

# **Gas Safety Management**

## **Policy**

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# GAS SAFETY MANAGEMENT POLICY AND PROCEDURES

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## 1. INTRODUCTION

- 1.1 Lochalsh and Skye Housing Association recognises that gas installations, if not annually safety checked, maintained and repaired, can present a major risk to the health, safety and wellbeing of customers living in our homes, colleagues working in our offices and the wider estate, owners, and people who visit our properties, if not managed safely. Gas safety incidents can cause ill health through carbon monoxide poisoning, gas poisoning or asphyxiation, and fire/explosion which could cause injury, loss of life, significant damage to property and also pose significant financial and reputational risks to our organisation.
- 1.2 The Association is responsible for ensuring that all properties owned and managed by us, meet all applicable gas safety legislation and standards.
- 1.3 There is no mains gas network on the Isle of Skye. Therefore, no properties are supplied directly with gas for the purpose of central heating, cooking or hot water. Lochalsh and Skye Housing Association does not install gas appliances or pipework to allow the supply of gas in any of its properties. The Policy therefore only applies to any tenant owned installations or appliances. Since 2003 LSHA does not give permission for such installations. However it remains aware of circumstances where tenants may previously had permission or where there are appliances and pipework installed without permission.

## 2. PURPOSE OF THE POLICY

- 2.1 The purpose of this policy and the management arrangements is to:
  - Recognise and outline the risks to lives and property associated with the management of gas safety
  - Identify all applicable legislation relating to Lochalsh and Skye Housing Association in terms of gas safety statutory duties and responsibilities as a social landlord and employer
  - Determine the scope of how the policy will apply to Lochalsh and Skye Housing Association and how the scope of the legislation applies in its context
  - Outline the roles, responsibilities and management arrangements LSHA will have in place to manage gas safety effectively

## 3. POLICY SCOPE

- 3.1 This policy applies to all gas installations and appliances (supplies, flues, appliances and fittings) within tenanted properties owned and managed by LSHA. 'Gas appliance' is defined as an appliance for the heating, lighting, cooking or other purpose for which gas can be used. In general, portable or mobile devices are not covered, except the use of portable or mobile space heaters (e.g., LPG cabinet heaters). Where we are not the freeholder of any properties which are within our control, the responsibility for gas safety management will be clearly defined within the management agreement.
- 3.2 This policy applies to all gas safety related work streams associated with

protecting life, safety and property across the Association, including obtaining annual gas safety maintenance certificates from properties where a gas appliance has been installed by the tenant.

3.3 This policy applies to all LSHA staff and Board members, given that the Policy outlines the main responsibilities for gas safety. This policy also applies to all tenants, owners, contractors and any visitors to our buildings including members of the public.

#### **4. AIMS AND OBJECTIVES OF THIS POLICY**

4.1 The aim of this policy is to ensure that we sufficiently assess the risk of gas incidents occurring, in the limited circumstances applicable in Lochalsh and Skye, which could lead to ill health, injury or fires occurring and spreading.

4.2 Our objectives are to interpret all applicable legislation and standards to LSHA as an employer and registered social landlord for gas safety, to enable us to develop suitable and sufficient management arrangements to maintain gas safety.

#### **5. ROLES AND RESPONSIBILITIES**

5.1 **The Board**, in approving this policy, acknowledges that it accepts responsibility for its implementation. Day-to-day responsibility for the operation of this policy lies with the Chief Executive with assistance from the Director, Managers and operational staff.

5.2 **The Chief Executive, assisted by the Director of Finance and Investment and the Property Services Manager, must:**

- Ensure that the requirements of the policy are communicated to all staff and reinforced on a regular basis.
- Ensure that all staff and the Board receive adequate gas safety awareness training in the specific circumstances where all installations or appliances will be customer owned and installed.
- Monitor and report to the Board with any recommendation regarding gas safety
- Ensure compliance with legislation regarding gas installations, supplies and gas appliances and all other types of gas fittings
- Ensure tenants and other customers are aware that all persons or contractors carrying out their gas annual safety checks, maintenance and repairs are trained and competent to do so and are members of Gas Safe

5.3 **The Housing Services Manager and the Property Services Manager together must:**

- Ensure that new tenants are aware that permission will not be given for any installation of gas appliances.
- Ensure that regular estate management inspections are carried out and can identify homes where there are tenant installations of gas appliances.

