Ferguslie Park
Housing Association

GAS SAFETY POLICY

Date Approved by the Management Board	27 November 2019	
	Signed:	Chairperson
Date of Next Review	November 2022	

1.0 Introduction

Ferguslie Park Housing Association has a responsibility to ensure that as far as reasonably practical tenants will not be exposed to risks to their health and safety.

This document states Ferguslie Park Housing Associations policy in relation to dealing with all aspects of gas safety and management.

This policy will ensure the effective management of:

- Competent Gas Contractor(s)
- Annual Gas Service
- Reactive Gas Maintenance
- Accurate Record Keeping
- Non Access to Properties/Forced Entry
- Void work
- Gas Escapes

2.0 Legal and Regulatory Framework

Ferguslie Park Housing Association has a number of legal obligations it must adhere to and although not exhaustive the Association will comply with all relevant legislations and associated regulations.

These include:

- The Gas Safety (Installations and Use) Regulations 1998
- Gas Safety Regulations 1993
- The Health & Safety at Work Act 1974
- Housing Scotland Act 2014
- The Management of Health & Safety at Work Regulations 1999
- The Construction (Design and Management) Regulations 2015
- Occupiers Liability Act (Scotland) 1980
- Building (Scotland) Act 2003
- Scottish Secure Tenancy Agreement
- SFHA Legal Guidance on Forced Access 2009

In terms of the Scottish Social Housing Charter, the Scottish Housing Regulator has identified key indicators relevant to housing maintenance by which it will measure landlord performance including:

***Section 4 - Quality of housing**: that Tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing by 2020;*

***Section 5 - Repairs, maintenance and improvements**: that tenant's homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done;*

Section 13 - Value for money: *Tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay." Ferguslie Park Housing Associations Landlord Responsibilities*

3.0 Ferguslie Park Housing Associations Landlord Responsibilities

Under the terms of the current legislation Ferguslie Park Housing Association, as Landlord, is required to:

- Carry out annual gas safety checks within a twelve month period, therefore, to ensure compliance with this, Ferguslie Park Housing Association will work on a ten month annual cycle for gas safety checks

- Ensure that any and all work carried out on Ferguslie Park Housing Associations behalf is carried out by a registered Gas Safe engineer

- Ensure that all gas appliances (owned by Ferguslie Park Housing Association), flues and gas safety installation pipe work are maintained to a safe standard. (This includes the safe fitting of gas installations in any future new build properties as well as reactive and planned replacements)

- Ferguslie Park Housing Association will maintain computerised maintenance records showing the repairs history of the flues and appliances for each property

- Accurately record the annual gas safety inspection including specific information on the results of the tests carried out

- Provide a copy of the gas safety record/certificate to the existing tenants within 28 days of the check being completed (CP12)

- Provide new tenants with a new gas safety certificate before tenancy signing

- Keep copies of the certificates for two years. This means the new certificate and the previous two certificates must be kept for each property at any one time.

4.0 Contractor Competence

Ferguslie Park Housing Association will only approve the use of competent contractors for gas servicing or the installation of new appliances.

Ferguslie Park Housing Association will carry out the following checks to ensure Contractor competence:

- Verification of registration - we will require a copy of their GAS SAFE accreditation and will contact GAS SAFE direct to confirm if in any doubt

- Ensure that all engineers working on Ferguslie Park Housing Association appliances have the appropriate ACOPS (approved codes of practice) qualifications or equivalent

- Checking of the Contractor's method statements and procedures by a qualified third party

- Undertake third party quality assurance audits to check 10% of the work carried out by the Contractor

- Ensure the Contractor has adequate insurance liability cover.

5.0 Reactive Maintenance

Ferguslie Park Housing Association engages a gas service contractor to deliver its reactive maintenance services relating to its Landlord responsibilities as outlined in Section 3.

Tenants report repairs directly to Ferguslie Park Housing Association office or via the out of hours service provider.

Additionally the Contractor will be expected to follow standard conditions of the contract.

In respect of suspected gas leaks, Scottish Gas Network (SGN) should be notified immediately.

