



Property Management

Gas Safety (Heating Installations)

Scope:	This policy applies to Circle 33 Housing Trust, Commercial Services Circle Anglia, EPIC Trust, Mole Valley Housing Association, Old Ford Housing Association, Roddons Housing Association, Russet Homes, South Anglia Housing and Wherry Housing Association.
Effective Date:	December 2008
Review Date:	December 2010
Signed Off :	Group Policy Forum, 20 th November 2008
Author:	Abi Patience, Policy Officer
Policy Owned by:	Policy and Planning Asset Management
KLOE:	Stock Investment and Asset Management
QAF (Supported Housing):	C1.3 Security, Health and Safety
Statute:	Landlord and Tenant Act 1985 Housing Acts 1985 and 1988 Management of Health and Safety at Work regulations 1999 Workplace (Health, Safety & Welfare) Regulations 1992 (as amended) Gas Safety (Installation and Use) Regulations 1998 Gas Safety (Management) Regulations 1996 The Construction (Design and Management) Regulations 2007
Regulatory Code:	3.4

Gas Safety (Heating Installations)

1 Scope

- 1.1 This policy applies to all properties owned or managed by:
- Circle 33 Housing Trust
 - Commercial Services Circle Anglia
 - EPIC Trust
 - Mole Valley Housing Association
 - Old Ford Housing Association
 - Roddons Housing Association
 - Russet Homes
 - South Anglia Housing
 - Wherry Housing Association
- 1.2 This policy sets out Circle Anglia's approach to ensuring the safety of all gas heating installations including boilers, fires and associated pipework.
- 1.3 Installations in individual properties as well as in communal areas are covered. Where there is a communal installation there may also be gas appliances in the units served by the communal installation.
- 1.4 Not all Circle Anglia properties are heated with gas. Properties not covered by the gas contract will have their heating systems maintained through local cyclical and planned maintenance programmes.
- 1.5 Staff Health and Safety is covered by the group [Health and Safety policy](#), and the [Customers Who Pose a Risk policy](#).

2 Policy Statement

- 2.1 There are potentially fatal risks associated with gas appliances, both through leaks of the natural gas itself, which is highly flammable, and carbon monoxide leaks which are potentially fatal. If there should be an incident not only the company but also individual officers may be liable.
- 2.2 Circle Anglia is committed to ensuring the safety of its residents, staff and any others who may be affected by gas appliances installed in properties that it owns.

- 2.3 Circle Anglia will comply with its' duties for repairs and maintenance as set out in the Landlord and Tenant Act 1985 and the Housing Acts 1985 and 1988. In addition we will comply with:
- Health and Safety legislation, including the Management of Health and Safety at Work regulations 1999 and the Workplace (Health, Safety & Welfare) Regulations 1992 (as amended)
 - Specific Gas Safety legislation, including the Gas Safety (Installation and Use) Regulations 1998, Gas Safety (Management) Regulations 1994
 - The Construction (Design and Management) Regulations 2007
- 2.4 We will also require our contractors to abide by relevant legislation and technical guidance, as well as our Contractor Health and Safety procedure.
- 2.5 The provider of the registration scheme for contractors (currently CORGI) will be Capita from 1st April 2009. This policy and associated procedure will be updated to reflect any changes in the registration scheme for contractors, following the changes due on 1st April 2009.

3 Policy

- 3.1 All RSLs within the Circle Anglia group will carry out their responsibilities and obligations as landlords, as set out in the separate sections below:
- Ensuring that annual gas safety checks are carried out every 12 months by a registered engineer and will include taking appropriate action to gain access where necessary (see [Safety Checks and Access issues](#)),
 - Ensuring that our gas appliances, pipe work and flues are repaired and maintained to approved standards (see [Repairs and Maintenance](#)),
 - Procuring and managing contractors appropriately, ensuring that they are qualified and registered to do the work required of them (see [Contractor Management](#)),
 - Keeping detailed records including keeping a record of the gas safety check for 2 years and monitoring compliance (see [Monitoring](#)), and
 - Publicising to residents risks associated with gas appliances, our action to mitigate them, and their responsibilities (see [Publicising the Policy](#))
- 3.2 Circle Anglia will ensure that all relevant staff receive appropriate gas safety awareness training. Staff directly involved in the management of gas related activities will receive more in depth training.

