

# "Offering our community more than a home"

# **Gas Safety Policy**

Management Committee submission: 26 September 2023

Last Approved: March 2020

Date Approved: 26 September 2023

Next Review date: September 2026

#### **CHA Objectives:**

 To provide quality, affordable housing that meets the changing needs of our customers and to ensure fair access to housing within our area.

- To manage the houses provided, in a professional and cost effective manner, for the benefit of our local community and the environment.
- To provide a first class maintenance service which offers value for money and ensures the comfort and safety of our residents while achieving high levels of satisfaction

#### **Regulatory Standards:**

- The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.
- The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these objectives.
- The RSL manages its resources to ensure its financial wellbeing and economic effectiveness.
- The governing body bases its decision on good quality information and advice and identifies and mitigates risks to the Association's purpose.

Any breach or non-compliance with legislation/regulatory requirements in relation to this Policy constitutes a Notifiable Event and the Regulator will be informed via the SHR Portal.

This policy can be made available on request in a variety of different formats, such as on tape, in large print and translated into other languages.

#### 1. Introduction

- 1.1 The aim of this Policy is to ensure the effective inspection, maintenance and management of gas systems within premises controlled by the Association. The gas safety system, inspection and monitoring programmes will also include the carbon monoxide monitoring systems which are considered to be an integral part of the gas safety management programme.
- 1.2 All gas servicing, maintenance and repair work will be sub-contracted to an external competent body.
- 1.3 The procedures detailed within this section are intended to facilitate the effective management of the contractor as well as all additional gas safety management issues, ensuring that all reasonable steps are taken to comply with the Health & Safety at Work etc. Act 1974 and the Gas Safety (Installation & Use) Regulations 1998, as amended.

#### 2. Definitions

- 2.1 "Gas Appliance" means an appliance for the heating, lighting, cooking or other purposes for which gas can be used. In general, portable or mobile appliances are not covered, except the use of portable or mobile space heaters (e.g. LPG cabinet heaters).
- 2.2 "Gas Fittings" means pipework, valves (other than Emergency Controls), regulators and meters and fittings etc. designed for use by consumers of gas.
- 2.3 "Flue" means a passage for conveying the products of combustion from a gas appliance to the external air.
- 2.4 "Gas" includes natural gas and LPG gas.

#### 3. HSE Advice

3.1 Health & Safety Executive (HSE) Gas Safety Advice Line. Open 9.00am to 5.30 pm Monday to Thursday and 9.00am to 5.00pm on Friday. Tel: 0800 300 363.

#### 4. References

- 4.1 Health and Safety at Work etc. Act 1974
- 4.2 Management of Health and Safety at Work Regulations 1999, as amended
- 4.3 Gas Safety (Installation and Use) Regulations 1998, as amended
- 4.4 Gas Safety (Management) Regulations 1996
- 4.5 Gas Safety Guidance (supporting this policy) -

# 5. Competent Persons

5.1 The Association shall ensure no person is permitted to carry out any works on gas installations unless competent to do so. Current competency is approved by the "Gas Safe Register" (www.gassaferegister.co.uk).

# 6. Roles and Responsibilities

- 6.1 The Association will define roles and responsibilities for named individuals with accountability for the following aspects of the gas safety management system:
  - 1. Overall responsibility
  - 2. Delivery of the gas safety management programme
  - 3. Administration of the gas safety management programme
  - 4. Contractor selection, control and monitoring
  - 5. Repairs
  - 6. Communications with tenants
  - 7. Emergencies

#### 7. Contractor Selection and Control

- 7.1 The Association will define a detailed scope of works for the annual gas servicing and maintenance contract and will follow through a rigorous tendering and contractor selection process.
- 7.2 Contractors will be required to demonstrate compliance with the competency requirements of the Regulations and will be, as a minimum, Gas Safe Registered.
- 7.3 A formal system of contractor monitoring will be established and maintained to ensure the gas safety management system continues to operate in compliance with the agreed scope of works and with documented procedures and that any non-conformances, ineffective arrangements and problem areas are quickly identified and actioned upon.
- 7.4 A defined 'no access' procedure will be developed to ensure all reasonable steps are taken by the contractor and the Association to meet the 12 month deadline for landlords gas safety checks.