6.0 Void Maintenance

When a property is vacated, Ferguslie Park Housing Association will ensure that the gas fittings and flues are safe before re-letting and that a safety certificate is provided.

7.0 Annual Gas Service

Ferguslie Park Housing Association will carry out the annual gas servicing within a 10 month period.

As part of the annual gas safety inspection, the gas services contractor will:

- Be formally appointed by Ferguslie Park Housing Association in compliance with the Procurement Policy

- Comply with legislation and amend their practices, procedures and employee training, to reflect latest best practice and current legislation

- Allow for three visits and where access is not obtained, tenants will be left a card after each no access, notifying them of a new appointment 7 days later. Ferguslie Park Housing Association will be emailed after each visit detailing date and time of no access

- Where required the contractor will show the tenant how to operate the central heating boiler and controls

- Immediately telephone and subsequently confirm to Ferguslie Park Housing Association any breakdowns or problems where safety cannot be maintained, in order that appropriate action can be instructed or arranged by the Association

- When working in occupied properties carry out all work with minimum inconvenience and without danger to occupants

- Take all reasonable precautions to avoid damage or defacement, staining of furniture or floor coverings or other effects. Remove all rubbish and debris on completion of works

- Not use any of the tenant's appliances or equipment such as ladders, stools, brushes etc.

- Provide annual confirmation to the Association of adequate third party liability insurance cover

8.0 Quality Control

In order to ensure high level of performance in respect of annual gas servicing and reactive gas maintenance, Ferguslie Park Housing Association will:

- Engage the services of another suitably qualified gas quality assurance contractor to carry out a 10% quality control check on all annual gas services carried out by the Association's main gas servicing Contractor

- Hold regular meetings with the gas servicing Contractor to discuss quality control and any other aspects of the gas servicing/maintenance contract that may arise

9.0 Annual Inspection Procedures

Ferguslie Park Housing Association will steps to ensure that annual inspections are carried out on all properties that have gas appliances within the 12 month period.

A copy of the programme will be agreed at commencement of the contract and will be maintained, amended and updated by the Contractor or as per any instructions given by Ferguslie Park Housing Association.

The first visit is scheduled to take place 2 months prior to expiry of the current certificate.

10.0 No Access and Forced Entry Arrangements

As a final mechanism to ensure the Association's compliance with its statutory obligations, we will consider forcing entry to carry out this work.

Every effort will be made to avoid this, through written correspondence and other appropriate methods of communication.

- Action 1 – All tenants within the monthly cycle will receive a letter, issued a week before their appointment date and 2 months prior to their anniversary date to inform them that the Engineer will be calling out to their property

- Action 2 – Engineers will attend the property as per the appointment date, carding each time a visit is made if no access, up to a maximum of three visits per property. No access cards will encourage tenants to call the Gas Servicing Contractor or Association to arrange a suitable access for this work

- Action 3 – Following a 3rd no access by the Engineer, the tenant will enter into the "No Access" process. At this point a letter will be hand delivered to the tenant giving 7 days' notice for them to contact the Maintenance Officer to arrange access for this work

- Action 4 – If no contact is made following Action 3 letter above an updated e-mail will be sent to the Property and Housing teams advising of the progress. Steps will be made to contact the tenant via telephone numbers available and visits will be made by both Property and Housing Services to try to contact the tenant at home. Housing Services will update on any difficulties with tenants, such as working hours, hospitals stays etc. SDM will also be updated on a regular basis to pop up within the rent account to show no access

- Action 5 - Following enquiries made with no response, a "Notice of Intention to Force Entry" will be issued. This letter is delivered and allows tenants 3 days to contact the Maintenance Officer to arrange access.

