

## **Policy Name: Gas Safety & Servicing**

### **1. Policy Summary...**

This policy outlines Midland Heart's approach to ensuring the safety of all gas heating installations including boilers, fires and associated pipe work. The policy applies to all properties owned or managed by Midland Heart, that have their own individual gas supply and dwellings that are served by heating and hot water systems from a communal gas installation.

### **2. Policy Principles**

Through this policy we aim to ensure that all gas systems are safely maintained to prevent risk of harm to tenants, staff and others affected by the activities of Midland Heart.

We aim to protect the occupiers of Midland Heart properties, as well as other tenants, visitors, staff, contractors and the public, from the risks of gas so far as is reasonably practicable and will provide sufficient resources to ensure this.

To ensure compliance and mitigate risk, the organisation will carry out a programme of annual gas safety checks, on each appliance and/or flue installed in all its relevant properties as outlined in the scope above.

We will ensure that in conducting programmes of gas safety checks, that contractors are registered with Gas Safe and qualified to carry out the work required of them competently.

Midland Heart will ensure that detailed records are kept and administered, including providing tenants with a copy of the Landlord Gas Safety Record (LGSR). In cases of communal gas installations the Landlord Gas Safety Record will be displayed prominently in the communal/reception area.

- 2.1 All void properties will have their gas capped off within 24 hours of keys being received. Any gas appliances belonging to the previous tenant will be removed from the property before a new tenant is allocated the property. Re-connection of the gas will take place after the new tenant takes occupancy by mutual appointment. A full gas safety check will take place and a new LGSR will be issued.
- 2.2 Any Mutual Exchange properties will also be subject to a gas safety check on the day of exchange.
- 2.3 Where the Midland Heart Gas Team are informed of other building work which may have an impact on gas installations, we will ensure that due consideration is given to compliance with Regulation 8 of the Gas Safety (Installation and Use) Regulations 1998 As Amended which states: "No person shall undertake any alteration to any premises in which a gas fitting or storage vessel is fitted if that alteration would adversely affect the safety of the fitting or vessel..."

This would include but not be limited to:

- New windows and doors

- Kitchen & Bathroom installations
- Roofing & Insulation programmes

### 3. It applies to ....

This policy applies to General Needs, Supported Living & Retirement Living and Commercial Operations properties with a gas supply. Gas safety checks in Midland Heart leasehold and shared ownership property is not the responsibility of the organisation. Relevant teams will remind shared owners and leaseholders annually of the importance of gas safety checks.

### 4. Exclusions

Not all Midland Heart's properties are heated with gas appliances. Properties heated through alternative means than gas will have their heating systems maintained through cyclical and planned maintenance programmes.

### 5. Accessibility and Awareness

Midland Heart will communicate and publicise to tenants the importance of gas safety inspections and servicing requirements covered under Health and Safety Law and statutory requirements.

Media releases may be used to provide preventative information and publicise individual cases where injunctions and any other legal outcomes have been obtained.

A monthly prize draw will be completed for all tenants providing 1st appointment access. The winner of each monthly draw will be published on the Midland Heart website.

- 5.1. Concerns and complaints regarding our Gas Safety and Servicing activities can be received through multiple communication channels. This includes to any member of staff, via phone, email and social media. Where concerns are received through social media to maintain privacy and confidentiality, we will respond via private message.
- 5.2. Concerns can be received on behalf of tenants or residents through other agencies e.g. advocates or support agencies. In these cases, we will need written consent from the tenant or resident to discuss the complaint with their representative in line with our Data Protection Policy and Procedure and our GDPR 2018 requirements.
- 5.3. Where a Councillor or MP makes an enquiry on behalf of a tenant or resident, they will not be required to provide written consent as they are elected representatives. These will be treated as MP or Councillor enquiries and the usual complaints process will apply.
- 5.4. We will promote the ways in which a concern or complaint can be made through all our main communication channels, this includes our website, social media, posters, leaflets, letters, and phone calls.

