



## MORAY COUNCIL ENVIRONMENTAL SERVICES DEPARTMENT

### Gas Safety Management Policy

#### 1. Scope of Policy

- 1.1 The Gas Safety Management Policy provides a clear and transparent framework regarding the activities and responsibilities of the Council as a social landlord. Moray Council has an absolute statutory duty in respect of gas safety management to ensure all of its domestic housing stock is safe and compliant.
- 1.2 Moray Council is committed to ensuring the health and safety of employees, tenants and members of the public while recognising the risks associated with gas safety. Moray Council will endeavour to take all reasonable steps to ensure that the most robust processes are in place to avoid the ultimate risk of fire, explosion and/or carbon monoxide poisoning due to failures in maintenance cycles.

#### 2. Legal Framework

- 2.1 Moray Council will ensure that the policy complies with current legislation, guidance and regulations while ensuring good practice. The primary legislation governing the provision of gas safety is:
  - 2.1.1 [Gas Safety \(Installation and Use\) Regulations 1998](#) as amended and supported by the Health and Safety Executive's (HSE) Approved Code of Practice (ACOP) and guidance.

These regulations set out the fundamental requirements for landlords to install, maintain, inspect, safety check and service gas installations, appliances and their flues on a maintenance cycle of no more than 12 months. Accurate records must be kept and all relevant documentation must be produced to evidence that the work has been carried out effectively and timeously. The regulations also stipulate how gas safety should be achieved in practice.

A 'Landlord's Gas Safety Record' (LGSR - also known as a CP12 certificate) must be completed and issued to all tenants within 28 days of the inspection as a record that the appliance meets the legal safety requirements. Moray Council must ensure that all work undertaken on their behalf by employees and/or qualifying contractors in relation to gas safety is done so by trained and approved Gas Safe registered

engineers. This duty exists regardless of costs, technical issues, resources or any other considerations. It must be complied with and all relevant management systems and processes must be put in place to ensure this happens.

2.1.2 These regulations sit within the wider context of the [Health and Safety at Work etc. Act 1974](#) S 2(1) and S 3(1) which implicitly state:

- that Moray Council as an employer shall ensure the health, safety and welfare of all its employees at work; and
- that Moray Council shall ensure that any further persons who are not employees, who may be affected, are not exposed to any risks to their health and safety i.e. tenants and the general public.

2.1.3 The [Management of Health and Safety at Work Regulations 1999](#) as amended by the [2006 Regulations](#) and supported by the HSE Approved Code of Practice (ACOP).

These regulations generally ensure that Moray Council will:

- assess the health and safety risks of all employees and any other person who may be affected;
- so far as is reasonably practicable, provide training, instruction, information and supervision to ensure the health and safety of employees and any other person so affected;
- risk assess all work activities.

2.2 Moray Council's Health and Safety Management System sets out the responsibilities of key Council personnel in relation to health and safety issues.

2.3 The Corporate Director (Economy, Environment and Finance) is required to:

- ensure that arrangements are in place to implement the Council's Health and Safety Management System;
- assess the safety performance of Heads of Service/Managers reporting to them;
- demonstrate commitment to continuous safety improvement;
- review the policy to ensure its continuing adequacy.

### **3. Management Responsibilities**

3.1 In relation to Gas Safety Management, there are principal overarching responsibilities that lie with the Chief Executive and Corporate Director (Economy, Environment and Finance). The overall operational responsibility lies with the Head of Housing and Property for managing all aspects of gas safety within the Housing and Property Service. This includes the provision of adequate financial and human resources to ensure, so far as is reasonably practical, that gas systems are installed and maintained in compliance with the [Gas Safety \(Installation and Use\) Regulations 1998](#) as amended. The Head of Housing and Property will identify specific responsibilities for the Housing Services Manager, the Building Services Manager and the Design Manager and their respective teams. Full managerial responsibilities are detailed within **Appendix I**.

## **4. Operational Gas Safety Procedures**

- 4.1 To ensure that the above legal requirements are met, operational gas safety management procedures and supporting process maps have been developed. All managers are responsible for ensuring staff know where the procedures are stored, what part of the procedure they are responsible for carrying out and that staff follow the procedures.
- 4.2 The operational procedures cover the processes that staff should follow for every aspect of gas safety management including scheduling appointments, gaining access to the property and instances where no gas or electric is available at the property. They also include processes to follow for when safety issues are identified and an escalation process for problematic properties that may be of concern.
- 4.3 The transfer of new gas heating installations from the installing contractor to the contractor appointed to carry out gas servicing, safety inspections and repairs is also covered.
- 4.4 Moray Council commits to providing ongoing supplementary advice regarding gas safety to tenants at various stages of their tenancy. This begins at the initial tenancy sign up interview which includes gas safe leaflets and advice in the sign up pack and Tenants' Handbook. Moray Council will also ensure that up to date advice regarding gas safety is published on their webpages and in the bi-annual tenant's newsletter. On signing a tenancy agreement, tenants agree to allow access to their property for gas safety management purposes and every opportunity will be taken by the Council to remind tenants of this responsibility.
- 4.5 All procedures and associated documents will remain as live working documents and will be reviewed and updated as and when required to reflect any changes to legislation, guidance or working practices.