- Action 6 - Following no response from the tenant, action will be taken to make forced entry and carry out the service. Where the intended action is to be taken to force entry, a standard Pro Forma should be fully completed and countersigned by the Property Maintenance Manager of the Association prior to proceeding with arrangements to force entry. In addition to this, clarification should be sought that a Scottish Secure Tenancy Agreement (SSTA) has been signed by the current tenant and a copy is on file

- Action 7 - Following the Pro Forma action will be taken to make forced entry and carry out the service. At this stage a letter will be delivered recorded advising the tenant of their "Final Warning" providing an appointment 7 days in advance and advising tenant that if no access on this date, a forced entry will take place. At this stage, the tenant cannot contact to rearrange appointment. A notice will be left advising of what has happened and where to collect new housing keys

- Action 8 – Ensure that the Forced Entry procedure is fully adhered to during the action to force entry and carry out the gas service. In addition to this, the following actions should be carried out:

    - The lock changed (if out tenant is not present and entry has been forced) by the Associations Joiner.

- Notification left pinned to the door that the locks have been changed and the service has been carried out / or made safe, along with details of what the tenant must do next to retrieve new house keys

- Minimum of 2 staff member (inclusive of Gas Engineer) to remain in attendance whilst gas service is carried out, property vacated and secured all as Forced Entry Procedure. Police may also be in attendance should they be required and notified in advance of Forced Entry

- Where there is no gas supply (quantum meter) present at time of forced entry and service the supply from the meter will be disconnected and capped on the Association side of the meter. The tenant will have to contact the Association directly to have this supply reinstated and the appliance serviced during the same visit.

- Action 9 - When forcing entry, a member of the Association staff present will photograph any pre-existing damage as well as record what was done in the house and any damage cause by the Association and / or its Contractor as a result of the process of Forced Entry.

Under Regulation 39 (Exception as to Liability) of GSIUR, the Association will be deemed not to be guilty of an offence under Regulation 36 should it be able to show that all reasonable steps were taken to prevent the offence from taking place.

In formulating and implementing this policy, the Association is committed to meeting statutory requirements.

11.0 Gas Register

The Association will hold centrally on computer a register of gas appliances. The register will detail:

- A description of appliance
- The make, model and location of appliance
- Date of installation
- Servicing history
- Smoke Detectors
- Heat Vents
- Carbon Monoxide Detectors

12.0 New Schemes and Ad-hoc Additions

Should Ferguslie Park Housing Association add new properties through a new build scheme, a practical completion certificate for each new build property at handover will be required including a gas safety certificate.

Where other ad-hoc properties are purchased, a gas safety check will be carried out prior to letting the property.

13.0 Staff Training

Relevant staff will be trained in the implementation of this policy and accompanying procedures.

14.0 Responsibility

Responsibilities are detailed in the table below. Where the Property Services Officer (PSO) has been delegated authority for tasks ultimately, it is the responsibility of the Property Maintenance Manager (PMM) to ensure compliance.

Area	**Responsibility**
Approving Gas Service Contract	Board
Ensuring that a copy of the Contractors Gas Safe registration is verified by Gas Safe	Property Maintenance Manager
Ensure that all Contractors engineers ACOPS certificates are received	Property Services Officer
Annual service programme is agreed prior to contract commencement	Property Maintenance Manager
Ensure that the gas register is kept up to date	Property Services Officer
Ensure that the 10% quality control target is met	Property Services Officer
Examining, checking and securely filing certificates	Property Services Officer
Ensure that the Board receive quarterly performance reports on meeting legal obligations	Property Maintenance Manager
Ensure the Board receives monthly reports detailing performance in respect of annual gas service and reactive maintenance	Property Maintenance Manager
Ensure that that policy and procedures are adhered to	Property Maintenance Manager

15.0 Board Reporting

The Board will be notified immediately where a service has not been carried out within the 12 month timescale and the remedying action which has been taken. This may be a notifiable event.

The Board will receive on a monthly basis a report detailing:

- Number of annual gas services carried out
- Action taken to pursue no accesses
- Number of reactive gas install repairs carried out; category of repair and performance against targets.

16. Equal Opportunities

Ferguslie Park Housing Association is committed to ensuring equal opportunities and fair treatment for all people in its work. In implementing this policy, our commitment to equal opportunities and fairness will apply to all protected characteristics.

17. Right to Complain

If you are not satisfied with any service please contact Ferguslie Park Housing Association for a copy of the Complaints Policy.

18. Policy Review

The Association's Board will review this policy at least every three years or in the event of changes to relevant legislation.