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1. Introduction – Statement of intent

- 1.1 Gas installations and appliances pose a significant risk within domestic properties and the workplace. The key risks associated are gas leaks leading to explosions or fires, and poor combustion in faulty or inadequately maintained installations resulting in carbon monoxide release. As a landlord, Lewisham Council is legally responsible for the safety of its tenants in relation to gas safety.
- 1.2 Lewisham Council will comply with the Gas Safety (Installation and Use) Regulations 1998, and any other obligations and statutory requirements regarding inspection and repairing of gas appliances, flues or oil based fuel systems. We will ensure that gas fittings, flues and appliances for our tenanted properties are maintained in good order and are checked for safety at least once in a 12 month period.

2. Purpose and Scope

- 2.1 The purpose of this policy is to ensure Lewisham Council fulfils its legal obligations and duty of care to ensure that gas, and also where applicable oil, systems are safely installed, maintained and safe to use. This policy sets out our approach to ensuring the safety of all such installations and associated pipework where we are responsible for their management.



- 2.2 This confirms that we will adopt and implement robust procedures to guarantee all work is compliant with the relevant legislation and meets the expectations of our residents, regulators, and relevant stakeholders. Our Building Safety and Compliance services will work with teams across other parts of the council to establish and implement robust procedures and risk assessments to deliver the policy requirements. The Housing Health and Safety team also support this work.
- 2.3 The policy applies to works undertaken by our own staff and to contractors carrying out this work on our behalf.
- 2.4 This policy applies to all residential properties that we own and directly manage. We have an annual gas safety program for tenanted and licenced¹ properties under our management.
- 2.5 Where we provide management of Private Sector Leased properties these are included within the annual gas safety check program.
- 2.6 Lewisham Council is not responsible for gas installations and pipework in individual leasehold properties. However, we will periodically remind leaseholders of the importance of carrying out a gas safety check, and of their landlord obligations to their own tenants should they let out a property.
- 2.7 This policy relates to and supports the Health and Safety policy.

3. Legislation and regulation

- 3.1 The primary legislation is the Health and Safety at Work etc Act 1974 which imposes on Lewisham Council a general duty of care.
- 3.2 Under The Housing Health and Safety Rating System (England) Regulations 2005 (HHSRS), we must inspect and where necessary act to reduce the risk for a range of listed hazards. For the purposes of this document these include Hazard 6: Carbon monoxide and fuel combustion products, Hazard 9: Uncombusted fuel gas, Hazard 24: Fire, and Hazard 27: Explosions.
- 3.3 Specific regulations we must comply with are The Gas Safety (Installation and Use) Regulations 1998.
- 3.4 Other regulations which are applicable to this policy include but are not limited to:
 - The Management of Health and Safety at Work Regulations 1999
 - The Gas Safety (Rights of Entry) Regulations 1996
 - The Gas Appliances (Safety) Regulations 1995
 - Homes (Fitness for Habitation) Act 2018.

4. Responsibilities and Duty Holders

Responsible Person - The CEO is deemed to be the 'Responsible Person'. Whilst the CEO has overall accountability for the management of all aspects of health and safety

¹ We will use the term tenant to refer to licences for the purpose of this policy, unless stated otherwise



including the management of gas safety, the day-to-day implementation of this policy is delegated to the Director of Quality and Investment.

Duty Holders - The main duty holder will be the Director of Quality and Investment, as delegated by the CEO and may nominate competent person(s) to deliver specific duties.

Gas Contractor duties - In relation to gas safety there are duties imposed upon gas contractors, suppliers, etc. to report cases where death or a major injury (as defined by regulations) occurs out of or in connection with the gas supplied. A contractor will have a duty to formally report under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) certain situations where it is deemed likely that the gas installation may cause death or major injury.

Resident responsibilities - The tenancy agreement places a responsibility on tenants to allow Lewisham Council access to the property for the purposes of annual gas servicing and maintenance of gas, oil and solid fuel appliances. Leaseholders must use Gas-Safe registered contractors for gas work in their property, and must allow Lewisham Council access where we require it to carry out repairing or maintenance duties, including inspection and investigation into an adjoining part of the building.

