

# Annual Gas Inspection Policy



## 1 Aims of policy

The aim of this policy is to set out the responsibilities of Chorley Community Housing and its tenants to ensure compliance with the Gas Safety (Installation and Use) Regulations.

The Gas Safety Regulations place important duties on Landlords to ensure that all gas installation pipework, gas appliances and flue systems owned by them are maintained in a safe condition. In order to achieve this Landlords must inspect gas installations for safety at intervals of not more than 12 months.

Chorley Community Housing policy is that all applicable properties will receive a gas safety inspection, the gas appliances in those properties will be serviced, and a Landlord's Gas Safety Certificate issued before the current certificate is due for renewal.

**The Association will take appropriate legal action against any tenant who refuses access to allow a gas safety inspection to be carried out.**

## 2 Scope of the policy

Chorley Community Housing is committed to its tenants health, safety and welfare. To conform to the gas regulations and to endorse this commitment the Association puts great emphasis on the inspection and maintenance of all gas installations and appliances owned by them.

The policy offers guidance on the Gas Safety (Installation and Use) Regulations and in particular 'Regulation 36 - Duties of Landlords' and will ensure that all reasonable steps are taken with regard to 'Regulation 39 - Exception as to Liability'.

## 3 Monitoring, review and consultation

Chorley Community Housing will agree performance standards with The Tenant's Repairs and Maintenance Theme Group. Using a suite of performance indicators established by the group performance will be monitored monthly and reported quarterly to the Board of Chorley Community Housing and the Tenant's Repairs and Maintenance Theme Group.

The policy will be reviewed annually or as regulations or services change in nature and size.

## 4 Responsible Officer

Director of Asset Management

## 5 Contact details

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## Executive Summary

Chorley Community Housing's Annual Gas Inspection Policy sets out the responsibilities of the Association as Landlord and its tenants to ensure compliance with the Gas Safety (Installation and Use) Regulations.

The policy outlines the service provision with regard to Health & Safety and reduction of the risks associated with the use of gas fittings and installations using gas.

The policy details the inspection periods to ensure that the Landlords Gas Safety Certificates remain valid until access is achieved.

The policy includes the inspection procedure and the legal arrangements in place to obtain Injunction where access proves difficult.

## 1 Introduction

Chorley Community Housing (CCH) Repairs and Maintenance Section (RMS) is responsible for the inspection, servicing and repair of gas fittings installed in CCH properties.

RMS is a CORGI registered installer (Registration: 40926). The RMS directly employs management, administration and CORGI registered gas Repair Officers to carry out gas work.

Gas Repair Officers are provided with technical literature, have access to appropriate Standards and receive regular technical training / updates.

Gas work is carried out in accordance with the requirements of the Gas Safety (Installation and Use) Regulations, Building Regulations and Manufacturer's installation instructions. Work will also comply with British Standards together with other industry standards as appropriate and Regulations for Electrical Installations and all guidance issued by the Health and Safety Executive and CORGI in respect of the installation and use of gas appliances.

In this respect the term gas refers to mains gas, liquified natural gas and liquified petroleum gases, ie propane and butane.

The term gas fitting refers to gas pipework, valves (other than emergency controls), regulators and meters, and fittings, apparatus and appliances designed for use by consumers of gas for heating, lighting, cooking or other purposes for which gas can be used.

Under the Gas Safety (Installation and Use) Regulations Landlords have a responsibility for all appliances that tenants cannot legally remove from their property. The exceptions to this responsibility are gas cookers. The responsibility for the correct installation and maintenance of gas cookers by a CORGI registered installer lies solely with the tenant.

Chorley Community Housing will inspect gas cookers after installation and record the inspection on a Landlord's Gas Safety Certificate. Any faults identified will be treated in accordance with the 'The Gas Industry Unsafe Situations Procedure'.

## 2 Policy

The Annual Gas Inspection Policy will outline the service provision under the following headings:

- Health and Safety
- General Provisions
- Annual Inspection
- Quality Assurance

## HEALTH AND SAFETY

This document is drafted in support of Chorley Community Housing Safety Policy and Managing Safely Methods Guidance Notes.

In accordance with the Health and Safety at Work Act 1974, the Unit will provide and maintain safe and healthy working conditions for all its employees, and provide such information, training and supervision, as they need for this purpose.

The Unit also accepts its responsibility for the health, safety and welfare of other people who may be affected by its activities i.e. tenants, members of the public, clients and contractors.

The allocation of duties for safety matters and the arrangements, which the Association will make to implement the policy, are set out below.

### Gas Safety Policy – Organisational Structure

#### To be advised

#### GENERAL PROVISIONS

The Association's Managing Director and Board are aware that non compliance with the gas regulations, which means a failure by the Association to produce a valid Landlord's Gas Safety Certificate, is a criminal offence under section 3 of the Health and Safety at Work Act 1974.

All reasonable steps will be taken to secure the health and safety of employees, tenants, and others who use or operate gas fittings.

