**GAS SAFETY PROCEDURE**

# MANAGING GAS SAFETY PROCEDURE GUIDE CONTENTS

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Definitions:

**The Councils** – Refers to the South Oxfordshire District Council and Vale of White Horse District Council.

**Landlord** – This will be the name Landlord the Tenancy Agreement and will be either South Oxfordshire District Council **OR** Vale of White Horse Council

**Service Provider –** This means the appointed sub-contractor for the Councils who will implement the terms of the Policy or an internal appointed service designated within the Councils.

# Procedures

* 1. **Introduction**

This Procedure describes how The Service Provider manages the maintenance and repair associated with gas appliances it manages on behalf of The Councils in accordance with legislative requirements, specifically the Gas Safety (Installation and use) Regulations 1998.

The Service Provider has appointed a nominated (Gas Safe registered) maintenance contractor to perform the duties of the Gas Installer as defined in the Regulations identified above.

This procedure ensures that the duties of the Landlord as set out in Section 2.7 are complied with. In order to avoid any confusion, the Head of Asset Management for The Service Provider will agree changes in working arrangements during the period of the Contract with specific members of staff responsible for completing each part of the process. Any changes in working will be recorded on file with the existing Contract documents.

# Annual Service and Safety Check

It is the Contractors responsibility to make contact with the resident following the provision of addresses by The Service Provider.

The Contractor will be responsible for devising the programme for annual service and safety checks, whilst keeping The Service Provider informed of any abortive visits.

The programme ensures targeted servicing and safety checks to ensure annual compliance, and the avoidance of any overdue gas certification

If during this process, a gas appliance fails the annual safety check, remedial works are carried out to rectify the problem. If the problem cannot be rectified at the time of the check (for eg. where replacement parts are required), the contractor will if necessary make the appliance safe and return as soon as possible to complete the works, keeping The Service Provider informed .

# Breakdowns and Repairs

Obligations are placed upon the contractor for the maintenance and repair of all gas appliances managed by The Service Provider. This includes performance and response times

The contractor attending to the breakdown or repair is asked to complete the annual service and safety check if this is due in order to avoid duplicated visits and the resulting inconvenience caused to tenants.

Where tenants report gas related defects and make requests for repairs directly to The Service Provider’s Customer Services Team, an electronic works order is issued to the Contractor. Each fault or breakdown is prioritised into a response time-band as detailed in the Contract.

If in the event the repair/fault cannot be remedied, the Contractor shall provide temporary heating to the tenant.

# Dealing with Gas Leaks

If a tenant reports that they can smell gas or that they feel there is a gas leak, they are to be advised by the person taking the report to:

Phone the emergency gas service on 0800 111999

* + - turn off the gas supply at the meter (unless the gas supply is in the basement)
		- open windows and doors to ventilate the area (unless the smell of gas is outside)
		- refrain from smoking or using naked flames
		- refrain from operating electrical switches

The Service Provider will contact the gas emergency service, as well as advising the tenant to contact them. An emergency repair order is also sent to The Service Provider’s gas maintenance contractor who will attend, to identify and rectify the fault so that the gas can be reinstated. If in the event the gas cannot be re-instated the Contractor shall provide the tenant with temporary heating.

# Void Properties

Prior to properties being made available for letting remedial works may be required. In all cases a gas safety check is required before a new tenant moves in.

Even if no gas appliances are present, the property may contain pipework providing a supply for a gas cooker. This must be checked according to the legislative requirements ensuring safety for use for the next tenant. A new gas safety certificate is then issued to the incoming tenant.

A copy of the gas safety certificate is recorded with the Contract Administrator within 7 days of receipt.

# New Build and Newly Acquired Properties

At the time of hand over, the contractor will issue a commissioning certificate (which confirms that all the mechanical and electrical parts of the installation are operating correctly) and a Landlord Safety Check Record which should be copied to the ingoing (or existing) tenant. The Service Provider can then add the properties to the contractor’s schedule of addresses for inclusion in their programme of work.

# Lettings

Legislation requires all new tenants to be given a copy of the current safety check record prior to them moving in, the tenant’s copy of the Safety Check Record for each void property must be forwarded to the Housing Officer who will carry out the allocation in readiness for letting.