# 8. Inspection and Maintenance

The Association will ensure that all gas appliances, flues and installation pipework are inspected for safety within each 12 month period and that a structured inspection and maintenance programme is implemented. Where an

inspection is or was completed within the period of 2 months ending with the deadline date, that inspection is permitted to be treated as having been made on the deadline date (i.e. allowing the 12 month period to run from the deadline as opposed to the 'early assessment date'). This inspection and maintenance work will be undertaken by an external contractor, who complies with point 7 above.

# 9. Record Keeping

- 9.1 Under current legislation Landlord Gas Safety Records must be kept for a period of 2 years. The Association will establish and maintain a formal system for recording all activity in relation to gas servicing, maintenance, repairs, installations, emergencies and all other relevant gas safety management data. Records will be retained until there have been two further checks carried out or, in respect of an appliance or flue that is removed from the premises, for a period of 2 years from the date of the last check of that appliance or flue.
- 9.2 In relation to the annual gas safety inspection programme, the Association will hold the following records as a minimum:-
  - Inspection records, findings and actions
  - Reports and communications from gas contractors
  - No access reports and actions (audit trail)
  - Properties beyond 12 months
  - Intermediate safety checks on properties (voids).
  - External Audit Reports
  - Maintenance and repair records
  - Emergency situations and actions taken
  - Letters of complaint

#### 10. Information to tenants

- 10.1 On an annual basis (and at the time of new tenants being housed), the Association will outline the pertinent issues of gas safety to tenants by way of written communication. This will include:
  - Emergency contact numbers and reporting procedures
  - The Association's commitment to gas safety.
  - Tenants responsibilities under their Tenancy Agreement.
  - Key health and safety risks.

- The importance of the annual safety check and the need for access to premises.
- Key points on the safe use of gas and gas appliances including action to be taken if a gas leak is suspected.
- The requirement to ensure that all gas related wok must be carried out by a Gas Safe registered engineer.
- 10.2 Formal 'rules' setting out tenants' gas safety obligations and duties will be clearly set out in their Tenancy Agreements. The Association will define a procedure for dealing with unauthorised gas installations, repairs, disconnections and other gas related activities which fall foul of the Tenancy Agreement.

# 11. Gas Safety Internal Monitoring

- 11.1 A formal system of monitoring the gas servicing/landlords inspection and all gas repair work will be established and maintained with properly defined reporting, escalation and action procedures.
- 11.2 The monitoring system will include, as a minimum, timeous review of:
  - 1. All servicing and repair certificates
  - 2. Unsafe gas systems
  - 3. No access procedure, notices and problems
  - 4. Properties 'over 12 months'
  - 5. Void properties
  - 6. Quality assurance / quality control reports
  - 7. Repairs and maintenance reports
- 11.3 The following system procedures should be referred to:
  - 7.0 Gas Management Procedures ..\..\..\Maintenance Folder\Maintenance Procedures\7 Gas Management Procedures\7.0 Gas Management Procedures.doc
  - 7.1 Record New Gas Installations ..\..\..\Maintenance Folder\Maintenance Procedures\7 Gas Management Procedures\7.1 Record New Gas Installation.docx
  - 7.2 Arranging Gas Management Audits ..\..\Maintenance
    Folder\Maintenance Procedures\7 Gas Management Procedures\7.2
    Arranging Gas Audits.docx

7.3 How to Create a New Gas Component ..\..\..\Maintenance
Folder\Maintenance Procedures\7 - Gas Management Procedures\7.3 How to
Create a New Gas Component.docx

# 12. Reactive Repairs and Emergencies

- 12.1 As well as carrying out annual servicing to gas appliances and raising landlord's gas safety records the contractor will provide a full reactive repairs and emergency response service. This will be properly defined and tenants made aware of the gas company's services and contact details in this regard.
- 12.2 Where the contractor has been unable to obtain access to undertake necessary repair work the contractor must bring the situation to the attention of the Association. The Association will ensure that the tenant is contacted as quickly as the situation demands.

