

# Gas Safety Policy

## Contents

1. Policy statement.....	1
2. Purpose.....	1
3. Scope .....	1
4. Responsibilities .....	2
5. Implementation.....	3
6. References.....	6
7. Document control .....	6

## **1. Policy statement**

- 1.1 This policy aims to ensure the safety of our tenants and leaseholders and that gas appliances, fittings, and flues provided for tenants are safe.
- 1.2 Gas Servicing and Safety covers the provision of cyclical servicing, safety checks and related responsive maintenance to all properties owned or managed by Oxford City Council where gas installation is present.
- 1.3 Oxford City Council recognises that, as a landlord, it has legal responsibilities to ensure the safety of gas pipework, appliances, fittings, and flues installed for our Contract Holders' use.
- 1.4 It is also a key component of Oxford City Council's overall Asset Management Strategy, ensuring that the useful life of individual heating system components is maximised and hence value for money is optimised

## **2. Purpose**

- 2.1 Oxford City Council's aims and objectives in respect to our Gas Servicing and Safety Policy are:
  - 2.1.1 To meet our legal and regulatory obligations to undertake annual gas safety inspections, as required under the provisions of the Gas Safety (Installation and Use) Regulations 1998.
  - 2.1.2 To maintain all gas appliances that are Oxford City Council's responsibility in safe working order and to manufacturers' instructions.
  - 2.1.3 To engage with our customers in a participative and empowering manner so that they can contribute and influence the service standards and future direction of the Gas Servicing and Repairs Service.
  - 2.1.4 To fulfil our commitment to equality and diversity while delivering the Gas Servicing and Repairs Service to our residents.
  - 2.1.5 To maintain the Company's housing stock and preserve its asset value.

## **3. Scope**

- 3.1 This policy applies to all properties owned or managed by Oxford City Council.

## **4. Responsibilities**

- 4.1 It is the HRA Asset Lead's responsibility to ensure that this policy's implementation is monitored.
- 4.2 The Chief Executive is responsible for appointing people to deliver the policy and ensure adequate resources are in place.
- 4.3 The Operations Manager ensures compliance with this policy and is responsible for managing gas safety. The Operations Manager is responsible for ensuring: (a) compliance with regulation 36 of the Gas Safety (Installation and Use) Regulations 1998; (b) maintaining the gas safety records and certificate database; (c) oversight of contractor performance; and (d) reporting gas safety compliance to senior management and Members.
- 4.4 Every Housing Service colleague is responsible for reading, understanding and implementing this policy.
- 4.5 All contractors, consultants and partner organisations are responsible for operating under this policy when delivering services on behalf of Oxford City Council.
- 4.6 Oxford City Council will take breaches of this policy very seriously. Any instances of such behaviour will be thoroughly investigated and may be subject to disciplinary procedures. Breaches by Council staff may be subject to disciplinary procedures, and breaches by contractors may result in contractual action including contract termination. Breaches of gas safety legislation are criminal offences under regulation 36(7) of the 1998 Regulations (punishable by fine and/or imprisonment up to 6 months on summary conviction or 2 years on indictment).

## **5. Implementation**

- 5.1 To meet the aims that this policy sets, Oxford City Council will:
  - 5.1.1 Under the current gas safety regulations and legislation, maintain all gas appliances, flues, and associated pipework in a safe condition and carry out annual gas safety checks on all appliances and flues in Oxford City Council's housing stock. This is further to regulation 36(2) (annual safety checks), regulation 36(3) (maintenance in safe condition), regulation 36(6) (record keeping for 2 years), and regulation 36(5) (provision of certificates to tenants within 28 days).
  - 5.1.2 Install carbon monoxide detectors to properties, where applicable, with open flue gas fuel heating appliances, on a risk-assessed basis. This is to give added protection against the dangers of carbon monoxide. Carbon monoxide alarms are mandatory under the

Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (as amended by the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022), which came into force for social housing landlords on 1 October 2022. Regulation 4 requires a carbon monoxide alarm in any room used as living accommodation which contains a fixed combustion appliance (excluding gas cookers).