- 3.3 All employees should look out for danger signs from gas appliances as a part of their routine duties and visits to resident's homes (these are set out in the [procedures](#) below). Any concerns must be reported to the relevant RSL immediately.
- 3.4 The resident is responsible :
- For allowing access for the gas safety check (see [Safety Checks and Access issues](#)), and
 - For immediately reporting any concerns with gas appliances, and turning them off until they are checked by a competent person.
- 3.5 As well as general needs and supported housing residents, Circle Anglia also has leasehold, intermediate and market rent housing, temporary accommodation and shared ownership properties. The following statements set out the responsibilities for each of these categories:
- **Leaseholders and shared owners** do not fall under the responsibility of Circle Anglia or its partners for gas safety. Circle Anglia will however remind shared owners and leaseholders annually of the importance of carrying out a gas safety check. For checks we carry out in communal areas Leaseholders will be recharged – see the [Service Charges](#) policy for more information.
 - **Intermediate housing and market rent** properties will be treated in same way as general needs and supported housing properties, this will include carrying out an annual safety check and ensuring all maintenance is carried out. This also applies to temporary accommodation which is owned by the group.
 - **Temporary accommodation** which is procured from private landlords remains the responsibility of the private landlord. We will ensure that they carry out an annual gas safety check. Where they do not we will arrange for it to happen by the anniversary date and recharge them. Further information on this is available in the Commercial and Leasehold [Temporary Accommodation policy](#).
- Commercial Services Circle Anglia is responsible for managing some of these properties across the group. They will fulfil their legal obligations and have a separate procedure detailing how they will achieve their responsibilities.
- 3.6 Individual contracts with managing agents should specify arrangements for meeting gas safety commitments, and should be created in consultation with those responsible for gas safety in the RSL. Overall responsibility however remains with the landlord.
- 3.7 On new build properties and those undergoing substantial refurbishment or major repairs, a safety check (CP12) will be required at the point of handover

to the RSL (a maximum of 10 days beforehand), regardless of whether a CP12 or CP4 has already been issued previously. For sale units Sales and Marketing will arrange for the check after completion of the sale and before occupation.

Responsibility for appliances

- 3.8 RSLs are responsible to ensure as far as possible that they are aware of all instances where gas appliances are present in their stock.
- 3.9 In general Circle Anglia is not responsible for the safety of cookers or other resident installations and appliances, including portable gas appliances. Pipework remains Circle Anglia's responsibility.
- 3.10 Cookers and other appliances, pipe work and flues, which are installed in market rent, intermediate rent, temporary accommodation and supported housing properties that belong to Circle Anglia will be inspected.
- 3.11 Installations by external managing agents are not required to be inspected by the landlord, but the pipework and any flues leading to them, are.
- 3.12 All other gas appliances which are fixtures are the responsibility of Circle Anglia.
- 3.13 If any installation undertaken by the resident or managing agent is found to be defective upon inspection, then the contractor will terminate the gas supply and make recommendations for required repairs.
- 3.14 When gas cookers owned by Circle Anglia need replacing, they should be replaced by an electric cooker of similar functional capability, with the gas supply to the cooker point being capped-off permanently. The gas supply pipe will be removed where it is practical to do so.
- 3.15 Where we have properties heated by portable gas appliances we will ensure that they are removed as a matter of priority and replaced with alternative fixed appliances. Tenancy agreements often prohibit residents from using portable gas appliance, and where necessary we will take action to prevent their continued use.
- 3.16 We will comply with the Institution of Gas Engineers and Managers (IGEM) document IGE/G/5 which came into force on 1st June 2008 and requires that wherever a new flueless gas appliance such as a cooker is installed in a multi occupancy dwelling (e.g. flats) it must have a Flame Supervision Device (FSD) which will cut off the gas if it detects that the pilot light goes out.

- 3.17 Primarily this will be the responsibility of residents, but where Circle Anglia owns such appliances, for example in supported housing or temporary accommodation we will ensure that the appliances comply with these regulations. We will publicise the new regulations to our residents via the [Gas Safety leaflet](#).
- 3.18 Contractors will be instructed to note any non-complying cookers on the annual safety check certificate (CP12) and where relevant inform the resident of the regulations.