#### 12.3 Gas Leaks:

- Currently SGN have a statutory duty to attend gas escapes reported to them within two hours of receipt.
- In the main, gas escapes are likely to occur within individual properties and tenants should in the first instance contact SGN Emergency Services.
- Recognising that 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 it is, recognised as good practice for the Association to follow up a
  report of a gas leak by instructing the gas contractor to attend.
- Where repairs cannot be readily made and the heating system remains switched off the contractor will be asked to provide temporary heating and will advise the Association of the repair problem in order to agree remedial work.

# 13. Quality Assurance (QA)

- 13.1 An external third party shall be appointed to carry out a minimum inspection of 10% of completed annual services.
- 13..2 The contractor undertaking the QA work will require to be Gas Safe registered and employ fully qualified engineers.
- 13.3 Where a QA check identifies non-compliances or where unsatisfactory performance of the primary gas contractor is being observed details of the problems and suggestions for rectification will be clearly set out in the QA contractor's report.

13.4 Where the QA contractor identifies situations that pose an immediate or imminent risk to health, the contractor will notify the Association as soon as practicable. These notifications should be in addition to the regular reporting regime.

#### 14. Void/Re-Let Procedures

14.1 A formal procedure will be defined for gas safety inspections associated with void properties and this will be included in the overall gas safety management system, contractor's contractual requirements and monitoring procedures.

# 15. Closing Up

15.1 Where a property is to be closed up on a long term or permanent basis then the existing gas supply shall be disconnected from the pipework within the flat. The gas supply shall be physically disconnected at the meter point and both cut ends blanked. Where appropriate, SGN shall be advised and requested to remove the meter supply from the property.

#### 16. RIDDOR

- 16.1 In relation to gas safety there are duties imposed upon gas conveyers, suppliers, etc. to report cases whereby death or a major injury (as defined by regulations) occurs out of or in connection with the gas supplied.
- 16.2 It is also recognised that a contractor will have a duty to formally report certain situations where it is deemed likely that the gas installation may cause death or major injury. The types of faults likely to cause death or major injury and would be reportable include:
  - i) A dangerous gas leak arising, for example, from the use of unsatisfactory materials or bad workmanship.
    - ii) A gas appliance which spills products of combustion or shows signs of incomplete combustion or shows signs of combustion problems due to inadequate ventilation
    - iii) An appliance which is not suitable for use with the gas supplied
    - iv) An appliance in which a safety device has been made inoperative
    - v) Use of unsatisfactory materials in gas connections
    - vi) An appliance installation which has become dangerous through faulty servicing
- 16.3 Further information on RIDDOR is contained within the Accidents Policy of the Association's Health & Safety Manual.

# 17. Temporary Heating

- 17.1 LPG or other bottled gas heating sources will not be provided to tenants as a temporary source of heating.
- 17.2 Where electrical heaters are provided as a temporary source of heating, the Electrical Safety policy should be consulted.

# For Office Use Only – Actions

Customer Consultation Required/Arranged	No
Intranet Update	Yes
F Drive Update	Yes
Website Update	Yes
Leaflet change required?	No
Newsletter Promotion?	Yes
Other information updated, e.g. posters, automatic email responses, post	No
cards, answering machine messages, etc.	
Equality Impact Assessment completed	No

# Appendix 1 Landlords Guide to Gas Safety and Inspection



#### 1. Introduction

This Gas Safety Guidance has been produced to assist Landlords to understand their responsibilities for Gas Safety in properties under their control, as well as to provide practical information, advice and guidance for ensuring the safety and wellbeing of tenants.

The guide is intended for all property types under the Landlord's control that contain gas installations within the premises and any gas equipment provided by the Landlord.

#### 1.1 What are Gas Installations?

Gas installations are defined as appliances, fittings and flues within premises.