- 5.2 The Council will make an informed decision and choose the best alarms for their properties and tenants, with due regard for their residents' circumstances. For example, specialist smoke alarms and carbon monoxide alarms that alert by vibration or flashing lights (as opposed to by sound alerts) may be required for residents who are deaf or hard of hearing. This is in addition to the mandatory alarm requirement under the 2015 Regulations as amended
- 5.3 The Council will consider its duties under the Equality Act 2010. Carbon monoxide alarms are mandatory in rooms with any fixed-combustion appliance (excluding gas cookers) in privately rented homes and social housing.
- 5.4 Engage competent Gas Safe Registered contractors to meet Gas Safety Legislative Compliance requirements. In their post-installation and inspection certification, this contractor will ensure that their improvements meet current legal standards. Gas Safe registered contractors must:
  - (a) hold valid Gas Safe registration for the specific types of work undertaken;
  - (b) provide evidence of public liability insurance (minimum £10 million) and employers' liability insurance;
  - (c) demonstrate compliance with relevant standards including Gas Safety (Installation and Use) Regulations 1998 and Building Regulations 2010 (Part J – Combustion appliances and fuel storage systems):
- 5.5 The Council will maintain a register of approved Gas Safe contractors, including copies of their Gas Safe registration certificates, insurance documentation, and competence evidence. This register will be reviewed annually to ensure contractors remain registered and insured"
- 5.6 The Council will annually test all hard-wired smoke detectors installed within our properties. Where properties contain gas appliances, the fixed smoke detectors will be tested simultaneously with the gas annual service. The testing of hard-wired smoke detectors is in addition to the landlord's duty under the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 to ensure alarms are in proper working order at the start of each tenancy and to repair/replace alarms within a reasonable time after being notified of a fault

- 5.7 During void refurbishment work, Oxford City Council will cap off the gas supply at the meter and uncap the gas supply when void work is completed, with a Gas Safe Certificate issued
- 5.8 For mutual exchanges, Oxford City Council will cap off the gas supply to the meter before the outgoing tenant moves out of the property, and recap and service all gas appliances re-established with a Gas Safe Certificate issued, when the new tenant moves into their new home. Capping off gas supply during mutual exchanges must be undertaken by a Gas Safe registered engineer and that all work must be recorded in accordance with regulation 36 of the 1998 Regulations.
- 5.9 Operate clear, concise, convenient and well-published arrangements to complete the annual gas safety check service.
- 5.10 Set the target time for completion of repairs to maintain heating and hot water or complete immediately if urgent.
- 5.11 Identify and respond appropriately to the specific needs of residents and ensure that every resident is aware of the importance of the annual gas safety check and service.
- 5.12 Maintain a property database that details the property's gas servicing history and date next due, gas appliances installed, gas access procedure records and timescales. The property database must include all information required under regulation 36(6) of the 1998 Regulations, including: appliance details and locations, dates of installation and inspection, engineer details, defects identified, and remedial action taken.
- 5.13 The Council will positively promote the importance of gas safety to residents and ensure that relevant information is made available upon request in alternative languages and versions.
- 5.14 In consultation with residents, the Council will implement clear procedures to gain access to undertake the gas safety check within 12 months.
- 5.15 In 'no access' to occupied properties, to ensure that Oxford City Council meets its legal obligations to complete the gas servicing. Oxford City Council will use various methods to gain access, apply to the Court for a Court order, and recharge the associated costs for the resident. The Council may:
- (a) apply for an injunction under s.222 Local Government Act 1972; or
  - (b) in extreme cases, seek possession under Ground 12, Schedule 2, Housing Act 1985 (breach of tenancy obligation).
- 5.16 Legal costs incurred in obtaining access may be rechargeable to the tenant under the tenancy agreement, subject to reasonableness and proportionality.

