

Gas Safety Policy

**(Including solid fuel and other
heat producing appliances)**

Date written: September 2020

Date reviewed: September 2023

Purpose: The key objective of this policy is to demonstrate how Bernicia will meet the required statutory, contractual, and regulatory requirements in relation to gas and heat producing appliances. It will also cover how Bernicia Board, as Duty Holder, will receive assurance.

Scope: The scope of this policy includes managing heat producing appliances to both domestic and commercial (e.g. communal and district heating systems) properties including Gas-Fired (including LPG); solid fuel including biomass; oil-fired; air and ground source heat pumps; pressure systems; solar thermal and solar PV hot water. It also covers properties with a gas supply or a readily available gas supply (but no gas appliances) and other activities that are undertaken at the same time as servicing/inspection of the above appliances. Maintenance of other forms of electric only heating will be covered within the Electrical Safety Management Plan.

Definitions: Gas and heat producing appliances includes equipment which directly or indirectly serves the property and is installed in any part of the property in which the landlord has an interest or is owned by the landlord or is under Bernicia Management. It includes all heat producing appliances including those fuelled by: gas fired (including LPG), solid fuel (including biomass), oil fired, ground source heat pumps, solar thermal and solar PV.

Date for review: September 2024

Responsibility: Head of Compliance

Policy

1. Introduction

- 1.1 At the time of Policy approval Bernicia owns and manages in the region of 14,000 tenanted properties. Approximately 89% of these properties have gas appliances installed, with a further 4% served by gas communal heating. A smaller number of properties have solid fuel and oil burning appliances, air and ground source heat pumps, and solar thermal and solar PV systems. Bernicia has a responsibility to maintain all appliances owned by it, within its stock, to the required standard.

This policy explains Bernicia's commitment to meet the requirements for gas, solid fuel and oil burning appliances, air and ground source heat pumps, and solar thermal and solar PV systems will be met. It is supported by the Compliance Strategy and a Gas Safety Management Plan which provides detailed guidance and procedures.

2. Policy statements

- 2.1 The key objective of this policy is to describe how Bernicia will meet the required statutory and regulatory requirements in relation to heat producing appliances. It will also cover how Bernicia Board, as Duty Holder, will receive assurance of statutory and regulatory compliance.

This scope of this policy covers both domestic and commercial (e.g. communal and district heating systems) appliances including Gas-Fired (including LPG); solid fuel including biomass; oil-fired; air and ground source heat pumps; solar thermal and solar PV hot water. It also covers properties with a gas supply or a readily available gas supply (but no gas appliances) and other activities that are undertaken at the same time as servicing/inspection of the above appliances. Maintenance of other forms of electric only heating will be covered within the Electrical Safety Management Plan.

Bernicia will comply with all current and relevant legislation and specifically as detailed in the following:

- Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended. Approved Code of Practice and guidance Building Regulations

There is no similar, specific legislation for solid fuel or oil-fired appliances, air and ground source heat pumps, and solar thermal and solar PV systems. However, Bernicia takes the view that other legislation such as the Health and Safety at Work etc. Act 1974 and Landlord Tenant Act 1988 may be applied.

In addition, as a Registered Provider, Bernicia must meet the requirements of the Regulator for Social Housing's (RSH) Homes Standard.

It is essential to ensure that customers, residents, employees, and visitors remain safe in Bernicia' premises (both individual homes and offices). Failure to properly discharge our legal or regulatory responsibilities may also result in:

- Prosecution by the Health and Safety Executive under Health and Safety at Work Act 1974
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007
- RSH's intervention judgement
- Reputational damage
- Loss of confidence by stakeholders in the organisation

2.2 In order to comply with regulatory standards and legal obligations, and to ensure the safety of its customers, staff, contractors and other visitors to their properties, Bernicia will:

Process

- Provide clear lines of responsibility for all appliances and heating systems within the scope of this policy supported by written guidance in the Gas and Multi Fuel Safety Management Plan and Operational Guidance.
- Ensure that a clear and consistent process including front-line engagement and enforcement is in place to obtain access to properties to conduct the safety checks, which shall include legal action when required.
- Proactively assess available data for relevant information about the customer to help gain access.

- Maintain a process for dealing with unsafe situations in accordance with the Gas Safety Regulations.

Delivery

- This policy covers all maintenance, servicing, and new installation. (new build and planned investments)
- Target that all domestic properties with gas appliances, gas supplies, oil or solid fuel appliances have a valid Landlord Gas Safety Record (LGSR) and/or Solid Fuel or Oil Safety Certificate.
- Inspect all properties with air source, ground source and solar thermal /solar PV heating/hot water annually and obtain appropriate documentation.
- All other properties with potential to have a gas supply will be subject to an annual check to confirm that no gas supply has been installed.
- Landlords do not have a legal responsibility for carrying out a safety check to appliances owned by the tenant. However, at the time of the annual safety check, Bernicia will also check all tenant owned gas appliances for safety. This will be done as a visual check. Any safety critical faults found on a tenant owned appliance will result in the appliance being disconnected and the tenant informed. Bernicia will not be liable for repairs to tenant owned appliances.
- Ensure, where required, that commercial systems and pressure vessels have a written scheme of examination
- Target that all commercial systems are inspected and serviced in accordance with manufacturer's requirements and the written scheme, but in any event at intervals of not more than 12 months and have a valid Landlord Gas Safety Record or other appropriate certification.
- Disconnect the gas supply at the meter, cap the oil supply, visual check, sweep and "do not use" label to solid fuel appliances and make safe upon a property becoming void. When the property is let the gas and oil is reconnected and a new safety inspection will take place. If a property is void for more than a 12 month period a service visit will be made on the anniversary (this will include

checking the cap, (unless the gas has been terminated at the highway outside the property by the transporter and we are in receipt of a disconnection certificate). In respect to void properties which have been allocated but are awaiting occupation the safety check will include uncapping and checking of smoke alarms, and full service and demonstration of use to the tenant in respect to solid fuel appliances.

