

**ROTHERHAM METROPOLITAN  
BOROUGH COUNCIL**

**HOUSING SERVICES GAS & CARBON  
MONOXIDE SAFETY POLICY**

**NOVEMBER 2024**

DRAFT

	<b>CONTENTS</b>	<b>PAGE</b>
1	Introduction .....	3
2	Scope .....	3
3	The Council's approach to managing gas and carbon monoxide.....	5
4	Equality, diversity, and inclusion .....	9
5	Audit, compliance and review .....	9
	Appendix – Additional legislation.....	11

DRAFT



# 1 INTRODUCTION

The health and safety of tenants, residents, visitors, staff, and contract partners is of paramount importance to the Council. The risk of gas and carbon monoxide escape presents a significant hazard to the safety of buildings and their occupants, and it is imperative that there are robust management and early warning systems in place to significantly reduce risks.

The key objective of this policy is to ensure the Council, employees, partners, and tenants are clear on their legal and regulatory gas and carbon monoxide safety obligations in respect of housing assets. This policy provides the framework all key stakeholders will operate within to meet these obligations.

The delivery of this policy is an integral part of the Council's holistic management of gas and carbon monoxide safety across its portfolio of assets as detailed within the Council's Corporate Health and Safety Policy.

## 2 SCOPE

This Policy aims to demonstrate that the Council has relevant measures in place to comply with the Gas Safety (installation and use) Regulations 1998 as amended and the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022: This policy also operates within the context of additional legislation (see Appendix)

It covers assets within the responsibility of the Council's housing service, including residential properties, neighbourhood centres, garages and boiler houses but does not apply to managing gas and carbon monoxide safety within non-council owned dwellings or other council assets such as schools, care homes, offices, or commercial properties.

This policy applies to all employees who are involved with the management and maintenance of housing services including contractors or visitors to buildings for the purpose of performing their work duties, and is underpinned by the following principles:

- Ensuring compliance with legal and statutory requirements.
- Ensuring, as far as is reasonably possible that gas and carbon monoxide risks are minimised.
- Ensuring all gas and carbon monoxide equipment on the Council's estate is regularly maintained, and records kept in line with legal requirements. This includes cyclical servicing and inspections of gas installations.

### 2.1 Guidance and codes of practice

The principal guidance and codes of practice applicable to this policy are:

- Approved Code of Practice (ACoP) - The ACoP applicable to this policy is: ACoP L56 - 'Safety in the installation and use of gas systems and appliances' (fifth edition 2018).

- The principal guidance applicable to this policy is: INDG285 - 'A guide to landlords' duties: Gas Safety (Installation and Use) Regulations 1998 as amended Approved Code of Practice and guidance (3rd Edition 2018).

## 2.2 Regulatory standards

The Council will comply with the Regulator of Social Housing's Consumer Standards for social housing in England.

The Gas Safety Regulations impose duties on the Council to protect customers in their homes. The main duties are set out in Regulation 36 and require landlords to:

- Ensure gas fittings and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer's instructions. If these are not available it is recommended that they are serviced annually, unless advised otherwise by a Gas Safe registered engineer.
- Ensure the annual safety check is conducted on each gas appliance and flue within 12 months of the previous safety check.
- Have all installation, maintenance and safety checks conducted by a Gas Safe registered engineer.
- Keep a record of each safety check for at least two years (until at least two further gas safety checks have been conducted).
- Issue a copy of the landlord gas safety record to tenants within 28 days of the check being completed, or upon sign up to any new tenancy.
- Display a copy of the latest safety check record in a common area of a building where the gas appliance serves a communal heating system to multiple homes.
- Ensure that gas fittings which contravene Regulation 30 (e.g. certain gas fires and instantaneous water heaters) are not fitted in any room to be occupied as sleeping accommodation. This includes any room converted into such accommodation.

The Smoke and Carbon Monoxide Alarm (Amendment) Regulations which came into effect 1st October 2022 require the Council to:

- Install a smoke alarm on every elevation with living accommodation.
- Install carbon monoxide alarms in any rooms used as living accommodation with a fixed combustion appliance (excluding gas cookers).
- Repair or replace faulty smoke alarms and carbon monoxide detectors as soon as reasonably practicable.

### **3 THE COUNCIL'S APPROACH TO MANAGING GAS & CARBON MONOXIDE SAFETY**

The Council has a range of measures in place to manage gas and carbon monoxide safety within its properties. The compliance management matrix details all compliance activity, frequency of testing, and how the Council meets its statutory and regulatory obligations. This includes:

- Domestic Landlord Gas Safety Record.
- Non- Domestic Landlord Gas Safety Record.
- Solid Fuel Annual Service and Sweep.
- Carbon Monoxide Detection.
- Liquid Petroleum Gas Landlord Gas Safety Record.
- Heating Pressure Vessels.

