

Gas Safety Policy

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Owner:	Victoria Hennessy	Job Title:	Asset and Compliance Manager
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Method of Delivery: (check as needed)			
<input checked="" type="checkbox"/> Learn Pro <input type="checkbox"/> Board Portal <input type="checkbox"/> Line Manager to Share (e.g. Agencies)		<input checked="" type="checkbox"/> Policy Owner to Notify (e.g. Contractors) <input type="checkbox"/> Other: _____	
Stakeholder Consultation Completed (check as needed)			
<input type="checkbox"/> Board of Management <input type="checkbox"/> All Staff <input type="checkbox"/> ET/SLT <input type="checkbox"/> Head Office Managers <input type="checkbox"/> Head Office Staff <input type="checkbox"/> Finance <input type="checkbox"/> Housing <input checked="" type="checkbox"/> Asset <input type="checkbox"/> ICT		<input type="checkbox"/> OD <input type="checkbox"/> Compliance <input type="checkbox"/> All Care & Support <input type="checkbox"/> C&S Managers (RM, OM, CSM) <input type="checkbox"/> C&S Staff <input type="checkbox"/> Contractors <input type="checkbox"/> Agency Staff <input type="checkbox"/> Unite the Union <input type="checkbox"/> Employee Voices Group <input checked="" type="checkbox"/> Other: External Consultant	

Version Control

Date	Owner	Version	Reason for Change
16/08/2024	Victoria Hennessey	1.0	Brand new policy required, from compliance audit carried out in October 2023.

Summary of Changes

Section	Change
All	Brand new policy required, from compliance audit carried out in October 2023.

Gas Safety Policy

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1.0 Ark's Values

Arks values are true to the core purpose of the organisation and the services we deliver. They determine our behaviours towards one another and what we should expect in our relationships with one another. Working within the following values will guide and help us deliver our vision and mission of Ark being an organisation where everyone is equal:

Trust

We have confidence in our people to deliver excellent services and trust in them to do so. We will develop trusting and honest relationships, and our customers will feel assured that they can rely on us to deliver.

Respect

We treat everyone fairly and we listen. We are respectful of each person with whom we come into contact and expect our people to respond professionally and treat others as they would wish to be treated.

Understanding

We will operate with empathy and compassion and approach each situation with an open mind. We will question and challenge to ensure we achieve the right outcomes for customers and our people.

Equality

We believe everyone is equal and expect our people to create positive experiences where everyone feels valued and included.

Integrity

We will do the right thing and take responsibility for our actions. We will work together to uphold the highest standards of behaviour and practice.

2.0 Purpose

The purpose of this policy and the Gas Safety Procedure is to outline the statutory duties applicable to Ark Housing Association, as an employer, landlord and registered provider of social housing in relation to gas safety (any other fuel types normally related to EESSH) within properties owned and managed by Ark. The policy will identify key roles within the business to ensure we fulfil our statutory obligations.

This policy outlines Ark's statutory duties relating to gas and other fuel sources and the arrangements we will have in place to ensure we meet the legal requirements. This policy and the supporting procedure have been developed, in part, to deal with cases where customers have not provided access, and we are in danger of failing to meet these safety critical obligations under the Regulations and in particular; the need to carry out an annual gas safety check and service at each of its properties where gas installations have been fitted.

3.0 Policy Statement

The majority of homes owned or managed by Ark will have some form of gas installation fitted within them predominantly for the provision of heating and hot water. Gas appliances, fittings, pipework, and flues, if not adequately maintained and safety checked, can pose significant risks to our customers and others. Ark acknowledges the importance of having a robust Policy and Procedure in place to manage gas safety in order to ensure the health and safety of all its customers, employees, and other stakeholders and to comply with gas safety legislation.

Gas and other forms of fuel type heating can pose significant risks to our customers and those who visit our buildings. Health and Safety legislation sets out specific duties for landlords and employers to ensure, so far as is reasonably practicable the health, safety and wellbeing of its employees, and others (e.g. contractors' staff and members of the public).

