the Association. Any operative whose qualifications have not been copied to the Association will not be permitted to work on the Association's gas servicing and maintenance contract. Any changes to the information provided by the contractor must be relayed to the Association as soon as possible.

3.4 Under this regulation the Association will be responsible for ensuring that the gas pipework – all installation pipework that runs from the meter to the appliance - should be included in the maintenance check. Appliances and flues provided by the Association for our tenants' use are maintained in a safe condition at all times and are inspected for safety every 12 months with a minimum of an Annual Gas Safety Check (AGSC) by a 'Gas Safe' registered engineer. Under the Gas Safety Regulations all appliances have to be checked, including tenant's own appliances in respect of gas soundness, ventilation and flue provisions. Even where there is no gas appliance or gas meter, each property that has an incoming gas main will be checked to ensure that the supply is safe and that no appliance or meter has been added without the Association's knowledge.

3.5 The Association will employ a suitably qualified person to carry out third party quality control on a 5% sample of works carried out, by passing a batch of certificates as received to the Quality Assurance Contractor to carry out an independent inspection of the main contractor's servicing practices. The Association will also arrange quarterly review meetings with the contractor to monitor the progress of the contract.

3.6 The Association are also required to provide a copy of the certificate of inspection to the tenant within 28 days of the AGSC. The Association must also keep a copy of this certificate/record for a minimum of two years. This record may be kept electronically so long as it can be reproduced in hard copy format when required, is secure from loss and interference and uniquely identifies the Gas Safe registered engineer who carried out the safety check by way of an electronic signature, a scanned signature, a Gas Safe engineer licence number and the name of the engineer. Tenants can also have an electronic copy of their AGSC paperwork but must also have a paper copy if they ask for it. It would be permissible for the gas engineer, to send the electronic record directly to the tenant, if requested by the tenant. Failure to comply with the legislation is an offence, unless it can be shown that "reasonable steps" have been taken to prevent that contravention. The gas safety check record contains the results of the annual gas safety check. It should be issued on completion of the checks and not delayed even if concerns are found and not delayed until necessary remedial action has been taken. The record is a 'living document' and The Association should supplement it with records of any follow up action taken (if required). New tenants must be provided with a copy of the current safety check record before taking up tenancy. A safety check is also required on any newly installed appliance/flue within 12 months of the date of installation. It is also the Associations responsibility to ensure tenants

are informed about their responsibilities while occupying the Association's properties. *(Our current contractor as 2021/22 leaves a hard copy of the certificate with the tenant at the AGSC)*

3.7 The Association will create and maintain a database/register which will be held centrally within our computer system containing relevant information relating to their properties containing gas mains pipework, gas meters, gas appliances and associated fixtures fittings and safety devices such as smoke, CO alarms and heat detectors.

This information will be updated to ensure the records are accurate and up to date and shall include:

- The property address
- The property reference
- Tenant's name and contact details
- The make, model and location of appliances within the property
- The Association's appliance/s installation dates
- Date of last service and next service due date
- Presence of smoke alarm/s CO and heat detectors and their expiry dates
- Links to current and previous AGSC certification

3.8 The Scottish Secure Tenancy Agreement which is used by the Association and signed by all tenants, has a section which states as follows.

We have the right to come into your house to inspect it and its fixtures and fittings or carry out repairs to it, or adjoining property, during reasonable times of the day. We will give you at least 24 hours' notice in writing. If you refuse us entry, we will have the right to make forcible entry provided we have given you every reasonable opportunity to let us in voluntarily.

Gaining access to a property via a locksmith/joiner will be a last resort and only after every reasonable attempt to gain access has been exhausted by the Association and this will follow a hand delivered correspondence advising that this action will take place. Only works required to make the gas installation safe and to allow the Association to meet its responsibilities shall be carried out at this type of visit. Arrangements for gaining access via a locksmith/joiner will ensure that two members of staff from the Association are in attendance, as well as the Gas Engineer. Police Scotland attendance will be requested if required. The Association will reinstate the security of the property; change locks where required and leave notification of what has taken place. Keys will be left either at the Associations offices or within a keysafe at the address. The cost will be pursued and recovered through the rechargeable repairs procedure.

3.9 The Scottish Housing Regulator also expects the Association to meet its legal duties in relation to checking the safety of gas appliances in 100% of our properties within any 12-month period. We will endeavour to achieve this.

4.0 The Association and Contractors Responsibilities

Industry recognised documentation Landlords gas safety records (LGSR) also gives a clear process for engineers to follow when conducting annual safety checks on behalf of landlords. Landlords and engineers must clearly understand the **nine** key points detailed in the above regulations which must be documented for every landlord's annual safety check conducted. GSR 36(3c)

- The date on which the appliance or flue was checked;
- The address of the premises at which the appliance or flue is installed;
- The name and address of the landlord of the premises (or, where appropriate, his agent) at which the appliance or flue is installed;
- A description of and the location of each appliance or flue checked;
- Any defect identified;
- Any remedial action taken;
- Confirmation that the check undertaken complies with the requirements of paragraphs (a) to (d) of regulation 26(9) of the Gas Safety (Installation and Use) Regulations 1998
- The name and signature of the individual carrying out the check;
- The registration number with which that individual, or his employer, is registered with a body approved by the Executive for the purposes of regulation 3(3) of these Regulations.