In order to ensure that The Service Provider complies with this part of the legislation and to record the compliance, a separate form has been devised entitled: New Tenant Declaration (See Section 2.2) which is to be completed as part of the signing up process when the ingoing tenant is given their copy of the Safety Check Record. This form also includes additional advice concerning permanent ventilation and is to be retained on the tenancy file.

# Technical Audit Function

The Service Provider recognises that specialist technical competence is required to help it effectively manage gas safety. Therefore, in keeping with good and recommended practice, The Service Provider employs Gas Compliance Supervisors to complete a technical audit i.e. to monitor the performance of the Gas Installer and ensure that all their obligations within legislation and the technical specification are being met.

The Gas Compliance Supervisors (or an external contractor) will carry out inspections of the appliances to achieve a 5% post inspection rate and provide detailed reports (complete with photographs where applicable) within one month of their receipt of the Safety Check Records. The gas maintenance contractor will also be requested to undertake 5% post inspections of both servicing and repairs.

# Appointments and Access

When the contractor receives the schedule of addresses from The Service Provider, as described in 1.2 an initial appointment letter is sent in advance from the Gas Installer to each tenant.

The Gas Installer will then visit each dwelling at the appointed time to complete the annual service and safety check. Where possible, The Service Provider will forward a text reminder message to the tenant the day before the appointment date. If no access is gained, the contractor will complete an Abortive Visit Record Card and post it through the letterbox of the dwelling. A copy of the card is forwarded to The Service Provider, which upon receipt triggers a “No Access Procedure” see Flow Chart 2.10.

# No Access Procedure

In order to present the complete process and for clarification purposes, stage one has been designated as issuing the initial letter which advises the tenant of the first appointment.

**NB.** Throughout stages one to five, comprehensive and accurate records **must** be kept of all the action taken. These records will be required if we are to instigate legal proceedings but in addition to this, they will help to safeguard The Service Provider’s interests should there be an injury resulting from our failure to complete the Safety Check.

# Stage One – Initial appointment card (Contractor)

Initial appointment letter is sent from the contractor to each tenant in advance informing them of the intended visit to complete the annual service and safety check. This process is to commence 10 months after the previous service date. See example in item 2.1 below.

# Stage Two – Abortive Visit Record Card (Contractor)

If there is no access to the dwelling, the contractor will complete the abortive visit record card and post part (1) through the letterbox of the dwelling. Part 2 is retained by the contractor and a copy is forwarded to The Service Provider. See example in 2.3.

The contractor is then to arrange a second appointment after the expiry of 5 working days. If there is “no access” they must complete a second abortive visit record card in accordance with the details previously mentioned above.

# Stage Three – First Reminder Letter (The Service Provider)

If, after the expiry of 5 working days following the 2nd abortive visit there has still been no contact from the Tenant, the contractor is to inform The Service Provider of this with the dates of stages one and two. The Service Provider will then send a first reminder letter to the Tenant within 5 working days. See copy in 2.4.

At this stage The Service Provider will defer any non-emergency repairs until the gas service has been completed. Customer Services Department are made aware of this (should a call come in from a tenant).

# Stage Four – Final Reminder Letter (The Service Provider)

If, after 5 working days following the date of the first reminder letter, the housing officer is contacted to advise that there has still been no contact from the tenant, the Housing Officer will confirm that there are no known special circumstances which make access difficult and issue the final reminder letter. See copy in 2.5.

# Stage Five – Commencing Legal Procedures

The Gas Compliance Supervisor is responsible for ensuring that legal action is pursued through to successfully gaining access and obtaining a landlord’s gas certificate (LGSR).

If the tenant has made no contact after the expiry of 5 working days stipulated in the final reminder letter, the Gas Compliance Supervisor will instruct Solicitors to issue a Warning of Court Injunction Proceedings (See 2.6).

Solicitors will be instructed to issue the necessary Injunction Proceedings on the tenant and serve the papers to the appropriate court if there has still been no response within a further 5 working days.

Only with the prior written agreement of the Director of Property & Development (or another Director in the case of absence) can any of the above timescales be extended.

