

Southampton City Council

Gas Safety Policy

Southampton City Council Resident Services Housing Gas Safety Policy

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Housing Gas Safety Policy			
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Purpose and Introduction

Southampton City Council ("Council") manages building safety in Council-owned residential buildings. Building safety refers to the measures that are in place to protect tenants in buildings and what the Council are doing to improve the safety of the building.

The purpose of this policy is to ensure the Council complies with its legal obligations on gas safety.

In recent years there have been publicised cases where inadequate gas safety management has resulted in loss of life and property through explosion or carbon monoxide poisoning. A landlord is now required to establish a gas safety policy to ensure the efficient management of gas safety with the aim to minimise the risk of these dangers.

The Council is responsible for gas safety as part of its landlord duties under the Gas Safety (Installation and Use) Regulations 1998 for gas appliances, which it owns in properties in which it lets.

The aim of this gas safety policy is to encompass clear robust processes, systems and procedures in identifying how SCC discharges its responsibilities as a landlord and how it will take every reasonable step to obtain access for the purposes of fulfilling its duties under the Gas Safety (Installation and Use) Regulations 1998 for gas appliances. The gas safety policy will also;

- Ensure the Landlord Gas Safety Check / Services accessible to all domestic tenants by working closely with agencies such as Social Services, Police etc.
- Outline a clear process for dealing with no access properties (**the Gas Access Procedure**)
- Provide clear guidance to all SCC staff & domestic tenants.
- Raise the profile of the programme and highlight the implications and risks of NOT complying with the Council's statutory responsibilities and on the health & safety of tenants.

Scope

The gas safety policy will apply to all Council staff, its agents and contractors and to residential domestic tenants, licensees and leaseholders. All owned SCC appliances, pipework that needs to be checked yearly.

Legislative Context and other Related Documents

The **relevant legislation** that the Council has taken account of when preparing this policy is as follows:

- The Gas Safety (Installation and Use) Regulations 1998 (as amended)
- The Health and Safety at Work etc. Act 1974
- Management of health and Safety at Work Regulations 1999
- The Gas Safety (Management) Regulations 1996
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)
- The Landlord and Teant Act 1985
- The Building Regulations
- The Housing Act 1985
- The Housing Act 2004
- Building safety Act 2022
- Equality Act 2010
- Human Rights Act 1998
- The Social Housing (Regulation) Act 2023
- Energy Act 2023
- The Regulatory (Fire Safety) Order 2005

Other Regulations

- In addition, SCC must be aware of:
 - Gas Appliances (Safety) Regulations- i.e. new appliances required to meet EC safety standards- CE mark.
 - Gas Cooking Appliances (Safety) Regulations.
 - As the owner of gas pipe networks – Gas Safety (Management) Regulations 1996.
 - Gas safety (Installation & Use) Regulations 1998 Regulation 36 – Duties of landlords

This policy should be read in conjunction with the following **policies/strategies**.

- The Council's Building Safety Resident Engagement Strategy
- SCC Property Maintenance SWP
- SCC Gas & Fuel Strategic management Plan for housing
- Voids policy/best practice guidance
- Mutual exchange policy/best practice guidance

Regulatory requirements

Health and Safety Executive (HSE)

- The HSE is responsible for domestic gas safety policy within the scope of the Gas Safety (Installation & Use) Regulations 1998 and in particular Reg 36 and 36 (A).

Gas Safety Register

- **Gas Safe Register** is a body charged by the Health & Safety Executive (HSE) to maintain a register of competent gas installers in Great Britain, Northern Ireland & the Isle of Man
- An organisation registered on the 'Gas Safe Register' is governed by the Gas Safety (Installation and Use) Regulations 1998. This is the main legislation relating to Gas safety. The Health and Safety Executive (HSE) will prosecute breaches of this legislation.
- Regulation 36 details the duties of Landlords to "ensure that each domestic appliance and flue to which the duty extends "has been checked within a 12-month period, that proof of this is kept for 2 years and is available for the tenant(s) of the premises

Housing Regulator-Consumer Standards

- SCC will comply with the Housing regulators consumer standards. The most relevant standard is the Saret and Quality Standard 2024 [April 2024 - Safety and Quality Standard FINAL.pdf](#)

Policy commitments and principles

The Gas Policy requires that SCC:

- (i) Ensures that all properties where gas is present have a clearly identified manager responsible for ensuring statutory compliance and safety of all gas pipework, appliances, meters and other equipment within the property.