The main risks associated with using gas for heating premises and providing hot water, are gas escapes which can cause asphyxiation, explosion and fire and exposure to Carbon Monoxide (CO) poisoning from poorly installed and / or poorly maintained gas appliances and flues. As a precaution to this risk, Ark will provide Carbon Monoxide Detectors in all properties with gas and solid fuel sources, we will service, and safety check gas installations and appliances annually and effectively maintain and repair gas installations and appliance appropriately.

This policy and the supporting Gas Safety Procedure describes how Ark will meet all applicable legislation and regulations associated with our statutory responsibilities for gas safety (and

other fuel heating types) and how we will implement suitable arrangements to ensure we comply and remain compliant.

4.0 Scope

This Policy applies to all properties containing a gas supply. This policy includes all gas appliances, flues, pipework, and fittings associated with gas in all domestic dwellings.

This policy also includes other properties which could contain other combustible fuel heating sources and applies to properties with a communal heating system where heat and hot water is distributed from a central source within the building to two or more customers.

This policy includes gas boiler replacement, gas central heating full installation, gas pipe work, servicing, maintenance, responsive repairs, and flues in all properties where we are the landlord. This includes properties added to our stock because of building new homes or individual/multiple properties acquired by us.

This policy applies to all buildings which are owned or managed by Ark. We will ensure we are clear on the responsibilities of all buildings where we are not the freeholder, for example we lease a building wholly or in part.

This policy applies to all departments within Ark no matter the type of work activity, if the work involves any part of a gas system or combustible fuel source system, this policy and the supporting procedure applies.

5.0 Legal / Regulatory Framework

The Scottish Housing Regulator (SHR) statutory objective (Regulatory Framework 3.5) Landlords must ensure that they meet all their legal duties and responsibilities and that they adhere to relevant guidance and the requirements of other regulators.) is to safeguard and promote the interests of current and future tenants, people who are homeless, factored owners and Gypsy/Travellers. They 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. SHR also provides advice on their website to landlords in respect of gas safety and sets out some key factors registered providers should have in place to manage gas safety which they refer to as a gas safety management system, this policy and supporting procedure will set out how we will comply. The regulator requires social landlords to complete an annual return of the charter (ARC) detailing gas safety performance as well as an annual assurance statement.

Legislation, Regulations, ACoP's, Standards and Guidance: The principal legislation relating to gas safety, is the **Health and Safety at Work (etc) Act 1974 (HASAWA)** – Section 2 of the

act places a duty on every employer to ensure, so far as is reasonably practicable, the health, safety, and welfare at work of all their employees. Section 3 of the act places a duty on every employer to ensure, so far as is reasonably practicable, that persons not in their employment who may be affected are not exposed to risks to their health or safety – This would be anyone visiting the building for example visitors, contractors, or members of the public.

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.

The Gas Safety Installation and Use Regulations 1998 (GSIUR) (as amended) is the main regulation and contains specific statutory duties for employers such as Regulation 4 which outlines the requirements to only employ competent Gas Safe Registered engineers to work on gas systems. Regulation 36 details the Duties of landlords relating to the requirements for landlords to carry out appropriate servicing and safety checks to a specific frequency, and details the competency required, standards to be achieved and specific documentation to be issued to verify the installation and appliances are safe to use.