Although only a void safety check is required when properties are empty, it is our policy to carry out a full gas safety check at this time.

5.0 The Contractors Responsibilities

The Contractors' responsibilities emanate from the GSR and the Association's current gas contract which state that:-

- All engineers working on the Association's appliances are appointed by a Contractor who has been appointed by the Association; they will carry the contractor's photographic identification badge and be suitably attired.
- 24-hour cover is provided for the maintenance of the Association's gas appliances and flues.

- When working on the Association's appliances the Contractor will at all times comply with legislation and amend practices and procedures in accordance with any changes to the legislation
- The contractor will inform the Association immediately if there are any legislation changes which may affect the current contract or procedures detailed within that contract.
- A safety check and service on the Associations gas appliances is carried out within a 12 month period. The contractor must also ensure that CO smoke and heat detectors are checked, operating satisfactorily and the expiry dates are noted, where an alarm/detector is found to be out of date or will be out of date within 10 months of the AGSC this alarm/detector will be renewed during the AGSC.
- The contractor will contact each property included in the Annual Gas Servicing contract 10 months after the date of the previous AGSC with a provisional appointment for their next AGSC. The contractor will inform the Association of any no accesses to these arranged visits. (In the event of no access following a first visit, the contractor will write to the tenant with a second visit within two (2) weeks of the first missed appointment. The contractor will notify the Association immediately if there is no access to the second appointment)
- The contractor will leave a hard copy of the Corgi Product code 12 (CP12) certificate with the tenant on completion of the AGSC
- The contractor will have access to the Association's gas database/register through an online portal. The contractor will create a program of works with regards to the annual gas servicing which will be in line with (GSR). The contractor will update the online portal on a daily basis to ensure the Association has up to date accurate information regarding the AGSC schedule. The contractor will also update the portal with any new boiler installation details and install dates which will affect the AGSC program.
- A regular report, including formal monthly reports, self-audits of AGSC's and daily electronic updates will be received during the safety check and servicing programme period. Details of the units completed, no access visits and dates for the outstanding units will be provided to the Association by the Contractor.
- The Contractor is required to advise the Association immediately when an unsafe situation is identified. A warning label shall be applied detailing the unsafe situation. The label should not be removed until repairs are complete.
- The Contractor will carry out a visual check on gas appliances and flues provided by the tenant (not belonging to the Association) and will report on the condition of appliances to the tenant and the Association. Any unsafe appliance should have warning labels attached. The tenant will be advised that the labels should not be removed until repairs are complete. They will also be advised of the action that they should take to rectify the fault if their own equipment is found to be faulty. Quality assurance checks will focus on these properties.

- In order to monitor the performance of all gas servicing engineers and the gas servicing and maintenance contract the Association will, Ensure that a 10% quality control on all servicing and day to day repairs is carried out by the Contractor at the expense of the Contractor. Details of each inspection will be supplied to the Association on a monthly basis.

6.0 Gas repairs

6.1 Tenants report any gas repairs/breakdowns directly to the Association's office or to the gas service contractor and direct to the gas service contractor for out of office hours repairs.

6.2 The gas contractor will submit a detailed report for each repair they have been called to, these records will be filed into the gas services folder and a works order will be created within our repairs system to record each repair.

6.3 The Associations website will include a section on Gas Safety and will advise tenants to notify Scotland Gas Networks (formerly Transco) immediately of any suspected gas leak.

6.4 The gas service contractor will be contacted, made aware and will visit the property, following any attendance by Scotland Gas Networks to assess the problem and repair any faults.

7.0 Access for Annual Gas Service Checks

7.1 The tendered contract for the servicing of gas installations includes three no accesses by the contractor within the price.

7.2 The Association incurs a charge for any visit by the contractor after the third no access visit which may be re-charged to the tenant if agreed appointments have not been kept.

7.3 The contractor endeavours to obtain access for the first service by issuing an appointment letter to the tenant 10 months after the date of the previous AGSC. If they cannot obtain access on the arranged date and time they notify the Association and attempt to arrange a second visit by writing to the tenant with a second appointment within two weeks of the first. If no access is gained at the second appointment, the contractor will advise YHA and staff will attempt to arrange access from this point. These attempts are made on a regular basis and all staff are made aware of the tenants who need to be contacted.

7.4 Once YHA staff are notified of no access, a letter is issued asking the tenant to contact within 7 days to arrange another appointment. This letter advises of the consequences and seriousness of the matter.

7.5 If there is no response to this, a more strongly worded letter is issued asking for a reply within 5 days. Following this, and after phone calls/texts/visits a letter will be sent from the Association's Solicitors at a cost to the tenant confirming a date and time for access to be gained via a joiner/locksmith and YHA staff, and the legal process for gaining access continues. *(See 3.8 above for further details)*

7.6 Where a tenant requests their annual gas safety visit (AGSV) on a date which is within the period where we would have normally issued access letters and our legal letter (i.e. within 2 weeks of the AGSV anniversary date), we could be in a position where we are unable to follow our policy processes if access was not achieved on the requested date. Therefore, a letter describing these processes which are being bypassed is sent to allow us to meet our legal responsibilities if access was not gained and access via a locksmith/Joiner was subsequently required (*See 3.8 above for further details*).