#### **3.1 Annual Servicing**

The Council will conduct an annual gas safety check to all properties with a gas supply, irrespective of whether the gas is connected or not.

The annual gas safety check will include any testing of tenant owned appliances (excluding tenant's own cookers). Where appliances are found to be faulty, they will be identified in accordance with the Gas Industry Unsafe Situations Procedure (IGEM/G/11 Edition 2) and isolated or disconnected dependent on the severity of the issue. A warning notice will be issued, and the relevant advice given to the tenant explaining why the appliance is considered unsafe.

The Council will conduct an annual gas safety check to all properties where the gas supply has been capped at the request of the tenant on a previous safety check, to ensure the supply has not been reconnected without the Council being notified. At the same time, the Council will check on tenant welfare and assess whether the lack of gas heating is adversely affecting the condition of the property.

Annual visual checks are completed to properties that do not have a gas meter but retain a live gas supply which has been capped at the emergency control valve (ECV).

#### **3.2 New Appliance**

The Council will ensure a gas safety check is conducted following installation of a new gas boiler and obtain a landlord gas safety certificate (LGSR) to confirm the necessary checks have been completed. The safety check will include a gas tightness test of the carcass, full commissioning of the newly installed boiler in accordance with manufacturer's instructions and Regulation 26/9, a visual inspection of the meter installation, and an annual service/safety check in accordance with manufacturer's instructions, Regulation 26/9 and the Council's specification on all other gas appliances and associated flues within a property.

### **3.3 Void Properties and Mutual Exchange**

For safety reasons and best practice, the Council will cap off gas supplies to all properties when the property becomes empty. This will be completed by the end of the next working day following termination of tenancy. The Council will also cap off gas supplies to all new build properties upon receipt of keys at handover from the contractor/developer.

Uncapping and a gas safety check is conducted upon reletting a property at a date agreed with the tenant, and a copy of the Landlord Gas Safety Record (LGSR) is issued within 28 days of the inspection.

A gas safety check will be completed on the day of a mutual exchange.

### **3.4 Refurbishment Work**

A safety check will be conducted on completion of any repair and/or refurbishment works to occupied or void properties where works may have affected any gas fittings, appliances, or flues all in accordance with Regulation 8.

### **3.5 Gas Boiler Disconnections**

If a boiler cannot be repaired, and leaving it connected to the gas supply would pose a risk of gas or carbon monoxide escape, the boiler supply will be capped/disconnected from the gas supply. If this occurs, then temporary electric heaters will be offered and provided at the time of capping. New parts will be sourced and fitted, or if required, a new boiler supplied and fitted within 9 days of disconnection.

### **3.6 Carbon Monoxide Alarms and Smoke Detectors**

As part of the annual gas safety check (or at void stage) the Council will check smoke detectors and carbon monoxide alarms are working correctly. A new detector and/or alarm will be fitted if faulty or missing.

### **3.7 Unsafe Appliances**

The Council will ensure that there is a robust process in place for the management of immediately dangerous and at-risk situations identified from the gas/heating safety check or heating repair works, in line with Gas Industry Unsafe Situations Procedure. Any open flue gas appliances found in any rooms that are being used as bedrooms or for sleeping will be removed.

### **3.7 Solid Fuel Appliances**

A HETAS accredited contractor is in place to service existing solid fuel appliances and sweep flues on an annual basis. The contractor will also check and replace as necessary any carbon monoxide detecting device(s)

The Council will not permit installation of solid fuel or any open flued appliances. All existing appliances will be removed prior to any new tenancy.

### 3.8 Testing and servicing schedule

GAS ACTIVITY	FREQUENCY
Landlord Gas Safety Record (LGSR) Domestic	Annually
Landlord Gas Safety Record (LGSR) Non-Domestic	Annually
Solid fuel Appliances	Annually
Carbon Monoxide Detection	Annually
Heating Pressure Vessels	Annually

### 3.8 Risk assessment and key controls

- The Council operates effective contract management arrangements with contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- All replacement, modification and installation of gas appliances and heating systems within Council properties will comply with all elements of Building Regulations, Part J Combustion Appliances and Fuel Storage Systems.
- The Council maintains a risk assessment for gas and carbon monoxide safety management and operations, setting out key risks and appropriate mitigations.
- To comply with the requirements of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002, the Council will consider the safety of its workspaces and plant/boiler rooms of residential blocks that fall within scope of the legislation.
- The Council investigates and manages all RIDDOR notifications submitted to the HSE in relation to gas and carbon monoxide safety and will take action to address any issues identified and make appropriate adjustments from lessons learned.
- A robust process is in place for dealing with reports of fumes and suspected gas escapes.

### 3.9 Procedures for access

An appointment letter for the annual gas safety check will be posted ten months after completion of the previous check. The appointment will be on or around two weeks from the date of the appointment letter and will provide details for rearranging the appointment if the auto generated appointment is inconvenient. A further appointment letter will be sent if the engineer is unable to access and complete the gas safety check.