- 5.17 Ensure that all work on gas appliances and fittings is carried out by a competent and suitably qualified engineer who is Gas Safe registered.
- 5.18 Ensure that all gas appliance installations are fitted and conform to current legislation, codes of practice, and manufacturer's instructions by our Gas Installation and Service Contractors at the time of Installation or repair.
- 5.19 On completion of the gas safety check, service or new installation, issue to the resident a copy of the Landlord's Gas Safety Regulations certificate (LGSR) and maintain a copy of the LGSR on file for at least two years. The two-year record retention period is the minimum required by regulation 36(6) of the 1998 Regulations. Recommend extending retention to at least 6 years (in line with the Limitation Act 1980, s.5 – time limit for contract claims) or longer for evidential purposes. Records should include all matters specified in regulation 36(7) such as date of check, address, landlord details, appliance descriptions and locations, defects identified, remedial action, confirmation of compliance, and engineer name, signature, and Gas Safe registration number.
- 5.20 Ensure that the qualified engineer who installs a gas appliance or heating system, on behalf of Oxford City Council, issues the manufacturer's operating instructions to the resident and explains how to use the appliance controls.
- 5.21 Carry out quality assurance checks on new installations (10% of all installations), gas servicing, repairs and landlords' LGSRs to ensure that the works and certificates are completed under current legislation and codes of practice.
- 5.22 Adopt a systematic approach to performance management in monitoring the gas servicing and repairs service, reporting the key performance results to the Corporate Leadership Team and to the Council's Audit Committee or equivalent governance body.
- 5.23 Employ sufficient and suitably qualified colleagues, consultants and contractors to enable us to meet our gas servicing and repairs responsibilities.
- 5.24 Publicise to leaseholders and shared owners the importance of checking the gas appliances installed in their homes regularly by a qualified professional. This is the residents' responsibility and is distinctly different from Oxford City Council's landlord's duty to check the gas supply, i.e., inspect the gas supply under gas safety regulations and issue a Gas Safe Certificate.
- 5.25 The Council may have duties to inspect gas supply pipework and meters in leasehold properties even where appliances are the leaseholder's responsibility. Ensure this is clearly stated and that the Council's duties are distinguished from leaseholders' responsibilities

- 5.26 The Council will highlight to residents the location of gas isolation valves. A gas isolation valve is a crucial safety device used to completely shut off the gas supply to a property in an emergency. The isolation valve location will be documented in the property file and communicated to new tenants in the welcome pack.
- 5.27 Provide a free gas cooker connection service for tenants being decanted from one property to another.
- 5.28 Ensure that all colleagues, contractors and consultants employed to deliver Oxford City Council's gas servicing, repairs, and maintenance service adhere to the Council's compliance requirements.
- 5.29 Annually review the effectiveness of our arrangements for servicing and the legal action the Council can take to gain access against residents who do not allow access to their homes to complete the annual gas safety check. The annual review will include:
- (a) analysis of "no access" cases and reasons for refusal;
  - (b) effectiveness of access procedures and timescales;
  - (c) legal action taken and costs incurred;
  - (d) lessons learned and improvements implemented;
  - (e) reporting to senior management and Members on persistent "no access" case

## **6. Monitoring and quality control**

- 6.1 Oxford City Council will monitor implementation of this Policy using the following quality assurance measures:
- Minimum 5% onsite quality assurance audits on servicing, using Gas Safe registered consultants
  - Minimum 5% onsite quality assurance audits on new boiler installations, using Gas Safe registered consultants.
- 6.2 The above will ensure the work carried out by contractors who meet regulations and the right safety checks have been properly completed and documented.
- 6.3 The Council will operate a suitable and sufficient audit and assurance programme. This will help to provide reassurance on the quality of work and data linked to maintaining gas safety. The audit and assurance programme must include:
- (a) verification that engineers hold valid Gas Safe registration;
  - (b) checks on certificate accuracy and completeness;
  - (c) physical inspection of work quality;
  - (d) review of contractor compliance with regulations and policy;
  - (e) escalation procedures for non-compliance