- Gas Appliances are appliances used for heating, lighting, cooking or other purposes for which gas can be used. In general, portable or mobile appliances are not covered, except for the use of portable or mobile space heaters (e.g. LPG cabinet heaters).
- **Gas Fittings** are pipework, valves (other than emergency controls), regulators, meters and fittings, apparatus and appliances designed for the use of the tenant for heating, lighting, cooking or other purposes for which gas can be used.
- **Gas Flues** use a passage for conveying the products of combustion from the gas appliance to the external air.

# 2. Legislation

Landlords have a legal duty to protect tenants' safety by ensuring that gas installations provided for tenants' use within premises under their control is safe (fit for purpose and kept in good order) before a tenancy begins and throughout its duration.

The legislation relating to gas safety is listed below. *See Appendix A* for an Overview of the following Legislation.

- The Gas Safety (Installation and Use) Regulations 1998
- The Gas Appliances (Safety) Regulations 1995
- The General Product Safety Regulations 2005
- The Housing (Scotland) Act 2006
- The Building (Scotland) Regulations 2013

#### 3. Landlord Duties

#### 3.1 What are Landlords' duties?

Landlords have a duty to ensure that gas installations pipework, appliances and flues must be maintained in a safe condition. Gas appliances should be serviced in

accordance with manufacturers' instructions. If these are not available it is advised that they are serviced annually.

#### 3.2 Periodic Inspection and Testing

Gas Safety Checks must be carried out annually (12 monthly) on gas installations (gas appliances, pipework and flues installed at a property). Checks must be undertaken by a Gas Safe Registered Engineer, who will issue a Gas Certificate following the check.

The engineer will check the following:

- Gas appliances will be checked for gas tightness.
- If gas points are available, standing and working pressure will be tested.
- Check the burner pressure and gas rate against the manufacturer's data plate.
- Checks will be carried out for the provision of all necessary ventilation.
- Flue flow will be tested to make sure products of combustion are removed.
- All flame failure devices will be checked for satisfactory operation.
- Where appropriate, checks will be made for physical stability, presence and effectiveness of stability brackets.

Without completion of all the above checks an appliance cannot be issued with a Gas Safety Certificate.

# 3.3 Gas Safety Check

Under the Gas Safety Regulations all gas appliances have to be checked annually, **including the tenant's own appliances** in respect of gas soundness, ventilation and flue provisions. The tenancy agreement should clearly state if the tenant's own gas appliances are to be inspected during the annual gas safety check. It may be reasonable for the tenant's own appliance to be checked and any costs incurred are passed on to the tenant.

Even where there is no gas appliance or gas meter, each property that has an incoming gas main must be checked to ensure that the supply is safe and that no appliance or meter has been added without the landlord's knowledge.

Gas fires will be checked, switched on and a full smoke test carried out.

The tenant will be informed immediately if their own appliance is found to be defective or unsafe and they will be instructed that it is their responsibility to carry out the necessary service, repair or renewal. The appliance will be **disconnected and labelled as dangerous**, prior to the gas installer leaving the property.

Should the tenant refuse disconnection, the gas contractor will immediately inform both the tenant's gas supplier under Regulation 34 "Unsafe Appliances" of the 1998 Regulation and also the landlord. Under no circumstances will the **gas contractor service the tenant's own appliance.** 

#### 3.4 Gas Safe Certificate

A Gas Safe Certificate, also commonly referred to as a Gas Safety Record, is a document that confirms a Gas Safety check has been performed on gas appliances by a qualified Gas Safe Registered Engineer. The certificate will be issued by the engineer showing the outcome of the inspection and a reminder when it is next due for renewal.

The tenant will receive a copy of the gas safety certificate within 28 days of the gas check taking place.

In the case of void properties a copy of the certificate will be made available to the new tenant at commencement of the tenancy.

In properties which have communal gas installations a copy of the safety checks will be displayed in a prominent position in the communal area.

All original copies of the gas safe certificates should be sent to the landlord.

Gas Safety inspections are reviewed and audited to ensure proper completion. Any discrepancies observed should be raised with the gas contractor.

#### 3.5 Action if an Appliance Fails Inspection and Testing

The safety check record will contain details of any safety defects identified and remedial action taken by the engineer. Landlords must ensure that any safety defects are rectified before the equipment is used again. Defects must be rectified by a Gas Safe Registered Engineer.