4 Safety Checks and Access issues

- 4.1 Carrying out regular safety checks is fundamentally important to our overall commitment to gas safety. If a unit (individual or communal) does not have a valid certificate (CP12) and a gas appliance becomes faulty, Circle Anglia would be held responsible for any injuries or fatalities that occur. The courts would consider whether the RSL had done everything reasonable to get access to carry out the check.
- 4.2 All units must therefore have a valid gas safety certificate (CP12) at all times.
- 4.3 Any issues emerging through the gas safety check will be dealt with as appropriate, according to severity. They may be:
- rectified at the time of the check, where the contractor is able to do so;
 - scheduled for repair according to the appropriate repair timescale (see [Repairs and Maintenance](#)); or
 - noted for action as part of upcoming planned maintenance on the property (see [Repairs and Maintenance](#)).
- 4.4 Any gas appliances that fail the safety check will be disconnected from the gas supply, and the resident instructed not to use them until they can be repaired/replaced. Repair/replacement will then be prioritised according to the group [day-to-day repairs](#) service standards.
- 4.5 A record of all gas safety checks will be kept for two years by the relevant RSL in an electronic format. Certificates issued will be a CP12, except in specific instances where only one appliance is involved, where a CP4 may be used instead.
- Safety checks on domestic units**
- 4.6 An annual gas safety check will be carried out by a registered contractor on each appliance and/or flue that is provided for resident use.

- 4.7 Each existing resident will be issued with a copy of the gas safety check certificate within 28 days of it being completed.

Safety checks on communal units

- 4.8 Circle Anglia will arrange to carry out an annual gas safety check on communal installations every 12 months.
- 4.9 A notice relating to the gas safety check should be posted centrally, indicating that a copy of the safety check will be made available to any resident on request.

Safety checks for lettings and mutual exchanges

- 4.10 With the exception of letting a single room in a shared property that does not have any gas appliances, all properties will be inspected and certificated (CP12) before letting. New residents will receive a copy of the gas safety certificate before they move in (some RSLs provide the certificate before signing the tenancy agreement).
- 4.11 Any appliances which have been installed by the previous resident will be removed before re-letting. No appliances should be gifted to the incoming resident.
- 4.12 If it is not intended to re-let a self contained property within 28 days, Circle Anglia will arrange for a nominated contractor to disconnect the internal gas pipe work on the outlet side of the meter by either inserting an isolating disc or capping-off the pipe work and draining down the system.
- 4.13 Gas Safety checks for mutual exchanges will be carried out in accordance with the [Mutual Exchange policy](#). Before an exchange can be completed it must be established that there is a valid safety certificate (CP12) for the property. If there isn't a valid certificate a check must be completed before the exchange goes ahead. It is the outgoing resident's responsibility to ensure that if there isn't a valid certificate they allow access to a contractor to carry out the check.
- 4.14 The incoming resident is responsible to ensure that they allow access for a new gas safety check within 72 hours of moving in. The officer arranging the signing for the mutual exchange will ensure this happens. RSLs which have recharge arrangements may charge the resident for this.
- 4.15 Where the resident does not allow access for the gas safety check the standard access procedure will be followed.