## **5. Training**

- 5.1 In line with the [Management of Health and Safety at Work Regulations 1999](#) as amended by the [2006 Regulations](#) the Council will provide training, instruction, information and supervision to ensure the health and safety of staff and tenants. All staff involved with any aspect of gas safety in their day to day work will be asked to read and recognise the operational procedures and their role within them. Any change to these procedures will be supported by a staff briefing which will also require signatures to confirm their understanding.
- 5.2 The Building Services Manager, Heating and Electrical Manager and Business Manager (DLO) will ensure all staff involved in the scheduling and servicing receive the appropriate training required for their role and will maintain records of training/briefings for the staff within their remit. This will include training for staff who have to deal with risk assessment in relation to gas safety.

## **6. Monitoring Performance and Compliance**

6.1 The Scottish Social Housing Charter sets out the outcomes and standards that all social landlords should aim to achieve when performing their landlord functions. This places a statutory duty on Moray Council to complete the Annual Return on the Charter (ARC) to the Scottish Housing Regulator (SHR). The ARC provides key information on our performance throughout the financial year in relation to gas safety of Council Housing stock which includes the following performance indicators:

- Indicator 11 - How many times in the reporting year did Moray Council not meet their statutory obligations to complete a gas safety check within 12 months of a gas appliance being fitted or its last check?

6.2 Monthly internal monitoring arrangements are also in place for the following:

- number of services carried out;
- number of times Moray Council did not meet statutory duty to complete a gas safety check within 12 months;
- number and percentage of no access at first appointment;
- number of cases progressed to forced entries and number of actual forced entries;
- number of properties audited;
- percentage of service records kept to gas safety records (GSR) standards;
- percentage of services carried out to gas safety records (GSR) standards; and
- number of properties capped at period end.

6.3 These are highlighted monthly to the relevant managers and reported bi-annually to the Council's Communities Committee within the Housing Performance Report for further scrutiny.

6.4 In addition, the Heating and Electrical Manager will monitor the programmes for DLO gas installation servicing and safety inspections to ensure that landlord's obligations are met. A report on progress will be submitted to each Gas Partnership meeting on a six weekly basis.

### **Audit and Compliance**

6.5 The Design Manager is responsible for contracting an appropriately qualified external third party to carry out quality assurance inspections. The contract ensures a regular audit programme of gas safety checks and servicing works carried out by Moray Council DLO. This provides the Council, as a landlord, with an accurate assessment of work that is being carried out in relation to gas safety by auditing a selective sample of cases. A report summarising the findings and highlighting any areas for concern is presented to the appropriate managers and Gas Partnership meeting for discussion and corrective action. This audit ensures all gas regulations applicable at the time of inspection are being complied with.

- 6.6 An ongoing audit of the operational procedures will be carried out by the Council's Housing Compliance Officer to ensure that all statutory requirements and operational processes are being met. A programme of areas reviewed will be recorded for audit purposes. The findings of these internal compliance audits will be presented to the relevant managers and will include any potential recommendations appropriate for remedial action, training and/or improvement where required.
- 6.7 This policy will be reviewed after three years, or before depending on any changes in legislation or recommended good practice.