## 6. Reasonable Adjustment and Support

- 6.1 There is no prescribed list of reasonable adjustments; the adjustment will depend on the individual's needs. We will discuss the requirements with the person concerned and seek to reach agreement on what may be reasonable in the circumstances.
- 6.2 In the majority of cases, we will be able to agree and deliver the required reasonable adjustment with a minimum of delay. In some cases, we may need to consider in more detail how best to overcome the difficulty or seek advice from expert organisations that can assist with signposting and other forms of support.
- 6.3 We will communicate with our tenants and residents in advance advising when we need to gain access to their homes to carry out important gas servicing works. Although this is typically by written correspondence, we understand that some of our tenants and residents may require communication by other means. Where we have been advised of alternative preferred methods we will accommodate these requests.
- 6.4 We recognise that there may be access challenges caused by various reasons such as language barriers, disability or vulnerability. In these circumstances, we will work with the tenant to ensure that their specific needs are met.
- 6.5 We understand that some tenants and residents may have difficulty allowing access during working hours for us to undertake gas servicing activities in their homes. As such we will endeavour to make reasonable adjustments and ensure our contractor is flexible in their working patterns to facilitate your availability.
- 6.6 We will apply discretion to this policy where necessary and consider every tenant circumstance when making decisions, this may include where the LGSR has expired but where there is a level of engagement from the tenant. This may include not serving a Notice Seeking Possession, not capping the gas supply or not taking immediate legal action after following the no access procedure. In exceptional circumstances a period of 4 weeks grace may also be given prior to legal action being taken. Any deviation from policy will be documented in Midland Heart systems for auditing purposes.

## 7. Staff and Contractors

Staff will be fully trained in the implementation of this policy and accompanying procedures. This will include all staff from the Building Safety and Tenancy Services Teams who have an involvement in the organisation's gas procedures, in addition to any other teams/staff who deal with any aspect of gas safety in their work. Contractors will be fully trained and familiar with the requirements under this policy and expected to adhere to it along with adherence to Midland Hearts Code of Conduct for Contractors Policy.

The Property Risk & Compliance Manager – Gas shall be responsible for the operational delivery of and compliance with this policy, staff awareness, training and communication to tenants.

The Head of Gas and M&E Services shall be responsible for the associated procedures; this includes responsibility for monitoring, review and policy development.

The Director of Building Safety is responsible for ensuring that adequate resources are made available to enable the objectives of the policy to be met.

The Executive Director of Property Services and the Chief Executive retain the overall responsibility for the implementation of this policy.

## 8. Related Law & Regulations....

Legislation/Regulation	Relevance to This Policy
Gas Safety (Installations and Use) Regulations 1998 As Amended	<p>The Gas Safety (Installation and Use) (Amendment) Regulations 2018 came into force on 6 April 2018.</p> <p>This Approved Code of Practice and guidance gives advice on how to meet the requirements of GSIUR and the amending regulations.</p> <p>This guidance is for anyone who may have a duty under the Gas Safety (Installation and Use) Regulations 1998, including those who install, service, maintain or repair gas appliances and other gas fittings. Landlords also have duties under these regulations.</p>
Equality Act 2010	Provides a duty for ensuring equality of opportunity for all protected groups and those associated with protected groups.
Health and Safety at Work Act 1974	The Health and Safety at Work Act 1974 (HSWA), is the primary legislation covering occupational health and safety in the United Kingdom.
Management of Health and Safety at Work Regulations 1999	The Management of Health and Safety at Work Regulations 1999 (the Management Regulations) generally make more explicit what employers are required to do to manage health and safety under the Health and Safety at Work Act. Like the Act, they apply to every work activity.
Housing Act 2004	An Act to make provision about housing conditions; to

	regulate houses in multiple occupation and certain other residential accommodation; to make provision.
The Gas Safety (Management) (Amendment) Regulations 2023	The Gas Safety (Management) (Amendment) Regulations 2023 apply to the conveyance of natural gas (methane) through pipes to domestic and other consumers. They cover the safe management of gas flow through a network, arrangements for dealing with supply emergencies, arrangements for dealing with gas incidents and gas composition.
The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022	The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 apply to all registered providers of social housing (in addition to private rented housing).
IGEM/G/11 – The Gas Industry Unsafe Situations Procedure	Those working on gas installations are duty bound to comply with the law, in particular The Health and Safety at Work Act etc 1974 and the Gas Safety (Installation and Use) Regulations 1998. IGEM G/11 is a guidance document which provides an agreed industry approach on how those working on gas installations may comply with the requirements of the law.
Social Housing (Regulation) Act 2023	This policy should be read in conjunction with the Awaab’s Law Policy.

## 9. This policy links to ...

### Internal:

- Gas Servicing Procedure
- Health and Safety Policy
- Reasonable Adjustment Policy (Appendix 1)
- Safeguarding & Wellbeing Policy & Procedure
- Data Protection Policy & Procedure
- Code of Conduct for Contractors Policy
- Awaab’s Law Policy

### External:

- Housing and Regeneration Act
- Equality Act 2010
- Localism Act 2011
- Human Rights Act 1988
- Independent Housing Ombudsman Complaints Code 2024