- (ii) Ensures that these managers, have put in place demonstrably clear, comprehensive and unambiguous systems, procedures, instructions, method statements, Risk Assessments, QA systems etc in order to secure that gas safety and statutory requirements are fully met.
- (iii) Ensures that key managers are identified, including those with responsibilities for management of gas systems, gas appliances etc. Their roles, responsibilities and accountabilities should be clear, comprehensive and unambiguous.
- (iv) Ensures that key staff has access to advice to understand what they need to do in order to meet their responsibilities and accountability relating to gas, and what they need to put in place to meet these.
- (v) Ensures that all gas systems (appliances, carcassing, fittings etc) are identified , within the Asset Management Database, if SCC has a responsibility (to any degree) for ensuring compliance and safety, and ensure that responsibilities and requirements to achieve this are clear.
- (vi) Ensures that all gas systems, gas appliances pipework, fittings, meters and associated safety equipment, flues and ventilation are safe and properly managed and operated.
- (vii) Ensures that all gas work is managed and performed safely.
- (viii) Ensures that all gas work is performed by competent and appropriately qualified persons with respect to the particular duties and equipment concerned. Only Gas Safe registered engineers that have been checked and vetted can perform these duties.
- (ix) Ensures that gas equipment and work carried out on gas systems, comply with statutory obligations.
- (x) Ensures that risks related to gas are adequately managed at all properties i.e. in line with the Council's SWP [Property Maintenance SWP] and if issues prevent this, ensures that a suitable action plan based on risk assessment is put in place.
- (xi) Ensures that records are kept within the Asset Management Database, in order to demonstrate that statutory requirements are being met and safe systems of work are in place i.e. in line with the Council's property maintenance SWP.
- (xii) Ensures that appropriate management systems, instructions, codes of practice, procedures, methods of work, risk assessments, action plans, training, monitoring, audit and inspection, QA, databases, record systems etc exist to demonstrate compliance.
- (xiii) Ensures that Property Managers, key staff, service providers and its agents can meet and demonstrate compliance on its behalf.

Council Tenants and Leaseholders

- The Asset Management Service Manager is responsible for ensuring that SCC delivers a service to discharge its gas responsibilities to council tenants and occupiers of leased or owned domestic properties which SCC has permitted to remain on the SCC gas service

programme and for ensuring that the service can be terminated if occupiers fail to co-operate.

Policy Statement-General Responsibilities

Management of gas Safety - General Responsibilities

- It is SCC's duty as a landlord to ensure that all domestic gas systems, gas appliances, pipe work, fittings, meters and associated safety equipment, flues and ventilation are safe & properly managed.
- It will be the Asset Management Service Manager's responsibility to identify a manager who is responsible for ensuring statutory compliance and safety of all gas pipe work, appliances, meters and other equipment at SCC domestic tenanted residences i.e. residential housing stock (both occupied and empty).

Gas Carcass Surveys

- A gas carcass is defined as the pipe work on the consumer's side of the gas meter which is used to carry gas.
- The Service Provider will be responsible for periodic inspection of SCC domestic tenanted properties with gas carcassing, but no SCC installed appliances.
- SCC is also required to carry out a visual inspection of all gas appliances owned by the tenant when undertaking any and all gas works in SCC Property, when undertaking any and all gas works in an SCC Property.

