



Bridgewater Housing Association Policy

Policy name	Gas Safety Policy
Policy category	Property Services
Policy number	PS03
Date adopted	June 2005
Last review	August 2023
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Next review	August 2025
Equalities impact assessment required	Yes
Links to other documents	<ul style="list-style-type: none"> • Gas Service Procedure
Consultation	This policy was circulated to the leadership team for comment.

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1. INTRODUCTION

- 1.1 Bridgewater Housing Association recognises that we have a legal responsibility to service and maintain all gas appliances and flues which we have installed in our housing stock and offices. The Housing Association manages over 800 properties with gas appliances. This policy document has been developed which covers the following areas: -
- The Association's Responsibilities
 - The contractor's Responsibilities
 - Quality control
 - The competence of the contractor
 - The annual safety inspection
 - The Association's non access procedures
- 1.2 A written and detailed Gas Safety Policy and Procedure ensures that the Association is able to provide a uniformed and professional approach in ensuring that the service delivered is compliant with our legal responsibilities, best practice and internal policy.
- 1.3 By not having a concise and up to date Policy there is a risk to the Association that appliances are not inspected and repaired in accordance with legislation. The importance of the relevant legislation is paramount as should there be an incident which has caused an injury or fatality and the appliances have not been inspected or repaired in accordance with the appropriate regulations and the policy and procedures not adhered to, then ultimately the Association and officers of the Association could face prosecution.
- 1.4 The risk associated with a failure to comply with Gas Safety Regulations has also been identified in our Risk Management Strategy which is in place and outlines how this risk is measured and actions which are in place to mitigate this risk.

2. SHR STANDARDS OF GOVERNANCE AND FINANCIAL MANAGEMENT

- 2.1 This policy is intended to provide additional assurance to the Board of Bridgewater Housing Association that it is complying with:

Standard 2

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 priorities.

Standard 5

The RSL conducts its affairs with honesty and integrity.

3. PURPOSE

- 3.1 The objective of this policy is to ensure that Bridgewater Housing Association complies with the obligations placed upon it by The Gas Safety (Installation and Use) Regulations 1998 and the Duties of Landlords Regulations 1998.
- 3.2 Bridgewater Housing Association will apply this policy in a manner, which ensures compliance with the legislation without undermining its overall objective of providing tenants with a high-quality responsive repairs service.

4. LEGAL RESPONSIBILITIES

- 4.1 Bridgewater Housing Association aims to comply with legislation, guidance and good practice in the repair and maintenance of its homes. Account has been taken of:

The Gas Safety (Installation and Use) regulations 1998, Regulation 36 – Duties of Landlord.

Scottish Housing Regulator Performance Standards.

- 4.2 Under regulation 39 (Exception as to Liability) of the Gas Safety (Installations and Use) regulations, the Association will be deemed not 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 i.e. to have documented evidence of access attempts.
- 4.3 We are also required to provide a copy of the certificate of inspection for the tenant. The record must be kept for a minimum of two years. Failure to comply with the legislation is an offence, unless we can show that we have taken “reasonable steps” to prevent that contravention.
- 4.4 The Scottish Secure Tenancy Agreement which is provided by Bridgewater Housing Association and signed by all tenants, incorporates section 5.12 which states as follows;

We have the right to come into your house to inspect it and its fixtures and fittings or carry out repairs to it, or adjoining property, during reasonable times of the day. We will give you at least 24 hours' notice in writing except in the case of an emergency. We have the right of access to your house in order to lay wires, cables and pipes for the purposes of telecommunications, water, gas and electricity, providing we give you reasonable notice in writing. We have the right of access to the common parts at any reasonable time. If you refuse us entry, we will have the right to make forcible entry provided we have given you every reasonable opportunity to let us in voluntarily. If we have to make forcible entry, in this situation, you are liable for the costs of any damage reasonably caused. In an emergency, we have the right to make forcible entry to your house without notice.

5. INTERNAL MANAGEMENT STRATEGY

- 5.1 The Association will appoint an internal “competent person”, the Property Services Manager, to liaise with external contractors, monitor the gas servicing programme and ensure that up to date accurate information is logged on our Housing Management system. To assist in this process, the Property Services Assistants and Maintenance Coordinator will specialise in the administration of the gas servicing processes.
- 5.2 The Association will carry out safety checks to all gas appliances within 12 months of the installation, and within every 12-month period thereafter. This applies only to appliances installed by the Association and not tenants own appliances such as cookers or fires.
- 5.3 The Association aims to ensure that 100% of all safety checks are carried out on or prior to their anniversary date, and to help achieve this, will inform tenants a maximum of 10 weeks prior to the service due date in order to maximise the number of appliances checked within the 12-month period. A separate procedures document details the full process for gaining access to properties.
- 5.4 For all void properties, a full gas safety check will be carried out within 48 hours of the property becoming void. Where this is not possible due to debt in meter etc, the gas will be capped. The meter will be uncapped and the boiler serviced at the earliest possible date prior to the void being handed over for occupation.
- 5.5 The contractor will be responsible for ensuring that all appointments are met, and that all their operatives are suitably qualified to carry out work on gas appliances. A monthly meeting will be held with the contractor to monitor performance. All works will be carried out by Gas Safe registered engineers, who are selected based on the contractors providing satisfactory