Once a property has reached Stage 4 of the Procedures the Gas Compliance Supervisor is authorised to isolate the gas meter providing that:

1. The contractor has been denied access twice.
2. The Service Provider has issued 2 reminder letters to the tenant.
3. The Gas Compliance Supervisor notifies both the Head of Housing and the Director of Customer Services and Operations within 24 hours of the gas being isolated, and provides a monthly summary of all isolated properties.

The Gas Compliance Supervisor retains responsibility for monitoring the progress of any legal action being taken and entering this onto the gas servicing database.

Where access has proved difficult to individual properties, The Service Provider will consider starting the access procedure 9 months after the previous service date. The Service Provider will also consider appointing Solicitors at an earlier stage in the process.

# Computer Record System

The Service Provider utilises an in-house computer system, and one of its functions is to act as a property database.

Within the database are fields devoted to gas safety management. When the completed Safety Check Records are forwarded to the Gas Compliance Supervisor, key data must be transferred to the computer system in order to maintain an accurate, comprehensive and accessible record of all activities relating to the safe management of gas.

The following fields of information and data are to be loaded into the property address database. This process enables The Service Provider to comply with its obligations, safeguard tenants and support staff in managing gas effectively.

1. Date of safety check
2. Type of appliance(s)
3. Make of appliance(s)
4. Model of appliance(s)
5. Year of installation
6. Name of contractor of last service/installation
7. Name of last person entering information against each property address If the no access procedure is implemented:
8. Date of initial appointment letter
9. Dates of the abortive visit cards
10. Date of first reminder letter
11. Date of final reminder letter
12. Date of Solicitors letter

# Review

This procedure will be reviewed every 3 years or earlier if The Service Provider amends its Gas Safety processes or legislation changes.

# Documentation

* 1. **Initial Appointment Letter/Card**

The contractor’s appointment card shall include the following information:

* + 1. The contractors contact details, together with both the contractors and The Service Provider’s logo.
		2. A clear explanation the appointment relates to a gas service.
		3. An appointment date (and whether this is a morning or afternoon appointment).
		4. A contact number for the tenant to call if the proposed date is inconvenient

# New Tenant Declaration

All require The Service Provider Headed paper

# NEW TENANT DECLARATION

Gas Safety Check Record

I confirm receipt of the current Gas Safety Check Record for:

Address of property:

Dated (date of Safety Check Record):

I agree not to block any permanent ventilation as this may adversely affect the safe functioning of any gas appliances in my home.

I also agree that it is my responsibility to ensure that any of my own gas appliances (eg. cookers/ gas fires) are installed, serviced and maintained by a Gas Safe registered engineer and that all relevant certification is available for The Service Provider to view.

Signed (tenant): Date:

|  |  |  |
| --- | --- | --- |
| 2.0 | Name of Housing Officer conducting sign up process: |   |
| 3.0 | Signature of Officer: |  |

# Abortive Visit Record Card

The contractor’s abortive visit card shall include the following information:

* + 1. The contractor’s contact details and logo.
		2. The date and time the contractor visited.
		3. The reason for the visit (ie. Gas service or repair).
		4. A proposed date for the next visit.

# First Reminder Letter

Please contact Customer Services 01235 515900 or 0800 0141545

(Freephone) GasServicing@The Service Provider.co.uk

Tenancy Number:

Date:

Dear

# Gas/Solid Fuel Appliance Annual Service and Safety Check

If you have had a service carried out within the last 7 days or recently made a new appointment please ignore this letter.

The Service Provider is contracted to work on behalf of The Councils and carries out a free gas service and safety check in your home every year.

We must make sure that the gas appliance/gas pipework or solid fuel appliance in your home is safe. We carry out a service and safety check on your heating system every twelve months.

**When our contractors called as agreed on …….. and …….. you were not at home. Please call the The Service Provider urgently on 01235 515900 or 0800 014 15 45 (ask for Clare Dawson, Richard Bourton or Ashley Harper) to arrange a date within 7 days.**

If you do not contact us we will consider taking legal action in order to comply with the Gas Safety (Installation and Use) Regulations 1998.