Work on tenant's own appliances

- This responsibility does not extend to equipment that is not supplied or owned by SCC; however, SCC will take over responsibility of appliances that are deemed fixtures to the property on change of a tenancy; gas boilers, fires and multi-points but not gas cookers or hobs.

Capped Appliances

It will be the Council's policy to cap appliances under the following circumstances:

- When an appliance is deemed unsafe.
- When there is insufficient gas / electricity to enable a gas safety check to be carried out.
- When an appliance has been disconnected and is no longer in use.

It should be noted that once capped it will no longer be the Council's responsibility to check the appliance, unless a mains connection has been restored.

Carbon Monoxide Detectors

- This Gas Safety Policy mandates the fitment of Carbon Monoxide (CO) detectors in all properties where an SCC Gas Appliance is located
- Leaseholders and Council Tenants without a SCC gas appliance will be advised to install such devices if they have gas appliances or solid fuel heating in their dwellings.
- Where a carbon monoxide detector (battery or hard wired) has been installed by the Council then the Council will be responsible for the annual servicing and maintenance of such detectors During the annual safety checks and servicing these will be inspected and service during the annual safety checks and servicing.

Redundant gas appliances

- SCC's policy will be to remove all fires, multi-points and any other redundant gas equipment, on installation of a new replacement boiler system, in addition, Open Flued appliances will be removed from SCC Properties when they become Voids.

Planned Replacement programme

The Asset Management Service Manager will be responsible for establishing:

- A planned capital replacement for all SCC gas appliances.
- Criteria for ad-hoc replacements as it all comes from the same Capital Budget.

Voids and Mutual Exchanges

- The Asset Management Service Manager will be responsible for ensuring that vacated (void) domestic tenanted properties are safe with respect to gas, including the making of timely safety checks as soon as the property is vacant.

Fault reporting

- Tenants are required to report all faults. Faults and requests for repairs can be reported via the Council's online service on this link [Report a repair](#). If the tenant does not have an email they can report it by phone to the Service Centre Tel: 023 8083 3006
- Response times will be as outlined in the Tenants' Handbook.

Safety Checks and Records

In accordance with the Routine Maintenance and Landlord's Safety Check Regulation 36(9)(a), the Asset Management Service Manager will be responsible for ensuring:

- That Housing Operations have a procedure including timely safety check, for gas appliances in domestic tenanted properties involved in a mutual exchange by tenants and for recording any appliances, within the Asset Management Database which may become the Authority's responsibility as result of an exchange.
- Gas systems, gas appliances, pipe work, fittings, meters and associated safety equipment, flues and ventilation are safe and properly managed.

- Gas work is managed and performed safely by trained and competent persons to ensure compliance and safety.
- That responsibilities and requirements to achieve this are clear.

Provision of Landlords Gas Safety Certificate.

- As part of the statutory compliance it will be the Asset Management Service Manager responsibility to ensure that an annual gas safety check is carried out on all SCC gas appliances in SCC domestic tenanted properties, this will be evidenced by the issue of a gas safety certificate LGSR / (CP12) Approved '**Gas Safe**' registered personnel should be used in accordance with the Gas Safety (Installations and Use) Regulations 1998.

Staff qualified to issue gas safety certificate

- A gas safety certificate can only be issued by a '**Gas Safe**' registered engineer.

Issue of gas safety certificate

SCC will issue a gas safety certificate in the following circumstances:

- On installation of a new appliance.
- When a full gas service is carried out to an appliance.
- Void or mutual exchange inspection.
- When a gas breakdown visit is attended to a single SCC appliance property with a room sealed flue. (I.e. will exclude back boiler appliances).
- When an appliance is capped.

A copy will be provided to the tenant within 28 days by Asset Management and a copy held on the Asset management Database filing system- this will be retained for a minimum of **2 years**.

Copies will be available for inspection within the Asset management database.

Performance targets will be set to ensure that SCC achieves the minimum statutory requirement.

Annual Safety check programme

SCC's policy will be to:

- Ensure that every SCC domestic tenanted property on the SCC contract has a record of at least one full Landlord gas safety inspection within the Asset Management Database within a 12-month period.

