



Dunbritton Housing Association Limited

Name of Policy	Gas Safety
Responsible Officer	Asset Manager
Date approved by Board	23rd February 2022
Date of next Review	February 2025
Section	Asset Management
Reference	AM4

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1. Introduction

The Gas Safety (Installation and Use) Regulations 1998 and The Health & Safety Executives Publication, Landlords – A guide to landlords' duties: Gas Safety (Installation and use) Regulations 1998 are specific to the installation, maintenance and use of gas appliances, fittings and flues in domestic properties. This Policy highlights the main duties placed upon Landlords to ensure that gas appliances, fittings and flues provided for tenants' use are safe.

These Regulations aim to prevent injury to our tenants and the public from either carbon monoxide (CO) poisoning, fire and or explosion.

2. Association's Responsibilities

By Law we must adhere to the following:

2.1 Ensure installation pipework, appliances and flues provided for tenants are maintained in a safe condition

2.2 Ensure an annual safety check is carried out on each appliance and/or flue provided for tenants' use

2.3 Ensure that all void properties have a Gas safety check carried out prior to handover of keys

2.4 Ensure maintenance and annual safety checks are carried out by **GAS SAFE** registered installer

2.5 Keep a record of each safety check for 2 years

2.6 Issue a copy of the safety check to each existing tenant within 28 days of check being completed and to any new tenant before they move in

2.7 Ensure all gas equipment (including any appliance left by a previous tenant) is safe or otherwise removed before re-letting

3. Equipment not maintained by the Association

The safety check and maintenance requirements generally apply to any gas appliance or flue installed by the Association in the 'relevant premises' excluding the following:

- Appliances owned by the tenant will not be covered.
- Flues/chimneys **solely** connected to an appliance owned by the tenant are also not covered

4. Responsibilities under the policy

4.1 The Management Board – will be responsible for the approval of the policy.

4.2 The Asset Manager will be responsible for the implementation of the policy.

4.2 Asset Co-Ordinator will be responsible for maintaining a register, with all relevant technical information, of gas appliances and equipment installed within the Association's property.

4.3 Asset Co-Ordinator /Maintenance Officers will be responsible for ensuring all gas repair works are carried out by appropriately registered contractors and in line with current statutory regulations and current best practice.

- i. Ensuring that all remedial works have the appropriate commissioning and test certificates at the time of completion and the appropriate information is made available to the Asset Manager.
- ii. Ensuring that for all void properties either a gas soundness test or a full gas service is carried out prior to the commencement of the new tenancy
- iii. Ensuring all gas appliances upgrade and replacement works undertaken in planned works programs are carried out by appropriately registered contractors and in line with current statutory regulations and current best practice.
- iv. Ensuring that all new programs of work have the appropriate commissioning and test certificates at the time of handover

5. **Action required to gain access**

5.1 In accordance with section 5 of the Scottish Secure Tenancy Agreement, tenants should be aware that we are entitled to obtain access for maintenance and safety check.

5.2 When access has not been obtained on two occasions by the contractor, the Association must send a letter directly to the tenant requesting access.

5.3 If the above measures fail to ensure access, the Association will exercise the right to enforce entry as stipulated in section 5.11 of the Scottish Secure Tenancy Agreement. All subsequent costs of any damage will be recharged to the tenant.

6. **Implications if the policy is not adhered to:**

Failure to maintain tenants' gas appliances may result in loss of life. Notwithstanding, the Association may be prosecuted and face fines for each offence. If the case is then referred to the Crown Court, the maximum penalty may be an unlimited fine and the possibility of six months imprisonment.

7. **General Data Protection Regulations/Freedom of Information**

When implementing Gas Safety Policy, we will ensure compliance with the principles of these Acts.

The Gas Safety (Installation and Use) Regulations 1998

The Health & Safety Executives Publication, Landlords – A guide to landlords' duties: Gas Safety (Installation and use) Regulations 1998

8. **Consultation and Information**

We will endeavor to inform our service users of Contractors who have been appointed to carry out work to their homes both internally and externally.

On request, provide Contractors and tenants with information pertaining to this Policy.

9. **Risk Management**

Gas Safety Policy conforms with the Associations Risk Management Policy.

10 **Equality and Diversity**

As a service provider and employer, we recognise the requirements of the Equality Act 2010, oppose any form of discrimination, and will treat all customers, internal and external, with dignity and respect. We recognise diversity and will ensure that all of our actions ensure accessibility and reduce barriers to employment and the services we provide.

11. **Compliance**

Our Gas Safety Policy is compliant with:

Current Legislation,

Asset Management Performance Standards Policy,

Risk Management Policy

Freedom of Information Act

General Data Protection Regulation (GDPR)

Fire Safety Policy