Issues with access for the safety check

- 4.16 Most residents allow access for the annual gas check. However, a small minority that do not comply cause danger to themselves, visitors and neighbours. Individual RSLs in the Circle Anglia Group retain responsibility to ensure that gas safety checks are carried out, even where there are access difficulties.
- 4.17 A landlord is permitted to enter a tenant's property to view the condition and state or repair under Section 11(6) of the Landlord and Tenant Act 1985, provided that the occupier is given at least 24 hours written notice.
- 4.18 It is also a condition of the tenancy agreement that tenants must provide access to their properties for a gas check. The circumstances in which they are obligated to do so are set out in the tenancy agreement.
- 4.19 In order to gain access, Circle Anglia will follow a [three phase access procedure](#), starting with a letter to the residents at least nine weeks before the check is due, and escalating through to legal proceedings to gain access where necessary. Contractors, RSLs and the central team will keep full and accurate records of their actions at every step.
- 4.20 Circle Anglia will ensure that every effort is made to gain access prior to pursuing legal action. We will regularly consider new and innovative ways to gain access. Where we do seek legal intervention our preferred first option is the use of injunctions.
- 4.21 Where specific circumstances suggest this route will not be effective, or after this route has failed we will consider possession proceedings. RSLs may also negotiate local agreements with Local Authorities to deal with difficult access cases under the Environmental Protection Act 1990.
- 4.22 Circle Anglia recognises that there may be a support need, language or format issue, or specific tenancy management reason that causes access difficulties. In these circumstances, where it is reasonably practicable to identify the need we will try to overcome or resolve the cause of the problem before pursuing legal action. The [access procedure](#) allows opportunity to consider these issues.
- 4.23 Staff members arranging visits to properties refusing access must be guided by the [Customers Who Pose a Risk to Safety policy](#), including arranging for two officers to attend together where necessary.

5 Repairs and Maintenance of gas installations

- 5.1 In addition to its' legal obligations, Circle Anglia is committed to investment into the repairing and renewing of gas appliances in its stock.
- 5.2 Responsive repairs will be carried out in accordance with the timescales set out in our [day-to-day repairs service standards](#). Where specified in individual contracts, these timescales may be bettered. Emergencies will be dealt with following our [emergency procedures](#) set out in the Procedure below.
- 5.3 All repairs will be carried out in accordance with the [Repairs policy](#). Where major repairs require the removal of a resident, the [Decants policy](#) will be followed.
- 5.4 Planned maintenance will be carried out on domestic and commercial installations, including a programme of boiler replacements, and of central heating improvement. Planned maintenance programmes will be determined annually by the individual RSLs and will take into account any recommendations from contractors.
- 5.5 Cyclical maintenance will be carried out in accordance with the manufacturer's instructions for appliances. If these are not available they will be serviced annually unless advised otherwise by a CORGI-registered installer.
- 5.6 All works on gas appliances and associated pipework must be carried out using installations and appliances designed and installed by qualified and competent persons in accordance with the Gas Safety (Installations and Use) Regulations 1998.
- 5.7 Where responsive repairs, planned maintenance or issues identified at the annual safety check result in no heating being available in the property contractors will be responsible for providing sufficient alternative heating arrangements as well as temporary water heaters. This is especially important for vulnerable and older residents.

Contractor Management

- 5.8 Contract Management and procurement will be carried out in accordance with the [Contract Management](#) and [Procurement](#) policies and procedures.
- 5.9 We will ensure that our contractors are fully aware of our Health and Safety requirements, in line with our [Contractor Health and Safety procedure](#). It is the responsibility of the contractor to ensure that adequate safety precautions are taken when working on gas appliances and pipework.

- 5.10 Circle Anglia will ensure that any contractors commissioned to carry out work or safety checks on gas installations and appliances are competent to do so and are legally registered with the HSE's preferred provider for gas contractor's registration (currently this is CORGI, but from 1st April 2009 it will be Capita).
- 5.11 Circle Anglia require all contractors to ensure that any subcontractors that they use also meet these standards (confirmation of this may be sought by Circle Anglia at any time)
- 5.12 The quality of our contractor's work will be assured as set out in the [Monitoring](#) section below.

Specific requirements

- 5.13 In line with gas regulations larger appliances must be room sealed if used in bedrooms and bathrooms, and smaller appliances must have a mechanism to automatically shut them down if there are dangerous gases building up.
- 5.14 Where back boilers are replaced with combination boilers we will ensure that the back boiler is safely de-commissioned. We will not install a fire place for an open fire or a focal fire in the remaining cavity. We will not give permission for residents to carry out alterations or improvements in this space which may affect their safety.
- 5.15 There will be a method of shutting off the gas supply unless it is not reasonably practicable.
- 5.16 Instruction manuals will be left with occupiers of accommodation in which gas appliances are installed but will remain the property of Circle Anglia.