5. Gas and oil safety competence

- 5.1 The Director of Quality and Investment will appoint suitably qualified persons to oversee the implementation of this policy.
- 5.2 Gas work will only be undertaken by gas engineers who are Gas Safe registered professionals.
- 5.3 All contractors appointed to work with gas or oil fuelled appliances will be competent to do so and hold current registrations:
 - Gas Safe - gas
 - OFTEC-Oil
- 5.4 Where registration with the above is required, contractors will be asked for evidence of such registration prior to commencement of a term contract. Both the operative and the contractor must be registered with the relevant competency scheme(s). Evidence of registration must be updated to reflect any change in personnel assigned to a contract with Lewisham Council.

6. Terms and Definitions

Gas Safe Register

Gas Safe Register maintain the register of businesses and operatives who are competent and authorised to undertake both piped natural gas and liquefied petroleum gas (LPG) work in Great Britain. Under the Gas Safety (Installation and Use) Regulations 1998 for a gas engineering business to legally undertake gas work that is within the scope of the Regulations they must be on the Gas Safe Register.

UKAS

Abbreviation for United Kingdom Accreditation Service who are the sole national accreditation body recognised by government to assess, against internationally agreed



standards, organisations that provide certification, testing, inspection and calibration services.

LGSR

The Landlord Gas Safety Record, a record of the inspection of a gas appliance carried out by a Gas Safe Registered engineer.

Gas Installation

A combination of all gas pipework and fittings from the landlords side to the gas meter.

Gas Appliance

An appliance designed for use by a consumer of gas for heating, cooking or other purposes for which gas can be used but it does not include a portable or mobile appliance supplied with gas from a cylinder.

Installation Pipework

Pipework for conveying gas for a particular consumer and any associated valve or other gas fitting including any pipework used to connect a gas appliance to other installation pipework and any shut off device at the inlet to the appliance.

7. Safety check programme

- 7.1 Lewisham Council shall arrange for a registered contractor to carry out an annual gas safety check on each gas installation that is provided for resident use.
- 7.2 Any gas appliance that fails the safety check will be disconnected from the gas supply and the tenant instructed not to use it until it can be removed, repaired or replaced.
- 7.3 The annual check will also include testing of all smoke and carbon monoxide alarms within a property. This includes replacement² of alarms which are defective or will become out of date prior to the next gas safety inspection. (See also section 12).

Note: Our safety check programme is delivered in such a way that we will usually arrange an appointment well before the anniversary date, to ensure we remain compliant.

- 7.4 Lewisham Council shall arrange for a registered contractor to carry out an annual gas safety check on each communal gas heating system. In addition, where the boiler has over 70 kW heat input, two inspections will be undertaken per year, comprising one major and one minor – one service and one visual inspection.
- 7.5 When a self-contained property that does not share a gas meter becomes void, the gas supply will be capped as soon as reasonably practicable following the return of keys (target - the next working day). Any appliances installed and left by the previous tenant will be removed before re-letting.
- 7.6 A full service, safety check, and issue of a landlord gas safety record (LGSR) will be conducted prior to letting a property.
- 7.7 Gas Safety checks for mutual exchanges will be carried out in accordance with the Mutual Exchange policy. Before an exchange can be completed, it must be confirmed that there is a valid LGSR for the property. The outgoing tenant is

² Where a mains alarm is faulty a battery unit may be fitted as an interim measure



responsible for allowing access, and is responsible for ensuring their own appliances are removed prior to the completion of the exchange.

- 7.8 Where there has been a safety check and issue of a new LGSR as part of a new letting, mutual exchange process, or because of major works, the date in the program for the next LGSR resets to a year from the new date. The date will be adjusted in the Heating Database.
- 7.9 On new build properties and those undergoing substantial refurbishment or major repairs, the main contractor will allow access to a third-party contractor, appointed by Lewisham Council, to provide confirmation of the safety of the gas installation. The main contractor is required to remediate all gas-related non-compliance highlighted by Lewisham Council's third-party contractor
- 7.10 In relation to agency managed properties and Private Sector Leasing (PSL), Lewisham Council's Housing Compliance Service will work with Third party landlords to ensure that annual gas checks are carried out.