<b>Chief Executive (Roddy Burns)</b>		
<p>Key Responsibilities:</p> <ul style="list-style-type: none"> <li>• effective operation of Gas Safety Management for all social, domestic rented council housing stock on a corporate basis;</li> <li>• adequate resources are made available to ensure a structure which fully meet corporate gas safety responsibilities;</li> <li>• allow responsibilities for gas safety to be delegated appropriately throughout the management structure.</li> </ul>		
<b>Corporate Director, Economy, Environment and Finance (Rhona Gunn)</b>		
<p>Key Responsibilities:</p> <ul style="list-style-type: none"> <li>• ensuring arrangements are in place to implement the Council's Health and Safety Management System;</li> <li>• assessing the safety performance of Heads of Service/Managers reporting to them;</li> <li>• demonstrating commitment to continuous safety improvement;</li> <li>• ensuring the policy is continually reviewed for its adequacy.</li> </ul>		
<b>Acting Head of Housing &amp; Property (Moray MacLeod)</b>		
<p><b>Overall responsibility for managing all aspects of gas safety.</b> This includes:</p> <ul style="list-style-type: none"> <li>• provisions of adequate financial and human resources to ensure, so far as is reasonably practicable, that gas systems are installed and maintained in compliance with the <a href="#">Gas Safety (Installation and Use) Regulations (GSIUR) 1998 as amended</a>, Approved Code of Practice and Guidance, the <a href="#">Health and safety at Work etc. Act 1974</a> and the <a href="#">Management of Health and Safety at Work Regulations 1999</a> as amended by the <a href="#">2006 Regulations</a>.</li> <li>• identifying specific responsibilities to the Housing Services Manager, Building Services Manager and the Property Resources Manager</li> </ul>		
<b>Property Resources Manager, Capital Programmes Eddie Milne</b>	<b>Housing Services Manager David Munro</b>	<b>Building Services Manager Mike Rollo</b>
<p>Is responsible for ensuring:</p> <ul style="list-style-type: none"> <li>• GSM Technical Policy and Procedures are kept up to date as per legislative or good practice changes;</li> <li>• all changes are communicated to all staff involved in the gas process, providing training where necessary; and</li> <li>• any new gas installations comply with all current legislation and mandatory guidance. Contract Admin for this will be delegated to the Design Team.</li> </ul>	<p>Is responsible for ensuring:</p> <ul style="list-style-type: none"> <li>• adequate resources are available in each area to manage gas safety;</li> <li>• AHM's report decisions/all dangerous and potentially dangerous incidents relating to gas safety;</li> <li>• GSM Policy and Procedure kept up to date as per legislative or good practice changes; and</li> <li>• all changes are communicated to all staff involved in the gas process, providing training where necessary.</li> </ul>	<p>Is responsible for:</p> <ul style="list-style-type: none"> <li>• identifying any gas risks prior to undertaking any repair or maintenance;</li> <li>• ensuring all gas engineers are competent and registered with Gas Safe including quality monitoring and training reviews;</li> <li>• servicing, safety inspections and repair contracts in accordance with legislation; and</li> <li>• ensuring all records are maintained, current and accurate by Building Services (DLO), in relation to gas servicing and repairs.</li> </ul>

Design Manager	Area Housing Managers	Heating & Electrical Manager (Colin Watson)
<p>Is responsible for ensuring that:</p> <ul style="list-style-type: none"> <li>• contractual arrangements made with contractors to carry out gas installations servicing, safety inspections and repairs comply with current legislation and good practice;</li> <li>• each property is maintained and a has gas safety check carried out every 12 months;</li> <li>• compliance with the <a href="#">Gas Safety (Installation and Use) Regulations (GSIUR)1998 as amended</a> in all work that has an impact on gas safety maintenance contracts;</li> <li>• a competent and appropriately qualified third party auditor carries out quality monitoring work of contractors who implement the gas servicing, safety and repairs; and</li> <li>• any new gas installations comply with all current legislation and mandatory guidance.</li> </ul>	<p>Is responsible for ensuring that all housing staff within their teams:</p> <ul style="list-style-type: none"> <li>• are aware of the importance of their role in the gas safety process;</li> <li>• are aware of where the gas safety management procedures are stored on Sharepoint and what their part is in the process;</li> <li>• follow the procedures and processes stringently to ensure adherence with the gas safety regulations and try to identify any problematic access/safety issues as soon as possible;</li> <li>• appropriately record what action they have taken at each step of the process as per the procedures;</li> <li>• know to report/escalate any issues in connection with the gas safety process to their line manager as soon as is possible; and</li> <li>• identify any changes in their working process to the Housing Policy Team at housing.policy@moray.gov.uk.</li> </ul>	<p>Is responsible for ensuring that:</p> <ul style="list-style-type: none"> <li>• all staff, contractors and sub-contractors are aware of the importance of their role in the gas safety process;</li> <li>• all staff are aware of where the gas safety management procedures are stored on SharePoint and what their part is in the process;</li> <li>• contractual arrangements made with contractors to carry out gas installations servicing, safety inspections and repairs comply with current legislation and good practice to ensure:</li> <li>• each property is maintained and a has gas safety check carried out every 12 months;</li> <li>• compliance with the <a href="#">Gas Safety (Installation and Use) Regulations (GSIUR)1998 as amended</a> in all work that has an impact on gas safety maintenance contracts; and</li> <li>• any servicing and installs carried out by the DLO comply with all current legislation and guidance.</li> </ul>