Certification and Notification

- 5.17 For domestic properties, where relevant a new certificate (CP12 or CP4) will be completed following the works, and passed to the relevant RSL. This includes but is not limited to:
- work directly on gas appliances or pipework
 - any repair or building work to a roof, chimney or flue which could cause a blockage
 - where cavity wall insulation, double glazing, or new kitchen installations with extractor fans are to be installed in properties where an open-flue gas appliance is fitted

- 5.18 A copy of the gas safety certificate will be issued to the resident within 28 days. For communal installations a notice will be posted centrally, indicating that any resident may request a copy of the certificate.
- 5.19 Installers must notify the HSE's preferred provider for gas contractor's registration of the installation and exchange of all gas appliances (currently this is CORGI, but from 1st April 2009 it will be Capita). They will in turn notify Building Control where appropriate.
- 5.20 Where residents carry out property alterations and improvements which may affect the safety of gas installations they are responsible to have appropriate checks carried out and arrange for the new certificate to be passed to the RSL. More information about works by residents can be found in the [Property Alterations and Improvements policy and procedure](#).

6 Service Standards

- 6.1 All responsive repairs and maintenance on gas installations will be carried out according to the timescales set out in the [day-to-day repairs service standards](#).
- 6.2 We will only use suitably qualified and competent contractors, as set out in points 5.9-5.11 above.
- 6.3 All contractors will adhere to Circle Anglia's [Code of Conduct](#).
- 6.4 We will contact residents at least 9 weeks in advance of the annual gas check on individual properties, and continue to make every effort up to and including legal action to ensure we gain access to carry out the safety check.
- 6.5 For installations in occupied properties we will issue a copy of the safety certificate to residents within 28 days. New residents will receive a copy before they move in (some RSLs provide a copy before signing the tenancy agreement).
- 6.6 For installations in communal areas we will post a notice relating to the gas safety check centrally, indicating that a copy of the safety check will be made available to any resident on request.

7 Monitoring

Gas Certification

- 7.1 Central heating databases identify all individual and communal units owned by Circle Anglia and record the type of heating present and whether or not there

is an obligation to service the appliance. These databases act as the definitive version of information.

- 7.2 Weekly reports will be generated from the databases to identify the number of units with a current valid certificate (CP12) as a percentage of total stock and the stage that properties without a valid certificate have reached. Results will be reported to the relevant Managing Director on a weekly basis.
- 7.3 The percentage of units with a valid gas certificate is monitored on a monthly basis via Key Performance Indicator reports. These are taken once a quarter to the relevant Board, and the Group Performance Team, and compared at Benchmarking meetings.

Auditing of certificates

- 7.4 Contractors are responsible to check the certificates have been completed correctly before passing them to the relevant RSL. They are required by Circle Anglia to provide them in an electronic format supported by a schedule.
- 7.5 Certificates received by the RSL and/or their consultant will be checked for accuracy between the certificate and the schedule.
- 7.6 The central asset management team will carry out sample checks quarterly on a proportion of all certificates received. Staff members carrying out these checks will be appropriately qualified and experienced.

Quality control of works

- 7.7 Quality of works is generally assessed in three ways:
- Assessment of a percentage of works by a suitably experienced and qualified officer at the relevant RSL or its nominated consultant
 - Self assessment and quality assurance by the contractor
 - Resident feedback and satisfaction surveys
- 7.8 Repair performance data is extracted from Orchard or equivalent system on a weekly basis specifically assessing response times. A monthly cumulative summary for the year to date identifies the percentage of jobs completed in and out of target.

Compliance Management

- 7.9 An external competent organisation will be appointed by the central asset management team to undertake an audit of management processes and the

quality of works every two years. The audit will highlight any shortcomings and recommend appropriate measures for Circle Anglia to adopt.

- 7.10 In addition the central asset management team will work with partner RSLs to ensure compliance with this policy and procedure. Regular reports will be made to the group wide safety audit committee.

8 Equality and Diversity

- 8.1 It is essential to recognise that customers of all races, ages, religions, gender, sexual orientation and disability should be treated equally and fairly.
- 8.2 Where we are unable to gain access we recognise that there may be reasons why access has been unsuccessful such as a language barrier or disability. In these circumstances we will work with the resident to overcome the cause of the problem.
- 8.3 A translation sheet accompanies our letters to residents informing them of their annual gas safety check.
- 8.4 All customers will have access to this document upon request or from our website www.circleanglia.org/customers
- 8.5 This document and accompanying leaflet can be translated or provided in alternative formats (e.g. Braille, large print, audio) upon request.
- 8.6 Equality and Diversity training is mandatory for all staff.