In order to reduce the risks associated with the use of gas fittings and installations using gas, the Association will ensure:

- (a) That gas installations and fittings are designed installed and continually checked by qualified and competent persons in accordance with the Gas Safety (Installation and Use) Regulations.
- (b) That gas installations are maintained in a safe condition by carrying out annual safety inspections and regular maintenance.
- (c) That safe systems of work for maintenance, inspection or testing are promoted and implemented.
- (d) That maintenance, inspection or testing will be undertaken with due reference to appliance manufacturers requirements.
- (e) That monitoring of gas inspection, design and installation work is carried out by competent persons.
- (f) That contractors and persons who carry out work on gas installations and appliances are competent to do so and will be regularly checked for competency.
- (g) That unsafe gas situations will be treated in accordance with 'The Gas Industry Unsafe Situations Procedure'.
- (h) That suitable equipment is provided if required to include personal protective equipment, protective clothing, special tools and gas testing / detection devices and such is maintained with due regard to manufacturers instructions and in a good condition.

## ANNUAL INSPECTION

The Gas Safety (Installation and Use) Regulations require landlords that let properties containing gas fittings to have such fittings inspected by a CORGI registered operative within every 12-month period. The operative who completes the inspection will issue a Landlord's Gas Safety Certificate on completion.

The Landlord's Gas Safety Certificate will record -

- a) the date on which the appliance or flue was checked;
- b) the address of the premises at which the appliance or flue is installed;
- c) the name and address of the landlord of the premises (or, where appropriate, his agent) at which the appliance or flue is installed;
- d) a description of and the location of each appliance or flue checked;
- e) any defect identified;
- f) any remedial action taken;
- g) confirmation that the check undertaken complies with Regulation 26 (9) Gas Safety (Installation and Use) Regulations;
- h) the name and signature of the individual carrying out the check;
- i) the registration number with which that individual, or his employer, is registered with a body approved by the Executive for the purposes of regulation 3 (3) of Gas Safety (Installation and Use) Regulations.

Chorley Community Housing use a computerised database 'Orchard' to manage tenancy and property matters.

The Attributes module of Orchard is used to manage the gas inspection contract. Attributes holds property information and lists all addresses where gas appliances are installed. Landlord's Gas Safety Certificate details including inspection dates are entered into Attributes on a weekly basis.

Attributes schedule properties by the last inspection date and produces property schedules, which detail the address, date of last inspection and types of appliances installed at each property.

This ensures the RMS visit each property within the prescribed inspection period each year and so complies with the Gas Safety (Installation and Use) Regulations. This time line is critical in two respects:

1. To enable the achievement of a valid Landlord's Gas Safety Certificate prior to the renewal date.
2. To enable the successful application for an Injunction Order against any tenant who does not allow access to their property.

To ensure that certificates remain current and within the time line the inspection period is carried out over a rolling 44-week duration (10 inspection periods) every year.

### Inspection Periods - 2006/07

Period	1	2	3	4	5	6	7	8	9	10
Commences	Apr-06	May-06	Jun-06	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06	Jan-07
Expiry Dates	Jun-06	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06	Jan-07	Feb-07	Mar-07

### Inspection Periods - 2007/08

Period	1	2	3	4	5	6	7	8	9	10
Commences	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07
Expiry Dates	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08

Period	1	2	3	4	5	6	7	8	9	10
Commences	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08
Expiry Dates	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08

The Services Manager is responsible for producing the property schedules and management of the Attributes database.

5.4 Landlord's Gas Safety Certificates are filed in address order. Completed certificates remain on file for a minimum of 2 years.

The following procedure describes the 12 stages of the annual Inspection / Servicing process and details the course of action, which is taken to ensure the RMS gains access to all homes where gas appliances are installed.

## 5.5 Inspection Procedure

### Stage 1

The Services Manager issues property schedules to the RMS Repairs Officers (RO) 10 working days prior to gas inspection commencement date.

### Stage 2

Seven days prior to the inspection visit the RO visits the property and leaves gas card 'APP1' informing the tenant of the inspection appointment date. Tenants are asked, if this is not convenient, to contact the dedicated service appointment 'freephone' number and re-arrange the appointment for a suitable date.

*Note: Appointments are available which are convenient to tenants including evening and weekends.*

### Stage 3

The RMS will visit each property a maximum of four times to try to gain access. The visits are a mixture of one unannounced visit and three appointments carried out at three-day intervals with a mixture of morning and afternoon visits (evening and weekend appointments are available by arrangement).

**1<sup>st</sup> Visit:** The RO visits the property on the appointment date (as set out in Stage 2 above) and completes the inspection and service. The RO leaves a copy of the Landlord's Gas Safety Certificate with the tenant and delivers the duplicate copies to the Services Manager (weekly). Inspection labels are placed on each appliance detailing the date of the next inspection and RO name.

If the tenant fails to keep the appointment, the RO will leave gas card 'UGA1' detailing the date and time of the intended second visit. The tenant has the opportunity to rearrange the appointment by contacting the dedicated service appointment 'freephone' number.