# Please also note that we will recharge you £40 if you do not keep any future appointment.

Thank you for your co-operation. Yours sincerely

Customer Services

# Final Reminder

Please contact Customer Services 01235 515900 or 0800 0141545

(Freephone) GasServicing@The Service Provider.co.uk

Tenancy Number:

Date:

Dear

**Gas/solid fuel appliance annual service and safety check**

# If you have had a service carried out in the last 7 days or have recently made a new appointment please ignore this letter.

Despite my letter to you on ……… you have not contacted either our contractors or me here at the The Service Provider to arrange an appointment for your homes annual gas/solid fuel safety check.

I must advise you that by not allowing us access for a safety check, you have breached your Tenancy Agreement.

Your agreement says:

# “You must allow our contractors and employees to come into your home at any reasonable time to look at the condition of your home, or to carry out repairs to your home or an adjoining home or to the rest of the building.”

**You must telephone The Service Provider Housing on 01235 515900 or 0800 014 15 45** (ask for Richard Bourton, Ashley Harper or Clare Dawson) **to arrange a date, within the next 7 days,** when our contractors can call on you and complete the checks. If you prefer you can visit our office between 8.30am and 5pm weekdays to make the appointment.

If you do not contact us within the next 7 days to arrange access to your home, The Service Provider will seek permission from The Councils to apply to the County Court for an Injunction to allow us access to your home. This is in accordance with the terms of your Tenancy Agreement.

The Service Provider Housing must carry out the safety checks on all our properties under regulation 36 of the Gas Safety (installation and use) Regulations 1998.

It is essential that you allow us to complete these checks so that we can make sure that the gas/solid fuel appliance in your home is safe.

# The Service Provider Housing reserves the right to disconnect the gas supply to your home if you fail to allow access.

**Please note, The Service Provider Housing will charge you a further £40 if you do not keep any future appointments. You will also be charged for any court costs which may be in the region of £1,000.**

Yours sincerely

Customer Services

# Injunction Warning letter

Phone: Fax: Email:

Date:

Dear

**LEGAL PROCEEDINGS AGAINST YOU**

We act on behalf of your Landlord. We are instructed that our client’s contractors, (name of contractor) have been unable to gain access to your home, to enable our client to comply with its legal obligations about gas safety. Our client has written to you repeatedly about this.

We are now in the process of preparing the necessary documentation to apply to the Court for an injunction against you. This will result in a Court hearing which you will have to attend and at which we will inform the Court that you are in breach of the terms of your tenancy agreement. We will also ask for an order to be made against you personally to enable our client to enter your home and to pay our client’s legal costs. The notification of the Court hearing date will be served, personally on you, soon.

If you wish to avoid these proceedings, you should contact The Service Provider’s Gas Servicing Team on 01235 515900, by no later than 12 noon on (insert date).

# Your home is at risk! If you have any doubts about your legal position, we strongly suggest you seek legal advice from a solicitor of your choice, a citizen’s advice bureau or a housing aid centre.

Yours faithfully

# Solicitors Name

* 1. **Landlord Duty Record**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **TASK** |  | **OFFICER** | **SIGNATURE** |
|  | **Specification/contract documentation issues:** |  |  |  |
| 1 | Fulfilling the role of Contract Administrator |  | CA |  |
| 2 | Issuing address list to Gas Installer |  | Gas Compliance Supervisor |  |
| 3 | Amending address list |  | Gas Compliance Supervisor |  |
|  | **Handling the Safety Check Records** |  |  |  |
| 4 | Entering details onto the computer system within two weeks of receipt |  | Gas Compliance Supervisor |  |
| 5 | Filing safety check records within one week of computer entry |  | Gas Compliance Supervisor |  |
| 6 | Retaining tenant copy for void properties until re-let |  | Head of Housing |  |
| 7 | Issuing tenant copy at sign up |  | Head of Housing |  |
|  | **Technical Audit Issues** |  |  |  |
| 8 | Selecting 5% of Safety Check Records |  | Gas Compliance Supervisor |  |
| 9 | Recording results of audit |  | Gas Compliance Supervisor |  |
| 10 | Reviewing reports of auditor and taking appropriate action |  | Head of Asset Management |  |
|  | **No access procedure** |  |  |  |
| 11 | Issuing first reminder letter |  | Gas Compliance Supervisor |  |
| 12 | Issuing final reminder letter 5 working days after issuing first reminder letter |  | Gas Compliance Supervisor |  |
| 13 | Start legal proceedings |  | Gas Compliance Supervisor |  |
| 14 | Reviewing if there is any particular reason for access being withheld (e.g. long holiday, hospitalisation, special needs, language difficulties etc.) and if not beginning legal proceedings |  | Head of Housing |  |
| 15 | Serving an injunction |  | Gas Compliance Supervisor |  |