# 3.6 New Lease Inspection and Testing Requirements

Before any new lease starts, Landlords must make sure that Gas Safety Checks have been carried out within one year prior to the start of the lease date, unless appliances in the property have been installed for less than 12 months.

#### 3.7 Record Keeping

Accurate records of Gas Safety Checks should be maintained. It is also good practice to keep details of any gas installation and maintenance work on file. The record is a 'living document' and landlords should supplement it with records of any follow up action taken (if required). This would provide a full record of the gas safety within the property.

All records are retained on file for a period of 2 years from the date of the annual check.

#### 3.8 Access to Tenant Properties

Landlords must take 'all reasonable steps' to ensure gas safety checks and maintenance works are carried out. This may involve giving written notice to a tenant requesting access, and explaining the reason.

At the start of the tenancy the contract between the landlord and the tenant must state that the tenant will allow access for any gas general works, maintenance and checks to be carried out.

When tenants do not co-operate to allow access to the contractor to carry out Annual Gas Safety Visit checks, landlords have to show that they have taken all reasonable steps to comply with the law. Landlords must keep a record of their actions to demonstrate the steps taken to discharge their duties:

- Personal visits explaining the reasons why access is required.
- Leaving the tenant a notice stating that an attempt was made to complete the gas safety check and providing relevant contact details.
- Write to the tenant (recorded delivery) explaining that a safety check is a legal requirement and that it is for the tenant's own safety.
- Give the tenant the opportunity to arrange their own appointment. The landlord should be flexible and arrange appointments for gas installers to call outside normal working hours.

Note: HSE inspectors will look for repeated attempts to complete the gas safety check, including the above suggestions; however the approach will need to be appropriate to each circumstance. It would ultimately be for a court to decide if the action taken was reasonable depending upon the individual circumstances.

If the tenant continues to refuse access after repeated requests, the landlord can arrange for the gas supply to be capped externally. Where it is not possible to cap the supply externally and in order to ensure compliance with statutory obligations, the landlord is required to give notice, as stipulated in the Scottish Secure Tenancy Agreement and under the terms of the Housing Act 2001, to force entry and carry out the Annual Gas Safety Visit or cap the supply internally.

Where there is concern about the safety of gas fittings at the property, the tenant's gas supplier should be contacted to attend the premises and use their powers to gain entry.

#### 4. Gas Safe Registered Engineer

All works carried out on gas installations must be carried out by a 'Gas Safe Registered Engineer'.

Gas Safe Registered Engineers must be registered with the Gas Safe Register, which contains the official list of gas engineers. To check that an engineer is registered Landlords can contact the company during normal working hours on 0800 408 5500 or go on the website by clicking the following link to check online (<a href="https://www.gassaferegister.co.uk">www.gassaferegister.co.uk</a>).

# 4.1 Gas Safe Registered Engineer

The gas engineers must be **Gas Safe** registered and must hold a current relevant qualification under



the Accredited Certification Scheme (ACS), listing the areas of gas work that the installer can undertake. This proof of competence must be provided to the Landlord. The Engineer should be able to provide a current ID card.

#### 4.2 Engineer Identification

Whenever the gas engineer attends a property to undertake work they must have their Gas Safe ID card with them. The ID card contains a photo of the engineer, their business registration number and personal license number, company name, the start and expiry date of the card and a security hologram. The reverse of the card details what kind of gas work the engineer is able to do.



#### 5. Tenant Information and Guidance

Landlords should actively promote the importance of the annual gas safety checks (ASVs) through various media, such as Newsletters, a Tenants Handbook, Tenancy Agreements and training for tenants at sign-up on the use of the gas appliances.

#### 5.1 Tenant and Landlord Appliances

The landlord may have a policy for allowing tenants to use their own gas appliances. In such circumstances the landlord must have procedures in place to ensure that the tenants' appliances are registered with the landlord, are fitted correctly and are safe.