information on their Insurances, Health and Safety Policy, Risk Assessment, Method Statements, Equal Opportunities Policy, Insurances, their recent track record in carrying out similar works and value for money. There is also scope for the Association's Gas Safe registered approved contractors to carry out works.

- 5.6 All engineers working on appliances owned by the Association will be registered with Gas Safe, and hold all relevant accredited certificates under the Accredited Certification Scheme (ACS).
- 5.7 The Association will record and maintain on the Housing Management System, all properties where gas appliances have been installed and will contain all relevant information required in the management of the gas servicing programme. This Housing Management System will be reviewed at regular intervals to ensure that it is fully up to date and accurate.
- 5.8 The Association will, in compliance with GSIUR will keep paper records of all landlords' certificates for a minimum period of 2 years and will ensure that tenants are provided with a copy of the landlord's certificate within 28 days of the annual service being carried out.
- 5.9 The Association will ensure adequate quality control of servicing by ensuring that servicing contracts have provision for a minimum 10% quality control inspections are carried out by a suitably qualified third-party contractor.
- 5.10 Where prepayment meters have been installed and there is no gas credit on that meter due to tenants choice, then a gas service cannot be carried out. In all cases like this, the gas supply will be capped off at the consumer side of the meter.
- 5.11 The Association will maintain a database of all properties where the gas supply has been capped and inspect the gas installation in these properties annually. In addition to this the Housing Officer will keep in regular contact with the tenant to ensure that they have adequate heating, washing, and cooking facilities.
- 5.12 The Association will carry out gas tightness checks at maximum intervals of every twelve months, in all houses where there is gas supply pipe work served from communal heating systems, or where there is a gas supply to the property, but no gas appliances installed.

6. ASSOCIATION'S RIGHT TO ACCESS

- 6.1 The Associations procedure on Gas Safety details the steps involved in engaging and communicating with tenants both by the contractor and the landlord in a bid to gain access to service the gas appliances. The monitoring of tenants who fail to provide access will be managed by the Property Services team who will implement the various stages relating to no-access. These include making telephone calls and sending reminders to tenants where access is denied. Ultimately where access has not been successful a decision will be taken to force access to the tenants' home.
- 6.2 The Association will exercise its right under Clause 5.12 of the Tenancy agreement to take access to houses where the gas safety check is due, if the tenant fails to make or keep an appointment for access at a time of their choosing, in line with our approved access procedures. The Association will always work with tenants to agree access arrangements, where possible, but will revert to "take access" if necessary to maintain the safety of our properties.
- 6.3 Forcing access should be considered as the last resort by the Association and will follow hand delivered correspondence advising that it will take place. Arrangements for forcing access will ensure that two staff from the Association are in attendance, as well as the Gas Engineer and a Joiner. Police attendance will be requested if there are any known safety concerns. The Association will reinstate the security of the property, change locks where required and leave notification of what has taken place. A note will be placed on the door advising the tenant that dependant on office hours the keys will be left either at the Associations offices or a local Police

Station. All attributable costs will be pursued and recovered through the rechargeable repairs procedure.

- 6.4 Bridgewater recognises that low income and other financial pressures may contribute to “fuel poverty” which can cause tenants not to heat their home, and also be unable to keep their credit meters topped up to allow the engineer to carry out the safety check. We have amended our no-access process to try and identify these tenants and provide financial energy assistance by referring them to the Energy Advice services.
- 6.5 Should instances such as a tenant being in hospital or severely unwell and is unable to respond to correspondence or provide the Association access for the gas service, the Association will make every reasonable effort to arrange access prior to the service date, such as contacting next of kin and known family members. The Association will use discretion in these cases and should access be taken as a last resort method, the tenant will not be re-charged and the Association will arrange for the new keys to be passed to the tenant.
- 6.6 The above paragraph does not apply to tenants who are on holiday at the date of service, due to the duration of advanced notice the Association gives to tenants of upcoming services.