**Signed by Head of Asset Management:**

**Date:**

* 1. **Gas Heating Repairs**

No

Has a Gas Safety check already been completed?

Yes

Contractor carries out Gas Safety Service/Check.

Then attempts to repair the fault/breakdown

The Service Provider’s Customer Services notifies Contractor of breakdown

Can the fault be repaired?

No

Yes

Contractor notifies The Service Provider and forwards relevant documentation

Contractor makes safe and makes arrangements to return to the property to resolve the issue

Can the fault be repaired?

No

Yes

Contractor notifies The Service Provider and forwards relevant documentation

Contractor makes safe and makes arrangements to return to the property to resolve the issue

Contractor attempts to repair the fault/breakdown

Breakdowns and Repairs

Contractor notifies The Service Provider and forwards relevant documentation

Contractor notifies The Service Provider and forwards relevant documentation

* 1. **Voids Flow Chart for Gas**

PASS

CP-12 report - original and tenant copy to be kept separate

Tenant CP-12 with void keys to TO

To be handed to HM

Original CP-12 to Gas Compliance Supervisor Declared safe? By Thursday 12.00pm prior to letting on a Monday or alternatively to Contract Administrator if GCS on annual leave

Tenant copy to TO

Job raised

Keys

Repairs Admin HM

Reception

Voids contractor

Original copy to Gas Compliance Supervisor to ensure compliance

CP-12

Report fail

Technical Officer

HM to hand over green CP-12 Tenant signs Gas Declaration sheet

Declaration to House File

* 1. **No Access Flow Chart for Gas**

|  |  |
| --- | --- |
| **CONTRACTOR** |  |
| **Stage 1** |
| 1ST Appointment card (Example 2.1)**Stage 2** |  | Service carried out No further action |
|  |
|  |
| No Access – complete Abortive visit |
| Record card |
| (Example 2.3)2nd Appointment card sent after 5 working days if no response from |
|  | Service carried out No further action |
|  |
|  |
| tenant |

|  |  |
| --- | --- |
| **THE SERVICE PROVIDER****Stage 3**No access after the expiry of 5 working days, The Service Provider forward 1st reminder letter.GSA/AA to generate letter (Example 2.4)Cc HO/SHOGSA to insert note on QL deferring repairs (exc. Emergencies) until the gas service has been completed |  |
|  | Service carried out No further action |
|  |
|  |

|  |  |
| --- | --- |
| **Stage 4**The Service Provider forward Final Reminder Letter if no access after the expiry of 5 working days. GSA/AA to generate letter.(Example 2.5) |  |
|  | Service carried out No further action |
|  |
|  |

|  |  |
| --- | --- |
| **Stage 5**5 working days after final warning letter the GCS will instruct Solicitors to issue an Injunction warning letter (Example 2.6).Solicitors will be instructed to issue Injunction proceedings if there is no response within 5 working days. |  |
|  | Service carried out No further action |
|  |
| GCS checks Landlord’s Cert |

Computer Input Responsibility

GCS/GSA

GCS/GSA

GCS/GSA

GCS/GSA

GCS/GSA

Key

Recorded on Gas Service Schedule

H:/Forms/Shared Spreadsheet/ Gas Servicing

GCS – Gas Compliance Supervisor GSA – Gas Service Administrator AA – Admin Assistant

HO – Housing Officer

SHO – Senior Housing Officer



IMPORTANT

Stage 5 is to be actioned in all instances. Only in exceptional circumstances and with the prior written agreement of the Director of Customer Services & Operations (or another Director) can this timescale be extended.

GCS may isolate the gas meter in accordance with para. 1.10.5

HM – Head of Housing