The Council will operate a robust enforcement process following three consecutive failed access attempts. Legal remedies available within the terms of the tenancy agreement may be enforced to gain access to the property to carry out the work.

Where vulnerabilities are known or identified, the Council will ensure the wellbeing of the tenant is safeguarded and work with other agencies and Housing Officers to attempt to address the root cause of the access issue.

### **3.10 Data and records**

The Council will maintain a core asset register of all properties with component and attribute data against each property to show gas safety check requirements.

Copies of all landlord's gas safety records (LGSRs)/certificates will be provided to the tenants or displayed in a common area within 28 days of completion.

A core asset register will be maintained of all properties owned and/or managed by the Council, with component/attribute data against each property to show gas/heating safety check requirements.

A monthly data reconciliation process will be undertaken to manage all changes to stock, including property acquisitions and disposals.

Accurate records will be maintained against each property owned or managed by the Council.

All completed safety check records, warning notices and remedial work records will be retained for at least two years and will have robust processes and controls in place to maintain appropriate levels of security for all gas/heating safety related data and records.

### **3.11 Competent persons**

- Only suitably competent Gas Safe accredited contractors will undertake works to gas fittings, appliances, and flues.
- Only suitably competent HETAS accredited contractors will undertake works to solid fuel fittings, appliances, and flues.
- A check will be made to ensure contractors working on behalf of the Council hold the relevant qualifications and accreditations when procured, and thereafter on an annual basis; and will evidence these checks and each contractor's certification appropriately. The Gas, Electrical and Mechanical Supervisor will have copies of front and backs of all Gas Safe cards held by Service Providers and their sub-contractors.

### **3.12 Training**

The Council will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; basic gas and heating safety awareness training; and on the job training for those delivering the program of gas and heating safety checks, planned maintenance and repair works as part of their daily job. All training undertaken by staff will be formally recorded.



## **4 EQUALITY, DIVERSITY, AND INCLUSION**

The Council will ensure gas and carbon monoxide safety advice is provided to all tenants and is accessible including providing, if appropriate, the information in braille, large print, audio, or alternative languages. In addition:

- The Council will respond appropriately to meet the needs of tenants who share information regarding a disability or vulnerability and will ensure reasonable adjustments are made to complete electrical testing and maintenance.
- The Council considers excellent communication essential in the effective delivery of safety programmes and will establish a strategy to enhance communication to support tenants' understanding of gas and carbon monoxide safety. This will encourage and support tenants to report any safety concerns and help the Council to engage with vulnerable and hard to reach tenants.
- The Council will share information clearly and transparently and will ensure that information is available to tenants via regular publications and information on the Council's website.
- The Council acknowledges the impacts of energy poverty and will ensure a robust process is in place to support and/or direct tenants to bodies able to offer professional advice.

## **5 AUDIT, ASSURANCE, AND REVIEW**

### **5.1 Quality Assurance**

The Compliance Officer will regularly review process, performance and undertake quality assurance checks to monitor delivery against the policy with oversight by the Compliance Manager and Head of Housing Property Services, this includes monitoring the following:

- 5% random desktop sample of Landlord Gas Safety Records
- 100% certification checks by compliance management system.
- 2.5% field checks including works in progress audits.

### **5.2 Managing Performance**

Performance and progress against key performance indicators will be reported regularly to the Senior Management Team and at least quarterly to senior management and the Cabinet Member via the housing compliance scorecard:

- Properties with a valid Landlord Gas Safety Record (100%)
- Properties overdue at legal stage (0%)
- Valid certification for properties with other heating types (100%)
- Commercial Boilers and Pressure Vessels (100%)
- Properties with Carbon Monoxide detector(s) installed (100%)

### 5.3 Document Control/Revision History

This policy will be reviewed annually or before if changes in legislation or regulatory require an earlier review.

DATE APPROVED	18 November 2024
REVISION DATE	November 2027

Version no.	Date	Authorisation route	Summary of changes
	24/09/2024	DLT	Formatting, typos, aligning information with TSMs/KPIs
	07/10/2024	SLT	
	22/10/2024	IPSC	
	18/11/2024	Cabinet	

DRAFT

## APPENDIX

This policy also operates within the context of the following legislation:

- Health and Safety at Work Act 1974
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Occupiers' Liability Act 1984
- Workplace (Health, Safety and Welfare) Regulations 1992
- Pipelines Safety Regulations 1996
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Gas Safety (Management) Regulations 1996 (as amended)
- Gas Safety (Installation and Use) Regulations 1998 (inc. latest amendments)
- Provision and Use of Work Equipment Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Pressure Equipment (Safety) Regulations 2016
- Pressure Systems Safety Regulations 2000
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022
- Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002
- Housing Act 2004
- Building Regulations 2010 (England and Wales) approved document J.
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Defective Premises Act 1972