- Ensure that access to domestic properties is sufficiently supported to enable access for any inspection of installations
- Ensure that the requirements of the policy are communicated to all relevant staff and tenants and reinforce such communication on a regular basis via The Association's website, tenant newsletter and social media.

5.4 Every employee of Lochalsh and Skye Housing Association has a health and safety responsibility and duty regarding arrangements made for maintaining their own safety in the activities they carry out and responding to emergency situations. The Director and Managers have responsibilities as well as those of an employee.

5.5 Any breaches of the policy should be reported to the employee's Manager.

## 6. GAS SAFETY MANAGEMENT PLAN

The Gas Safety arrangements are that LSHA will;

- Ensure that we identify relevant properties owned or managed by LSHA which have a tenant installed gas appliance and require the tenant to produce an annual gas safety certificate by a registered contractor.
- Develop and maintain a register listing all properties with gas supplies, installation, appliances, flues and fittings, that LSHA are responsible for, including the date of the last Gas Safety Certificate supplied by the tenant.
- Communicate with tenants and staff the importance of gas safety including providing guidance on our policy of not permitting gas installations by tenants, and good information on any existing or known instances where installations are already in place.
- Ensure tenants are clear on their responsibilities to only use competent Gas Safe registered contractors when installing or renewing appliances owned by them (e.g., gas cooker)
- Ensure any unauthorised and defective alterations or additions to gas installations are rectified or removed on discovery.
- Ensure suitable and sufficient resources are in place to effectively manage customer relationships, tenancy agreements, and leases to keep LSHA informed of the gas arrangements for the home/building in which they live and expectation in terms of them providing annual certification to us on gas safety.
- Ensure there are suitable and sufficient emergency procedures in place to deal with emergency situations as a result of issues associated with gas safety.
- Ensure that data is managed robustly to assure ourselves that we are accurately and robustly fulfilling statutory responsibilities as an employer and a landlord relating to gas safety across the business and respond to failures in systems and data management

## 7. TRAINING AND AWARENESS

7.1 Lochalsh and Skye Housing Association will ensure that all colleagues will receive general training on our policy of not approving tenant owned gas installations, and how to respond where there are existing installations.

## 8. MONITORING OF THE POLICY

8.1 Operational Managers will be responsible for the day-to-day assessment of situations where there are tenant owned gas installations. They will be responsible for:

- Ensuring operational management information is in place to evidence work is being completed by the tenant within the required timescales and to the required standards to give assurance on gas safety

8.2 Providing such information to enable the relevant Manager/Director to submit an annual performance report to the Senior Management Team

## 9. REVIEW

9.1 This Policy will be reviewed every 5 years but will be subject to earlier review if there are any significant changes in legislation, good practice or operational changes, which may affect the content of this policy.

## 10. LEGAL AND REGULATORY FRAMEWORK

### Regulatory Framework

10.1 The Scottish Housing Regulator's (SHR) main role is to monitor, assess, report and intervene (as appropriate) in relation to social landlords' performance of housing activities and RSLs' financial well-being and standards of governance, in relation to tenants, people who are homeless, gypsy/travellers and factored owners.

10.2 Section 36 of the Housing 2010 Act requires the SHR to issue a Code of Conduct setting out Standards of Governance and Financial Management for RSLs. The SHR has seven standards in place which the Association must adhere to and meet. Below are the seven standards. We have indicated next to each standard whether we deem it is applicable to this Gas Safety management policy:

10.3 The relevant standards from the SHR Framework and Standard of Governance and financial Management relevant to this policy are:

- **Regulatory Standard 1** (RS1) – *'The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users'.*
  - **Guidance 1.1** - The governing body sets the RSL's strategic direction. It agrees and oversees the organisation's business plan to achieve its purpose and intended outcomes for its tenants and other service users.
  - **Guidance 1.2** - The RSL's governance policies and arrangements set out the respective roles, responsibilities and accountabilities of governing body members and senior officers, and the governing body exercises overall responsibility and control of the strategic leadership of the RSL.
  - **Guidance 1.3** - The governing body ensures the RSL complies with its constitution and its legal obligations. Its constitution adheres to these Standards and the constitutional requirements set out below.