Other applicable legislation, regulations, standards, and guidance:

- The Gas Industry Unsafe Situations Procedure – IGEM/G/11 Edition 2 (GIUSP)
- Right to Repair Regulations (under the Housing (Scotland) Act 2001)
- Gas Safety (Management) Regulations 1996 (as amended)
- Gas Appliances (Safety) Regulations 1995
- Building Standards (Scotland) Regulations 2014
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Construction (Design and Management) Regulations 2015
- Corporate Manslaughter Act 2007.
- Scottish Government - Building Standards. Technical Handbook 2009 Domestic Environment
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDC 2013)
- The Workplace (Health, Safety & Welfare) Regulations 1992
- Pressure Systems Safety Regulations 2000
- The Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEARR)
- Gas Safe Technical Bulletins
- Approved Code of Practice (ACoP) and guidance document HSE L56: Safety in the Installation and use of Gas Systems and Appliances.
- Guidance leaflet INDG285 (rev 3): A Guide to Landlord's Duties.
- L80: A Guide to the Gas Safety (Management) Regulations 1996
- the Association of Independent Chimney Sweeps' Code of Practice

6.0 Responsibilities

6.1 Board of Management

Ark's Board of Management is responsible for consideration and approval of this policy, and for ensuring that its decisions are taken in accordance with relevant legislation, regulatory expectations, training, and guidance.

6.2 Executive Team

Ark's Executive Team is responsible for ensuring that this policy is reviewed in accordance with Ark's schedule for review of policies, or sooner if required. The Executive Team is responsible for ensuring that its decisions, and that the decision of officers, are taken in accordance with relevant legislation, regulatory expectations, training, and guidance.

6.3 Leadership Team

Ark's Leadership Team is responsible for review of the policy, and for ensuring that its decisions, and that the decision of officers, are taken in accordance with relevant legislation, regulatory expectations, training, and guidance.

6.4 Managers

Ark Managers will be responsible for the effective implementation of this policy and procedure within their area of responsibility. They must also ensure that each member of their staff, through induction, and team meetings, is made aware of this policy and participates in relevant training.

6.5 All Staff Associated with Any Role Supporting This Policy

All Ark employees who play a role in ensuring gas safety across Ark in line with this policy and procedure are required to familiarise themselves with this policy and procedure and comply with the content to manage gas safety effectively.

6.6 Duty Holder

The Director of Development and Business Experience will be responsible for ensuring there is suitable and sufficient resources in place to deliver the arrangements set out within this

policy and supporting procedure.

6.7 Responsible Person

The Asset Compliance Manager will be responsible for recognising hazards, implementing controls and management of Ark's appointed Gas Safe registered contractor.

6.8 Deputy Responsible Person

The Asset Compliance and Contracts Officer will have responsibility of the day-to-day management of the gas safety check / service programme.

7.0 Gas Safety Compliance

Breaches of this policy and supporting procedure will be viewed seriously and will be investigated in accordance with Ark's Disciplinary Policy and Procedures. Non-compliance breaches not only Ark's Gas Safety Policy but also the Health and Safety Policy and the GSIUR.

8.0 Learning & Development

Staff responsible for gas safety will have training appropriate to their needs and to the needs of the Association as outlined on staff individual training plans. Ark will ensure that relevant employees have an awareness of the policy and receive adequate training to enable them to effectively fulfil their roles and ensure safety of tenants.

9.0 Related Policies and Procedures

This policy should be read in conjunction with Ark's:

HS05 Fire Safety Procedure.

HS19 Your Home, My workplace.

AMO1g Gas Safety Procedure

AM 09 Contractor Management and CDM Compliance Policy

AM 09a Contractor Management and CDM Compliance Procedure

10.0 Equality Impact Assessment (EIA)

An Equality Impact Assessment has been completed in relation to the development of this policy.

11.0 Data Protection Impact Assessment (DPIA)

No data protection implications have been identified in relation to the development of this policy, and consequently a DPIA has not been completed. Future planning proposed to make available CP12s on Rubixx tenant portal.

12.0 Monitoring and Review

12.1 Monitoring

Ark's Executive and Leadership Teams will monitor implementation of this policy on an ongoing basis, particularly in relation to ensuring delivery of Equalities Impact Assessments, and in relation to ensuring that relevant decisions within Ark are taken in line with the obligations and expectations set out in this policy.

12.2 Review

This policy will be reviewed within 3 years from the date of approval, in accordance with Ark's policy review framework.