9 Publicising the Policy

- 9.1 Circle Anglia publicises its policies and procedures on Gas Safety to residents and staff in a number of ways:
- Resident Handbook
 - Gas Safety Leaflet, including Carbon Monoxide advice
 - Resident Newsletter
 - Resident Website
 - CIRANO
 - Policy Briefings and
 - Training
- 9.2 In addition RSLs will carry out local promotion of the importance of gas safety checks to its residents, for example through mailshots, newsletters, and the local press.

Glossary

Term	Definition
CORGI / Capita	<p>CORGI is the national watchdog for gas safety in the United Kingdom. They are appointed by the Health and Safety Executive, and all contractors carrying out works on gas installations must be registered with them.</p> <p>From 1st April 2009 the organisation providing this function for the Health and Safety Executive will be Capita.</p>
Flame Supervision Device	<p>A gas fuel safety system that cuts the gas supply to the appliance if the flame goes out or becomes unstable</p>
CP12 / CP4	<p>A CP12 and a CP4 are two different gas safety certificates issued after an inspection. In general, Circle Anglia will use CP12s, which are landlord gas safety certificates. Where we have only one appliance in a unit we may use a CP4.</p>
Flue / open flue	<p>A flue is a smoke duct in a chimney, or a proprietary pipe serving a heat-producing appliance such as a central heating boiler.</p> <p>An open flue is a chimney taking flue gases from an appliance which terminates in the open air, usually above roof level. The liner needs to be replaced each time a boiler is fitted. An appliance connected to an open flue must be provided with a combustion air supply directly from the outside.</p>
NOSPs	<p>A NOSP is a Notice of Seeking Possession that landlords serve to tell a tenant that they are commencing legal action to re-gain the property because they have not allowed access for the annual gas check.</p>

Related Documents

Document	Link
Connected Policies:	Contract Management Contractor Health and Safety procedure Customers Who Pose a Risk policy Decants policy Health and Safety policy Mutual Exchange policy Property Alterations and Improvements policy Repairs policy Scalding and Hot Water policy Service Charges policy Temporary Accommodation policy Translations, Transcriptions and Interpreting policy Water Treatment policy
Forms and Letters:	
Leaflets:	Gas Safety Day-to-day repairs Contractor Code of Conduct
Other:	

Version history

Version no.	1	Date effective:	October 2006
Full / partial review?	n/a		
Brief summary of changes:	n/a		
Staff consultation (teams):	SMPRG, Staff		
Resident consultation:	OF HS, OF TML, GPF		
Other:	HQN		
Signed off by:	Group Policy Forum 15th September 2006		
Author:	Jason Christensen, Policy Officer		

Procedure added October 2007

Version no.	2	Date effective:	March 2008
Full / partial review?	Partial		
Brief summary of changes:	Alignment of policy with new procedure, especially around Mutual Exchanges		
Staff consultation (teams):	SMPRG, Staff		
Resident consultation:	None as minor review		
Signed off by:	Group Policy Forum 15th September 2006		
Author:	Peter Salisbury, Service Improvement Manager Abi Patience, Policy Officer		

Version no.	3	Date effective:	December 2008
Full / partial review?	Full		
Brief summary of changes:	Integration of new partners, incorporation of communal gas, streamlining and rationalisation, amends to Mutual Exchange and Access sections		
Staff consultation (teams):	Commercial and Leasehold Central Asset Mgmt team Risk and Procurement Development Health and Safety MVHA via Glynis Gatenby Property Management teams at the RSLs Russet via Lesley Hardwick Support Initiatives Continuous Improvement SMPRG MDs Group Health and Safety Committee		

Resident consultation:	Mole Valley Operations Working group Mole Valley Policy Forum Russet Residents' Panel
Other:	Eversheds G15 Union Health and Safety
Signed off by:	Group Policy Forum, 20 th November 2008
Author:	Abi Patience, Policy Officer