- **Guidance 1.4** - All governing body members accept collective responsibility for their decisions.
- **Guidance 1.5** - All governing body members and senior officers understand their respective roles, and working relationships are constructive, professional and effective.
- **Guidance 1.6** - Each governing body member always acts in the best interests of the RSL and its tenants and service users and does not place any personal or other interest ahead of their primary duty to the RSL.
- **Guidance 1.7** - The RSL maintains its independence by conducting its affairs without control, undue reference to or influence by any other body (unless it is constituted as the subsidiary of another body).
- **Regulatory Standard 3 (RS3)** – *‘The RSL manages its resources to ensure its financial well-being, while maintaining rents at a level that tenants can afford to pay’.*
  - **Guidance 3.1** - The RSL has effective financial and treasury management controls and procedures, to achieve the right balance between costs and outcomes, and control costs effectively. The RSL ensures security of assets, the proper use of public and private funds, and access to sufficient liquidity at all times.
  - **Guidance 3.2** - The governing body fully understands the implications of the treasury management strategy it adopts, ensures this is in the best interests of the RSL and that it understands the associated risks.
  - **Guidance 3.3** - The RSL has a robust business planning and control framework and effective systems to monitor and accurately report delivery of its plans. Risks to the delivery of financial plans are identified and managed effectively. The RSL considers sufficiently the financial implications of risks to the delivery of plans.
- **Regulatory Standard 5 (RS5)** – *‘The RSL conducts its affairs with honesty and integrity’.*
  - **Guidance 5.1** - The RSL conducts its affairs with honesty and integrity and, through the actions of the governing body and staff, upholds the good reputation of the RSL and the sector.
  - **Guidance 5.2** - The RSL upholds and promotes the standards of behaviour and conduct it expects of governing body members and staff through an appropriate code of conduct. It manages governing body members’ performance, ensures compliance and has a robust system to deal with any breach of the code.
  - **Guidance 5.3** - The RSL pays due regard to the need to eliminate discrimination, harassment and victimisation, and advance equality of opportunity and human rights, and fosters good relations across the range of protected characteristics in all areas of its work, including its governance arrangements.

## Legal Framework

10.4 Lochalsh and Skye Housing Association will comply with all relevant legislation and regulatory requirements for managing gas safety. Set out below is the principal legislation which applies to gas safety management for the Association (please refer to the supporting gas safety management plan within for all associated detailed standards and guidance):

10.5 **The Health and Safety at Work Act 1974 (HASAWA); General Duty on Employers**  
This primary Health and Safety legislation imposes a general duty on employers to ensure the health, safety, and welfare of their employees at work, so far as reasonably

practical. This statutory duty is also applicable to “others” who may be affected by the employer’s undertakings (i.e., work activity), such as contractors, tenants, neighbours, owners, visitors, and members of the wider general public.

10.6 **The Management of Health and Safety at Work Regulations 1999** section 3, sets out the duty for every employer to make a suitable and sufficient risk assessment of the risks to health and safety of all of their employees whilst at work and other people not in their employment.

10.7 **The Gas Safety Installation and Use Regulations 1998 (GSIUR) (as amended)** contain specific statutory duties for employers. Regulations 3 and 4 of GSIUR, requires employers (of staff and contractors) to ensure the person/business carrying out any gas work is registered with Gas Safe and competent to work on the specific element of gas required. Regulation 36 of GSIUR - Duties of landlords, sets out specific statutory duties relating to the requirements for landlords to carry out appropriate maintenance and annual safety checks for all gas appliances, fittings and flues, and details the standards to be achieved and specific documentation to be issued to the tenant, and to verify each gas installation is safe to use.

10.8 **L56 Approved Code of Practise (ACOP)**, is This Approved Code of Practice and guidance which gives practical advice on the Gas Safety (Installation and Use) Regulations (GSIUR). It is for anyone who may have a duty under the regulations, including landlords, employers, those who install, service, maintain or repair gas appliances and other gas fittings. This fifth edition has been revised to incorporate the amendments made by SI 2018/139 Gas Safety (Installation and Use) (Amendment) Regulations 2018. The latest edition of L56 can be downloaded free on the Health and Safety Executive (HSE) website.