## **Resident Engagement**

- 7.1 Oxford City Council is committed to providing a high level of customer care and positive communication which is vital to effective safety. This will support residents in their understanding of gas safety and advise them of how they can manage the risks within their properties and encourage them to report any concerns about fire safety. This is also further to the Regulator of Social Housing's Tenant Involvement and Empowerment Standard under the Social Housing (Regulation) Act 2023
- 7.2 Further monitoring of feedback will take place through resident surveys and this intelligence will be used to inform future reviews of this policy.
- 7.3 Periodic engagement with residents will take place to ensure that this policy, along with other policies, remain customer facing.
- 7.4 Advice will be provided on the use of gas related equipment in the welcome pack given to new tenants and information that would be sent from Landlord Services to existing tenants.
- 7.5 Residents who are wanting to report a non-urgent safety concern can do so by using the link below: [Report a Building Safety Concern with council housing | Instructions – Oxford City Council](#)
- 7.6 All emergency and urgent safety reports should be made to 01865 249811.

## **Equality, diversity, inclusion, and vulnerability (including most at risk groups)**

- 8.1 An Equality Impact Assessment (EqIA) has been carried out to determine whether the policy would have an impact on any member of staff, tenants, or contractor workforce, which unfairly discriminates or disadvantages them in the context of the Equality Act 2010.
- 8.2 Whilst the EqIA has identified that there are no particular groups who will be unlawfully disadvantaged by this policy, it is identified that there are certain groups at increased risk. These groups are:
  - children
  - adults with learning difficulties
  - oxygen users
  - people taking certain medication
  - those suffering the effects of drugs and alcohol
  - adults aged 65 and older
  - people with disabilities

- Individuals being supported by the Community Safety team and related support services
- 8.3 This policy aims to reduce the risks to these groups of people through proactively identifying these risk factors and raising awareness. Risk reduction will be achieved by:
- (a) maintaining a vulnerable persons register;
  - (b) prioritising access and response times for vulnerable residents;
  - (c) enhanced communication methods (e.g., large print, easy read, interpreters);
  - (d) coordination with adult social care and safeguarding teams;
  - (e) referrals to relevant support services where gas safety concerns are linked to hoarding, self-neglect, or other safeguarding issues
- 8.4 We will assess the needs of residents who inform us they have a disability such as a hearing impairment, visual impairment, and mobility issue, and will provide appropriate equipment or support. This assessment will mean that reasonable adjustments for disabled persons can be provided. For disabled persons, carbon monoxide detectors should include specialist alarms that use visual alerts (flashing lights) and vibration pads to supplement or replace standard audible alarms, ensuring all individuals are effectively alerted. Assessments will be carried out promptly upon notification of disability and reasonable adjustments will be made at no additional cost to the disabled tenant when appropriate. The Council will consult with the tenant on their specific needs and preferred adjustments and adjustments will be recorded in the property database and communicated to contractors. These provisions are in accordance with s.20 of the Equality Act 2010.
- 8.5 The Equality Impact Assessment will be kept under review and updated if there are significant changes to the policy or evidence of differential impact on protected groups, in accordance with the Public Sector Equality Duty under s.149 Equality Act 2010

## 7. References

Related External Documents	
Reference	
Gas Safety (Installation and Use) Regulation 1998	<a href="http://www.legislation.gov.uk/uksi/1998/2451/contents/made">http://www.legislation.gov.uk/uksi/1998/2451/contents/made</a>
Health & Safety at Work Act 1974	<a href="https://www.legislation.gov.uk/ukpga/1974/37">https://www.legislation.gov.uk/ukpga/1974/37</a>
Landlord and Tenant Act 1988	<a href="https://www.legislation.gov.uk/ukpga/1988/26/contents">https://www.legislation.gov.uk/ukpga/1988/26/contents</a>
Related Internal Documents	
Health and Safety Servicing ( ACCESS) Procedures	

This page is intentionally left blank