8. Certificates

- 8.1 On domestic gas installations, a new LGSR (or appropriate validation for oil) will be completed following works and uploaded to our compliance system.
- 8.2 All tenants will be issued with a copy of the safety certificate (LGSR). This may be issued electronically, or a physical copy mailed. New tenants will receive a copy of the LGSR as they move in.
- 8.3 For communal heating, a copy of the non-domestic GCSC (Gas and Combustion Safety Check) will be kept in the heating plant room. An electronic copy can be made available to a resident on request.
- 8.4 A record of all gas safety checks (the LGSR) will be retained for at least two years in an electronic format.

9. Appliances and pipework

- 9.1 Lewisham Council are responsible for the pipework on the consumer side of the gas meter for our tenanted properties.
- 9.2 Where a gas cooker owned by Lewisham Council requires replacement, we may replace it with an electric cooker. We are responsible where we own such appliances (for example in some supported accommodation).
- 9.3 Where a tenant or leaseholder has their own appliance it is their responsibility to ensure it meets the required standard. Gas appliances must be installed, repaired or serviced by a Gas Safe registered engineer and the appliance itself must conform to regulations. Contractors will be instructed to note any non-complying cookers on the LGSR, and inform the resident of this. If our contractor finds a faulty installation has taken place, we require them to leave the property safe and make recommendations for rectification. Work to rectify damage will be recharged to the resident.
- 9.4 Lewisham Council do not permit gas fires in our flatted buildings and will arrange for them to be removed upon identification.



- 9.5 Lewisham Council will not give permission for residents to install any portable Liquefied Petroleum Gas (LPG) appliances (including gas barbeques) in their homes, including balcony areas. Where they are identified we will require that they are removed as a matter of priority.
- 9.6 Lewisham Council will identify all pressure vessels associated with commercial boiler plant and ensure that these are inspected on a 14-month cycle as required by legislation. We instruct inspections as part of insurance arrangements and receive these reports and take action on them.
- 9.7 All shared flues will be inspected every 12 months by an independent inspector who will issue a report outlining their condition and recommending remedial actions such as decommissioning. We will take action accordingly.

10. Gas repairs and maintenance

- 10.1 All repairs will be carried out in accordance with the timescales set out in the Repairs Policy.
- 10.2 Planned maintenance programmes will be determined annually and carried out on domestic and communal installations, including a rolling program of replacement and heating improvements. Such maintenance will be carried out in accordance with the manufacturer's instructions for appliances. If these are not available, they will be serviced annually unless we are advised otherwise by a suitably qualified professional.
- 10.3 Where a repair visit, planned maintenance, or issues identified at the safety check, would result in no heating being available in the property, we will ensure that safe alternative temporary heating arrangements are made. Where a repair or replacement installation cannot be carried out with a tenant in occupation, please see our temporary relocation (Decanting) policy.

11. Access to properties and capping supply

- 11.1 It is a condition of the tenancy agreement that tenants must provide access to their property for safety checks, including gas safety. In line with our duty as a landlord Lewisham Council will make all efforts to gain access to carry out safety checks and necessary related work. Legislation permits us to enter a tenant's property to view the condition and state of repair, provided that the occupier is given at least 24 hours' written notice. A tenant's failure to meet their obligations to provide access will constitute a breach of contract and can result in legal action such as an injunction, possession proceedings, and associated legal costs. See also our Required Access policy.
- 11.2 In general we will not cap the gas supply externally, even where access is proving problematic, unless there is a smell of gas. However, where evidence strongly points to the property as being abandoned, or where a tenant has told us that they will be away from the property for a period and is unable to provide access in good time, it may be acceptable to cap the supply externally (in the latter case, with the agreement of the tenant). We will keep a record of how and why such a decision was made.



- 11.3 All properties with gas appliances will be inspected annually even if the preceding year they had been capped off. In addition, in occupied properties that have been capped off, we will continue to contact the tenant to offer advice and support.
- 11.4 The supply will always be capped-off at the emergency central valve and purged when the tenant vacates a property.
- 11.5 On new build properties and those undergoing substantial refurbishment or major repairs, (for example when a resident is accommodated elsewhere during a decant), the supply to the property will be capped-off upon completion of the work and/or until the new tenant/returning tenant moves in/back.