7. MONITORING AND REPORTING

- 7.1 The Property Services team will monitor on a daily basis our gas contractor in terms of their performance against target for both reactive repairs and servicing. They will also ensure that all relevant certificated documentation is received in accordance with the contract. The Property Services Assistant will also update our housing management system with the completion date for the service at each property.
- 7.2 The Association will hold monthly meetings with the Gas Contractor to review and report on performance and discuss any operational or contractual issues. The meeting will be documented to ensure that all aspects of performance and agreed areas for improvement are actioned.
- 7.3 The contractor will provide monthly performance reports on servicing and reactive repairs completions. The Association will also undertake an independent audit and appoint a qualified organisation to visit a 10% sample of properties every month to check that the servicing was carried out as required and that the gas appliance complies with current regulations. They will also carry out a compliance check of the CP12. This report will be provided to the Association. Any issues or notes of concern will be made known to the contractor for comment and improvement.
- 7.4 The performance of the contractor will be included in the contractor performance report against targets to the Housing and Property Services Sub Committee.

8. COMPLAINTS

- 8.1 Tenants who feel that they have received an unsatisfactory level of service either from Bridgewater or the contractor will have their complaint handled in accordance with our existing complaints handling policy.

9. EQUALITIES COMMITMENT

- 9.1 Bridgewater Housing Association Ltd is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.
- 9.2 We seek to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.

10. POLICY AVAILABILITY

- 10.1 This document can also be provided in large print, braille, audio or other non-written format and in a variety of languages, on request.

11. MONITORING AND REVIEW

- 11.1 This policy will be reviewed every three years, unless amendment is prompted by a change in legislation, operational requirements or staff feedback.

Equality Impact Assessment

Question	Response
1. Aim of policy/service activity/event being assessed	To ensure the Association is compliance in line Gas Safety regulations.
2. Summary of aims and objectives of the policy/service activity/event	<p>This policy outlines the Associations' responsibility for maintaining gas appliances and pipe work installed within our properties. The policy details the actions the Association will take to ensure that a gas safety check is carried out on all gas appliances on or prior to the anniversary date in line with our legal obligation to service each gas appliance every 12 months.</p> <p>BHA aims to have 100% of gas appliances installed by the Association have a current gas safety certificate, and that all appliances are safe to use.</p>
3. What involvement and consultation has been done in relation to this policy? <i>(e.g. with relevant groups and stakeholders)</i>	Policy has been published and issued to leadership members for input.
4. Who is affected by the policy/service activity/event?	Bridgewater customers who have gas appliances, installed by the Association within their property, and will ensure that the Association, as a landlord, meets its legal obligations under the Gas Safety in Use Regulations 1998 and staff members.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/service/activity/event?	<p>This policy will be reviewed every 2 years and amended if necessitated by any events or changes to legislation.</p> <p>The Gas Safety Procedure document is a working document that will be reviewed regularly, and any changes implemented, may result in changes to the Gas Safety Policy.</p>

Protected Characteristic Group	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact (e.g. adjustment to the policy)

Disability	Yes, positive. Contractors and staff need to be aware of particular needs of customers with any disability.	Data held on SDM notifying of any customer's disabilities and how best to approach their needs when carrying out a gas safety check. Local knowledge held by members of staff that can be passed to assist contractors carry out a gas safety check.	
Gender reassignment	No	No	
Marriage or civil partnership	No	No	
Pregnancy and maternity	Yes, positive. There may be unsuitable times to carry out a gas safety check due to feeding times or sleep routines.	Customers can notify the Association of any unsuitable times to carry out gas safety checks, which the Association can pass on to contractors to work around.	
Race	No	No	
Religion or belief	Yes, positive. There may be unsuitable times to carry out a gas safety check due to prayer times.	Customers can notify the Association of any unsuitable times to carry out gas safety checks, which the Association can pass on to contractors to work around.	
Sexual orientation	No	No	
Sex (gender)	Yes, positive. There may be instances where a customer may feel uncomfortable with a certain gender alone within their property when a gas safety check is being carried out.	Data held on SDM notifying of how best to approach the customers' needs when carrying out a gas safety check. This can include having member of BHA staff, whom the customer is comfortable with, attend alongside the contractor to carry out the safety check.	
Age	No	No	

Evaluation:

Question	Explanation / justification	
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?	Unlikely as the policy is closely aligned with the Association's Equality Policy. However, if a customer reported any form of discrimination, the incident would be investigated and if necessary the policy would be reviewed and amended.	
Final Decision:	Tick the relevant box	Include any explanation / justification required
No barriers identified, therefore activity will proceed .	✓	
You can decide to stop the policy or practice at some point because the data shows bias towards one or more groups		
You can adapt or change the policy in a way which you think will eliminate the bias		
Barriers and impact identified, however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.		

Completed by:	Steven Ferrie
Will this EIA be published? Yes/Not required:	Yes
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