- Prioritise remedial works arising from safety checks and apply a timescale for action, as detailed within the Gas Safety Management Plan.

Additional Safety Measures

- Install Carbon Monoxide Detectors where required, as detailed within the Gas and Multi Fuel Safety Management Plan, and test in conjunction with the safety check visits and record on the Landlord Gas Safety Record or other appropriate certificate.
- Install battery powered smoke alarms within properties where no smoke alarm exists and immediately refer this to the Head of Compliance for inclusion within the planned programme.
- Test smoke and heat detectors, where fitted, in conjunction with the safety check visits and record on the Landlord Gas Safety Record or other appropriate certificate.
- To ensure safe systems of works are in place, including additional safety devices where a higher risk is identified relating to non-access to properties are shielding due to health risks.
- Neither install, nor give permission for tenants to install, wood burning stoves or open fires unless exceptional circumstances prevail. Any unauthorised installations will be required to be removed at tenant's own expense and by Bernicia' appointed contractor.
- Require that other tenant alterations should be subject to prior agreement before they are undertaken. Approval will not be unreasonably withheld.

Contractors Competency

- Only engage with Gas Safe registered companies and Gas Safe registered engineers, with the appropriate Nationally Accredited Certification Scheme (ACS) to undertake any gas related works.
- Ensure that contractors working with solid fuel appliances are competent to do so and hold current HETAS /OFTEC registrations, or other appropriate accredited organisations.
- Carry out an assessment of all contractor competencies annually or at change of contract /contractor, as detailed within the Gas Safety Management Plan.

Internal Competency

- Maintain a skills/training matrix to ensure that all relevant staff undertaking key roles within the scope of this policy have appropriate training.
- Will operate a detailed competence framework including regular appraisals as part of the Gas and Multi Fuel Safety Management Plan.

Data

- Maintain an up to date Master Database (KSI) of all properties that have a gas supply including those that may not have a live gas supply but can be readily connected to the gas grid
- For each relevant property record maintain up to date data confirming which of the appliances within the scope of this policy exist and do not exist and the organisation's associated responsibility
- Where a requirement exists, hold data and certification relating to the last two years safety checks and the next due date
- Where a requirement does not exist hold appropriate evidence
- Maintain current and up to date records of remedial works for the entire portfolio which will detail all recommendations from the safety checks. The records will include; address and risk profile of the property, detail of the work item required, priority and target

completion, person responsible, when the work was completed and who it was signed off by, and evidence of completion.

Assurance

- Ensure that all persons involved with the installation, inspection and servicing of gas, solid fuel and oil appliances, air and ground source heat pumps, and solar thermal and solar PV systems, are properly trained and accredited in accordance with this policy.
- Where necessary, operate a permit to work system when safety critical work is being carried out near to appliances and flues by engineers that are not Gas Safe Registered /HETAS or OFTEC approved.
- Carry out works-based assurance activity including checks on certification and post-inspection of on-site works to the level stated within the Gas and Multi Fuel Safety Management Plan. A proportion of such checks will be carried out by an independent 3rd party
- Set a timetable for the review of the Gas and Multi Fuel Safety Policy and the associated Management Plan.

Communication

- Encourage customers, through the provision of publicity information on the importance of gas and other heating safety, to allow access to carry out checks and maintenance works.

3. Responsibility for implementation

- 3.1 The policy was implemented on November 2020 following Executive Teams approval and will be reviewed annually.

Staff will be made aware of the policy via an agreed training programme. A copy of the policy will be available on the staff intranet and will also be uploaded to the Bernicia website.

4. Actioning the policy

- 4.1 The Head of Compliance will be responsible for the actioning of this policy.

5. Monitoring the policy

- 5.1 A detailed performance management suite is defined within the Gas Safety Management Plan.

Commentary will be provided for any properties out of date to include the date they became overdue, days overdue, and their position within the access process to bring them back into a compliant position. Commentary will also be provided if any properties have outstanding overdue actions. To provide additional context commentary will also include information on the proportion of activities within the reporting period that were undertaken before and after their due date.

The following assurance activity will be undertaken and reported in line with the Management Plan:

- Internal audit
- Non-negotiable Compliance
- Strategic review
- 3rd Party Assurance

6. Resources

- 6.1 Within existing resources and external partners

7. Equality and Diversity

- 7.1 We believe all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including, nationality, ethnic or national origins), religion, belief or non-belief, sex, or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics.

The Policy Planning Document (PPD) was undertaken in September 2023. (See the PPD document for further details).

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