10.9 **The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (2013) (RIDDOR)** requires employers, the self-employed, and other people in control of work premises, to report and keep records of:

- Work-related accidents which cause death
- Work-related accidents which cause certain serious injuries (reportable injuries)
- Dangerous occurrences with the potential to cause harm.

10.10 The gas engineer or their employer must provide details of any gas fittings, including appliances and flues or ventilation used with the appliances, that you consider to be dangerous, to such an extent that people could die, be rendered unconscious or need to be taken to hospital, because the design, construction, installation, modification or incorrect servicing could result in:

- An accidental leakage of gas
- Incomplete combustion of gas
- Inadequate removal of products of the combustion of gas.

10.11 **L122 Approved Code of Practice (ACOP)** for the Pressure Systems Safety Regulations 2000 (PSSR). It provides guidance and practical advice on how to comply with the law for the safe design and use of pressure systems. The PSSR aims to prevent serious injury from pressure system failure.

10.12 **The Gas Industry Unsafe Situations Procedure (GIUSP)** is a gas industry guidance document that helps gas engineers identify, classify and address unsafe gas situations. The GIUSP applies to gas installations, equipment, and appliances in both homes and businesses.

10.13 **The Scottish Social Housing Charter** - the Scottish Housing Regulator (SHR) has identified a number of key indicators relevant to housing maintenance by which it will measure landlord performance, including the following:

Quality of housing – tenants' homes, as a minimum, meet the **Scottish Housing Quality Standard (SHQS)** by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.

10.14 **The Scottish Secure Tenancy (SST) agreement**, in relation to forcing access, includes the following clause at paragraph 5:12:

"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. We have the right of access to your house ... providing we give you reasonable notice in writing ... 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."

Lochalsh and Skye Housing Association will use the tenancy agreement to force access as required when customers do not let us in to carry out the gas safety check and service, but only under controlled circumstances as described with the supporting management plan.

## APPENDIX 1 – Equality Impact Assessment

Name of Policy to be assessed	Gas Safety Policy	New Policy or revision of existing	New
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Person(s) responsible for assessment		Trudi Tokarczyk			
1. Briefly describe the aims, objectives and purpose of the policy		The purpose of this policy is to set out how The Association Housing will ensure that residents and visitors should enjoy safe access to, and use of, our services and facilities. In particular, to ensure, so far as is reasonably practicable, the safety and welfare of our employees and other persons who may be affected by our activities in relation to gas safety. The main objective of the policy is to meet all legal and regulatory obligations and ensure best practice is followed in relation to gas safety. It therefore aims to: Keep the general public, tenants, and employees safe from the risks associated with faults or issues arising with gas installations and appliances, so far as reasonably practical.			
2. Who is intended to benefit from the policy? (e.g. applicants, tenants, staff, contractors)		The policy sets out to benefit tenants to ensure risk of harm from faulty gas equipment is minimised. It further intends to benefit staff, contractors and members of the public who are visiting and working within The Association properties. It will also benefit the association in ensuring legal obligations are met and protecting assets.			
3. What outcomes are wanted from this policy? (e.g. the measurable changes or benefits to members/tenants/staff)		To ensure that the association is compliant with gas Safety legislation and Regulatory guidance and through annual safety checks, monitoring and maintenance, our procedures and programmes continue to be compliant and managed thus mitigating the risks to staff, tenants' contractors and the general public relating to injuries or fire caused by gas faults or issues.			
4. Which groups could be affected by the policy? (note all that apply)					
Age		Disability			
Gender reassignment		Marriage and Civil Partnership			
Pregnancy and Maternity		Race			
Religion or Belief		Sex			
Sexual Orientation					
5. If the policy is not relevant to any of the equality groups listed above, state why and end the process here.					
The policy is applied equally to all properties with the aim of maintaining gas equipment and ensuring safety for all equally and therefore has no positive or negative impact upon any of the above.					
6. Have those affected by the policy/decision been involved?					
		Positive Impact (s)	Negative Impact(s)		
7. Describe the likely positive or negative impact(s) that the policy could have on the groups identified above.		See section 6 above	None anticipated		
8. What actions are required to address the impacts arising from this assessment? (this might include additional data, putting monitoring in place, making adjustments, taking specific action to mitigate any potentially negative impact(s)		No further action required.			
Signed:	Trudi Tokarczyk				
Dated:	14/08/25				