Any gas appliance that the landlord owns and provide for tenants' use is included in the landlord's legal duties. If a tenant has their own gas appliance that the landlord has not provided, then the landlord is responsible for parts of the associated installation and pipework **but not for the actual appliance**.

At the start of the tenancy the HSE recommend that landlords advise the tenant of any flues or chimneys that are unsuitable for the installation of a gas appliance. Therefore landlords may wish to consider regulating the installation of any appliance by a tenant through the conditions of the tenancy agreement.

To help the landlord fulfil their legal duties under the Health and Safety at Work etc. Act 1974, the HSE recommends that all flues (e.g. chimneys) connected to gas appliances should be included within the landlord's gas safety check, even where **they do not** serve appliances provided by the landlord.

All appliances which the tenant wishes to install such as cookers and fires must have a copy of the installation instructions for that particular make and model before being fitted, otherwise the appliances can be deemed illegal.

The appliance must be fitted by a qualified Gas Safe Registered installer.

Free-standing cookers connected by a flexible connector (bayonet fitting), are not considered to be 'readily movable', but can be moved, temporarily e.g. to clean the space they normally occupy. This type of activity is not regarded as 'work' within the meaning of these Regulations (Gas Appliances (Safety) Regulations 1995).

The landlord/representative should visit all new tenants within one month after sign-up to ensure no illegal appliances have been fitted.

#### 6. Carbon Monoxide Detection

The Domestic Technical Handbook recommends that a detection system is installed in all dwellings where:

- a new or replacement fixed combustion appliance (excluding an appliance used solely for cooking) is installed in the dwelling or
- a new or replacement fixed combustion appliance is installed in an inter-connected space, for example, an integral garage.

A carbon monoxide detection system to alert occupants to the presence of carbon monoxide should consist of at least:

- 1 carbon monoxide detector in every space containing a fixed combustion appliance (excluding an appliance used solely for cooking) and
- 1 carbon monoxide detector to provide early warning to high risk accommodation, that is, a bedroom or principal habitable room, where a flue passes through these rooms.

Unless otherwise indicated by the manufacturer, carbon monoxide detectors should be either:

- ceiling mounted and positioned at least 300mm from any wall or
- wall mounted and positioned at least 150mm below the ceiling and higher than any door or window in the room.

#### Appendix 1A – Gas Safety Legislation Overview

## The Housing (Scotland) Act 2006

The Housing (Scotland) Act 2006 places a duty on Landlords and states that all installations in the property for the supply of water, **gas**, electricity, sanitation, **space heating** and **heating of water** are in a reasonable state of repair and in proper working order at the start of the tenancy and at all times during the tenancy. Any fixture, fitting and appliance provided by the landlord should be in a reasonable state of repair and in proper working order.

#### The Building (Scotland) Regulations 2013.

These regulations address the various aspects of building design and construction which include health and safety, energy conservation, welfare and convenience of disabled people. Guidance is provided in the Building (Scotland) technical handbooks for Domestic Buildings and Non Domestic Buildings. Section 3 (Environment) details the requirement for the installation and maintenance of gas appliances, flues and chimneys. Section 4 (Safety) requires the installation of a detection system in order to alert all occupants to the presence of harmful levels of Carbon Monoxide (CO).

#### Landlords – Gas Safety (Installation and Use) Regulations 1998.

The Gas Safety (Installation and Use) Regulations 1998 place specific duties on gas users, installers, suppliers and landlords. The Regulations deal with the safe installation, maintenance and use of gas systems, including gas fittings, appliances and flues, mainly in domestic and commercial premises. The requirements include both natural gas and liquefied petroleum gas (LPG). The main requirements are for landlords to **inspect and service gas installations on an annual basis** and to **only allow qualified and approved gas engineers** to work on any gas appliances or installations. These regulations sit within the wider context of the Health & Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. The Gas Safety (Installation and Use) Regulations 1998 place specific duties on gas users, installers, suppliers and landlords see Appendix B for details.

