

East Devon District Council

Gas Safety Policy

Issue details	
Title:	Gas Safety Policy
Version number	Version 2.0
Officer responsible:	Michelle Davidson
Authorisation by:	Graham Baker
Authorisation date:	April 2021

1 Previous Policies/Strategies

Version 1.0

2 Why has the council introduced this policy?

This policy is introduced to ensure compliance with all relevant legislation and the failure to adequately maintain, test for gas safety or repair gas pipework, gas appliances and associated flues, could result in death or injury, destruction or damage to property and the exposure of East Devon District Council (EDDC) to prosecution and fines and its employees to prosecution and imprisonment.

3 What is the council's policy?

Introduction

The failure to adequately maintain, test for gas safety or repair gas pipework, gas appliances and associated flues, could result in death or injury, destruction or damage to property and the exposure of East Devon District Council (EDDC) to prosecution and fines and its employees to prosecution and imprisonment.

EDDC will maintain and check all EDDC gas heating and hot water appliances, gas installation pipework, flues and chimneys on which these gas appliances are installed so that any risks to tenants, employees, contractors or others are minimised. EDDC will check tenant owned gas appliances to ensure they are safe. This is in accordance with the Gas Safety (Installation and Use) Regulations 1998 and subsequent revisions.

Legislation

This policy is written to ensure that EDDC is compliant with the following legislation in respect of gas safety:

- The Gas Safety (Installation and Use) Regulations 1998
- Construction Design & Management Regulations 2015
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Health and Safety at Work Act 1974

General Duty

EDDC has a duty to ensure that gas heating and hot water appliances and gas installation pipework are maintained in a safe condition. All EDDC owned flues and chimneys on which gas appliances are installed are also maintained in safe condition.

Servicing

EDDC is legally required under the Gas Safety (Installation and Use) Regulations 1998 to carry out a Landlord's Gas Safety Check to each property with a gas supply. The gas safety check must be carried out within twelve months of the previous year's safety check, on all systems and appliances in EDDC properties, regardless of ownership.

EDDC has entered into a contract with a Gas Servicing Contractor, who is a Gas Safe registered Installer, to meet this obligation using an agreed appointment procedure.

Servicing Procedure

Our appointed Gas Servicing Contractor will write to the tenant advising them of when they will be attending to carry out the service, this will be approximately 28 days before the expiry of the last Landlord's Gas Safety Record (CP12).

If the tenant is not home during this service or the tenant refuses access our Gas Servicing Contractor will make a further two attempts to enter the tenant's property to carry out the gas service.

Should the tenant refuse access or the Gas Servicing Contractor is unable to carry out the service on the third attempt for whatever reason, the Gas Servicing Contractor will refer this back to the Council for a legal appointment.

An appropriate Officer will attempt to make contact with the tenant to arrange an appointment to carry out the gas service. If they are unable to do so, the Officer will serve the tenant with a legal letter which states that the tenant must allow the Gas Servicing Contractor access to carry out the gas service on a specific date and time (legal appointment).

On the day of the legal appointment a relevant Officer will attend the tenant's property with the Gas Servicing Contractor to carry out the gas service. Should the tenant not be home at the time of the legal appointment the Council may force entry to carry out the gas service in their absence, in some circumstances the Council will cap the gas off at the meter to ensure compliance.

If the tenant is home at the time of the legal appointment and refuses access to the relevant Officer and the Gas Servicing Contractor to enable the gas service to take place, then the Council will refer this to our Legal Department to apply for a Court Injunction to compel the tenant to allow access to enable the Gas Servicing Contractor to carry out the service.

Any costs associated with the refusal to allow access will be re-charged to the tenant in association with the relevant re-charge policy.

Following successful completion of the Landlord's Gas Safety Check the tenant will receive a copy of the CP12 certificate for the property within 28 days of the annual safety check.

Void Properties

At the start of the void period the gas is capped. A gas safety check will be carried out to all properties when they are void to ensure the system is checked before re-letting. All gas equipment, including any appliances left by a previous tenant, will be checked for safety or removed before letting. Post void works the gas will be uncapped ready for letting. A copy of the latest LGSR certificate will be provided to the incoming tenant.

Mutual Exchanges

A gas safety check will be carried out on all EDDC properties with a gas meter involved in a mutual exchange. Our Gas Servicing Contractor will cap the gas on the day the tenants' move which should be a Friday or Monday and re-connect the gas and carry out a gas safety check on the day the new in-coming tenant moves in.

Record Keeping

EDDC retains all records of the annual gas safety certificates for a minimum of two years from the date of the certificate to ensure hard copies can be produced when required.

The Gas Servicing Contractor saves all gas safety records including certificates electronically. The Gas Servicing Contractor keeps accurate records of all their efforts to obtain access to carry out the annual gas safety check and all non-accesses and the dates and times that they were passed to EDDC. This will include records/copies of all letters, appointment cards, telephone calls etc.

Quality Audit

EDDC have appointed an independent auditor to carry out audits on 5 – 10% of all gas services carried out.

Carbon Monoxide Detectors & Smoke Alarms

EDDC will install carbon monoxide detector(s) to all rooms that contain an EDDC gas appliance and any room where a flue passes through.

EDDC will also ensure that an adequate number of smoke alarms are installed in all properties.

The carbon monoxide detectors and smoke alarms will be tested for those properties that have a gas appliance during the landlord's gas safety check and a record of this will appear on the CP12.

Gas Cookers

Where there is a gas cooker in the property, the connection to the gas cooker up to the gas controls on the cooker is included in the Gas Safety Check.

Where the gas cooker has a glass lid, a check is made that the automatic gas shut off mechanism works when the glass lid is closed. These checks do not include a service of the cooker, since this is the tenant's responsibility. Should the cooker fail the relevant safety check, the Gas Servicing Contractor will condemn the cooker and isolate it. It will be the tenant's responsibility to fix the cooker or to replace it.

4 Equality impact considerations – the policy is medium relevance to equality if it has a big impact on residents and users of the service

5 Data protection considerations

b) The collection and use of tenant's personal data will not exceed that agreed to in their tenancy agreement

If selecting option c) – please provide a summary of additional personal data required and how this will be obtained and used below.

Click or tap here to enter text.

The [EDDC Data Protection Policy](#) provides further information on how we store and use personal information.

The following privacy notice(s) provide further information on how we will use tenant's personal data, how it is gathered, and how long we will retain this information, and what rights tenants have in relation to this.

Property and Assets - Completion of programmed, servicing and cyclical works
Choose an item.
Choose an item.
Choose an item.
Choose an item.
Choose an item.

All our privacy notices can be found on the EDDC website (<https://eastdevon.gov.uk/access-to-information/data-protection/privacy-notices/>)

6 Appendices and other relevant information

N/A

7 Who authorised the policy/strategy and date of authorisation.

3

8 Related Policies/Strategies, Procedures and Legislation

- The Gas Safety (Installation and Use) Regulations 1998
- Construction Design & Management Regulations 2015
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- Health and Safety at Work Act 1974

9 Policy date for review and responsible officer

December 2023 by Cyclical Servicing and Compliance Manager