- Take all reasonable steps to ensure access to a property to complete the gas safety check and enable maintenance work to be done. This is set out in more detail in the gas access procedure.

SCC domestic tenanted properties will have an annual service on a cycle based on the later of the installation date or the last recorded service date. SCC reserves the right to vary the length of the service cycle and adopts the Government's 10-month cycle. Based on a programme developed by corporate estates and assets

Gas service inspection appointment system and gaining access

The Council has a gas access procedure which provides details of this process. In summary it is a 3-stage process:

- **First appointment** – automatically generated based on the gas service target date.
- Tenants will be given the option to re-arrange this appointment if the time is not convenient. Every attempt will be made to accommodate varying work / childcare patterns e.g. by flagging a 'school run' request on the system. In exceptional circumstances tenants may be given the option to book a service out of hours.
- **Second appointment** – if no access at 1st appointment stage.
- Meeting at gas access panel to determine option and if agreed to forced entry, which is then approved by the Director of Housing. All costs involved with a Forced Entry will be charged to the tenant
- **Final Notice** – sets out date of forced entry
- As an alternative or in addition Legal proceedings can be commenced for an injunction and court approval for forced entry, if circumstances warrant this e.g. health and safety risks.
- The costs of forced entry or legal proceedings will be charged to the tenant for their failure to adhere to the tenancy agreement. The DHM/ADHM or a member of their team will raise and maintenance repair charge to be sent to the debt management centre for debt collection.

Management and monitoring procedures:

Administration arrangements

The implementation of the policy is primarily concerned with the following procedures:

- Administration arrangements associated with identifying the certificate status relating to every tenanted domestic property where SCC has responsibility as a landlord.

- Administration arrangements in place to ensure that gas services are programmed on a cyclical basis and that these are being achieved.
- Administration arrangements in place to ensure that in the absence of an annual service, an annual gas safety inspection has been carried out resulting in the issue of a gas safety certificate.
- The escalation process in place to ensure that access is gained promptly and minimising the need for legal interventions.

Council database

- Details of all SCC tenanted domestic properties with SCC gas appliances are held on the Councils Asset Management database.
- Comprehensive reports are extracted Councils Asset Management database to assist processes such as service target setting and regular monitoring Councils Asset Management database.

Tenants' engagement, consultation and liaison

- Compliance with the consumer standards and council engagement and building safety policies.
- Working with customers to develop service arrangements & access, including appointments, service standards & customer information.
- Promote the awareness of gas safety and the importance of having appliances serviced.
- Discuss the importance of the gas service at sign up of a new tenancy and customer care visits.
- Working closely with Tenant representatives to improve the effectiveness of the service.

Achieving equality and diversity

- The Council and any delivery partners will have due regard to its public sector equality duty when carrying out any LA functions or duties.

Sustainability

1. Where practicable Southampton City Council recognises the principals of sustainability and through its sustainable objectives will undertake activities that make the least impact on the environment.
 - Southampton City Council will only install 'A' rated energy efficient condensing boilers and use environmentally friendly materials in its day to day operations and longer term projects where practicable and in accordance with SCC specifications.

- Southampton City Council aims to contain any unnecessary replacement of parts or systems and where a renewable resource is used SCC will evaluate and monitor to enhance future standards.
- SCC will promote recycling, reuse, responsible disposal of materials and waste minimisation.

Monitoring and reporting

Performance of the gas servicing section will be measured by:

- Gas safety checks achievement against target.
- Gas servicing programme against target.
- Customer satisfaction.
- Performance monitoring.

Governance & Review mechanism

The Director of Housing is responsible for reviewing this policy, in accordance with its cycle of policy reviews to ensure that it takes account of legislative changes, the results of regular performance and the development of best practice. Processes in relation to this policy will also be reviewed regularly.

The Director of Housing has delegated powers to make minor modifications to this policy from time to time where appropriate.