#### Gas Appliances (Safety) Regulations 1995

Manufacturers and suppliers of new, second hand and reconditioned appliances and fittings, burning gaseous fuel used for cooking, heating, hot water production, refrigeration, lighting or washing and having, where applicable, a normal water temperature not exceeding 105 degrees Celsius, are subject to the Gas Appliances (Safety) Regulations 1995, and must bear **CE marking** and be safe.

#### **General Product Safety Regulations 2005**

Under the General Product Safety Regulations 2005 it is an offence to supply (including hiring out) a used gas cooking appliance unless it complies with certain safety requirements. For example, the gas carrying component must prevent leaks of gas, the gas shutoff devices must work properly and safely and surface temperatures must not be too high. Only someone who is **Gas Safe registered can install a gas appliance**.

#### **Housing Scotland Act 2001**

Section 79 of the Housing (Scotland) Act 2001 provides Scottish Ministers with the power to set and publish Performance Standards which forms the key reference point for all housing association activities. Performance Standards are fundamental to the way social landlords and regulated services behave and conduct their business. Housing associations are required to have in place a Gas Safety Policy which conforms to the standards set out by the Scottish Housing Regulator in 2009.

#### Appendix 1B

# General Duties and Responsibilities for Gas Users, Installers, Suppliers and Landlords

- Anyone carrying out work on gas appliances or fittings as part of their business must be competent and registered with the Gas Safe Register.
- Only a competent person can carry out work on gas appliances or fittings. Do-it-yourself
  work on gas appliances or fittings could be dangerous and is likely to be illegal.
- The regulations place a number of restrictions on gas appliances installed in bathrooms, shower rooms and bedrooms that are detailed and prescriptive.
- It is illegal to install instantaneous water heaters, which are not room-sealed or fitted with a safety device that automatically turns the gas supply off before a dangerous level of poisonous fumes builds up.
- It is illegal to install any fixed fire, space heater or water heater of more than 14kW input into a room intended to be used as sleeping accommodation, unless it is 'room sealed'. If it is below 14kW, it must either be 'room sealed' or have an oxygen depletion cut out.
- No alterations are to be made to any premises which would adversely affect the safety of
  a gas fitting so as to result in any contravention of or failure to comply with the regulations
  e.g. installation/removal of a window, air bricks, extractor fans or putting extra weight on
  hidden pipes.
- Nothing may be done which could affect a gas fitting or any flue or means of ventilation in such a manner that subsequent use could constitute a danger to any person.
- Any person (Gas Safe Registered) disconnecting a gas fitting must seal off the outlet pipe.
- No person is to install a meter in a locked box without supplying a key.

#### **Landlord Duties**

- Landlords are responsible for making sure that gas fittings and flues are maintained in good order, and gas appliances that they own in their residential premises, and flues, are checked for safety every 12 months. They must also keep a record of the safety checks for at least two years and issue it to existing tenants within 28 days of the check being completed and any prospective tenants before they move in.
- Employers (Housing Associations) with gas appliances at places of work, landlords and providers of holiday accommodation must ensure that gas appliances, including LPG cabinet heaters, are checked for safety, including where relevant, checks on the effectiveness of the flue, the ventilation, gas operating pressure and gas tightness by a Gas Safe Registered engineer.
- As a minimum, the record of a gas safety check must contain:
  - · A description of and the location of each appliance or flue checked.
  - · The name, registration number and signature of the individual carrying out.
  - · The check carried out.
  - · The date on which the appliance or flue was checked.
  - The address of the property at which the appliance or flue is installed.
  - The name and address of the landlord (or their agent where appropriate).
  - Any defect identified and any remedial action taken.

#### **Tenant Duties**

- Tenants must not use any gas appliance or fittings that they know or suspect to be unsafe. Through the Gas Safe Register, the Health & Safety Executive has asked all registered installers to disconnect any Gas Appliance or fittings that are so dangerous as to be a threat to life if they are used.
- Tenants are responsible for the maintenance and safety of appliances they own.
- No person searching for an escape of gas is to use any source of ignition e.g. a match or lighter.
- Combustible material must not be stored in any meter box.
- A statement confirming that the safety check has been completed and complies with the requirements of the Gas Safety (Installation and Use) Regulations 1998.