12. Carbon monoxide alarms

- 12.1 In properties that have gas burning appliances Lewisham Council will install at least one carbon monoxide detector/alarm. Where detector/alarms are installed, these will be tested and reported if defective.
- 12.2 A programme of carbon monoxide detector/alarm installation/replacement will be established.

13. Incidents

- 13.1 For suspected gas escapes, the smell of gas or activation of a carbon monoxide alarm, residents are directed to ventilate the property and follow the safety advice of their gas provider.

The National Grid Gas plc Emergency Service telephone number is 0800 111 999

- 13.2 In the event of gas being temporarily capped-off due to a response of a gas leak only a competent person (Gas Safe Register) will be allowed to reinstate the supply and re-commission the installation.
- 13.3 Where a competent person (Gas Safe Register) reports a gas defect in accordance with RIDDOR, their contract will require them to provide details of the report to Lewisham Council at the earliest opportunity. The Health and Safety Team will arrange for such investigation and analysis as maybe required in response to gas safety incidents.
- 13.4 Emergency response plans will be prepared, communicated and tested where there is a risk of significant risk from a gas or oil incident, and in line with the wider emergency response arrangements. This may include mitigating measures to reduce the risk to a building and making a decision to isolate or cap off the gas.

14. Monitoring and continual improvement

- 14.1 Lewisham Council will undertake a percentage of third-party checks on our gas contractor(s).
- 14.2 The Housing Executive team will monitor the implementation of and compliance with this policy. The risk associated with gas will be recorded and assessed through the organisation's risk register.



- 14.3 Gas safety performance indicators will be reported regularly to the Housing Executive Management Team (DMT), together with any significant issues that arise.
- 14.4 Audits and reviews provide data reflecting the effectiveness of this policy and identify opportunities to achieve continual improvement in the management of gas safety at Lewisham Council. Auditing arrangements are in place including checks for compliance with gas safety policy and procedures. Other checks and reviews may be undertaken periodically as required.

15. Equality, diversity and inclusion

- 15.1 The safety of our residents and workforce is of the utmost importance. This policy has been written to protect all concerned taking into account all protected characteristics as set out in the Equality Act 2010. Specifically, we considered how we will continue to provide safe heating for vulnerable people in the event of maintenance issues.
- 15.2 We will ensure that relevant information is communicated in an accessible and understandable way with the aim of keeping people safe. This may include clear signage, instruction, and in some cases liaising with those giving support to a resident, (in accordance with data protection).
- 15.3 We will provide information to residents who may be undergoing hardship, and signpost them to support. We have processes for staff and contractors to raise a Safeguarding or vulnerability concern. For example, where a resident may not be heating their home due to financial concerns.

16. Communication and consultation

- 16.1 The policy can be found on Lewisham Council's website. Along with the Repairs policy, and Required Access policy, and the tenancy agreement, these provide further detail regarding resident responsibilities. Other gas safety information may periodically be made available on Lewisham Council's website.
- 16.2 The Gas Safety team is located within the Housing Compliance Service. This Service will liaise with other relevant teams throughout the Council to ensure this policy, and the procedures which implement it, are clearly communicated. An approved version of this policy will be published internally and accessible to staff.
- 16.3 New tenants will be given advice at sign-up and provided with a Gas Safety leaflet that gives advice and precautions, along with a current gas safe certificate for the property.
- 16.4 Relevant information, such as resident contact information, will be shared with Gas contractors, to be sufficient for them to carry out their role in line with this policy, contracts, and in accordance with data protection requirements.
- 16.5 As part of the initial development and approval of this policy we consulted with staff, and a dedicated Health and Safety Group. The Council has staff appointed to ensure gas safety compliance, who will continue to check for accuracy and review for any required changes to this policy, prior to seeking reapproval.



Housing Services

Gas Safety Policy

Replaces: Gas safety, oil and solid fuel policy 2022 (Lewisham Homes)
Minor updates to reflect the return of landlord services previously managed by Lewisham Homes to Lewisham Council

Date approved: 13/03/24

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Approved by: Lewisham Council Housing Executive Team

Policy owner: Head of Building Safety and Compliance