**2<sup>nd</sup> Visit** If the tenant fails to keep the second appointment the RO will leave gas card 'UGA2' detailing the date and time of the intended third visit. The tenant has the opportunity to rearrange the appointment by contacting the dedicated service appointment 'freephone' number.

3<sup>rd</sup> Visit: The RO will visit the property again at the third appointment date. If access is not available gas card 'UGA3' will be left at the property.  
The RO will complete a 'Record of Visits' card detailing the three failed access attempts and deliver this to the Services Manager. Record of Visits cards will be delivered on a daily basis.

**Stage 3 will be completed within ten working days.**

#### Stage 4

Upon receipt of completed Record of Visits cards the RMS will attempt to contact the tenant by telephone (subject to availability of telephone numbers) on two occasions. If telephone numbers are not available or the tenant cannot be contacted a 'GASSER - User Defined Alert' is placed on the Orchard database. This alert identifies the property as requiring a gas inspection to all Orchard users.

**Stage 4 will be completed within three working days.**

#### Stage 5

The RMS sends a letter (GAS1) by Royal Mail first class prepaid post. The GAS1 letter warns the tenant of the danger in not having gas appliances checked. It also details the legal process that will be taken if the tenant fails to arrange access. The tenant is asked to contact the dedicated service appointment 'freephone' number within five working days.

If the tenant responds to the letter and makes an appointment the RMS issue a works order.

**Stage 5 will be completed within five working days**

A failure to allow access at stage 5 will result in a solicitor's letter warning of legal action. Chorley Community Housing have appointed external Solicitors' to deal with the legal aspects of the inspection procedure.

#### Stage 6

The Services Manager will instruct the Solicitor (via email) to prepare a solicitor's letter. The solicitor's letter will be sent to the tenant by Royal Mail first class prepaid post requesting that they contact the Services Manager within 5 working days.

The Solicitor will email a copy of the letter to the Services Manager and the date sent.

**Stage 6 will be completed within three working days**

#### Legal Action

As the procedure has so far failed to produce a valid Landlord's Gas Safety Certificate, and the previous years Certificate is approaching renewal date or is no longer valid Chorley Community Housing will have no other alternative but to take legal action to gain access.

Chorley Community Housing will therefore apply to the County Court for an Injunction Order and Cost Order against the tenant.

*Note: If the gas supply or meter to the property is located in an external gas meter compartment Chorley Community Housing may temporarily disconnect the gas supply to the property to prevent further usage of the gas appliances.*

## Stage 7

The Services Manager will prepare a property file for the Solicitor to commence legal proceedings in order to obtain access. An Application for an Injunction against the tenant will be made to the County Court. The property file includes:

- Copy of the tenancy agreement
- Copy of 'record of visits' card
- Copy of letter GAS 1
- Copy of solicitor's letter
- Copy of previous Landlord's Gas Safety Certificate
- Tenancy information

### **Stage 7 will be completed within three working days**

*Note: If the tenant makes arrangements for access before the property file has been sent to the Solicitor Chorley Community Housing will not recharge the tenant the cost of the solicitor's letter. However, if the property file has been sent Chorley Community Housing have incurred costs and will seek to recover those costs from the tenant by securing a Cost Order from the County Court.*

## Stage 8

Upon receipt of the property file the Solicitor will prepare:

- Part 8 Claim Form
- Form N16A
- Draft Order
- CPR Statement (on behalf of the Services Manager)
- Exhibits
- Skeletal Argument
- and
- Issue the Action

### **Stage 8 will be completed within five working days**

## Stage 9

The Solicitor will confirm date and time of County Court hearing to Services Manager via email. County Court will send (Royal Mail first class prepaid post) to the tenant the date and time of the hearing and completed:

- Part 8 Claim Form
- Form N16A
- Draft Order
- CPR Statement (on behalf of the Services Manager)
- Exhibits

### **The time scale for Stage 9 will depend on the County Court**

## Stage 10

County Court Hearing – The Services Manager will attend Court with the Solicitor. Cases will be brought before the District Judge. Chorley Community Housing will seek to secure an Injunction Order against the tenant.

Chorley Community Housing will seek to secure a Cost Order for the Association's legal fees and the Court fee.

### **The time scale for Stage 10 will depend on the County Court**

## Stage 11

Injunction Order granted - The Services Manager will instruct a Process Server to personally serve the Injunction Order on the tenant (CPR rules state that the Order is not valid until it is served).

When the order has been served the Services Manager will hand deliver GAS2 letter to the tenant, confirming the date and time of the intended inspection visit (7-day notice). The RMS will issue a works order.

The Services Manager and RO will visit the property at the appointment date. If the tenant allows access the gas inspection and service will be completed and a Landlord's Gas Safety Certificate issued to the tenant.

Cost Order granted -The Services Manager will invoice the tenant for the amount of the Cost Order.

### **Stage 11 will be completed within 10 working days**

## Stage 12

A failure to allow access at Stage 11 will result in Chorley Community Housing making an application to the County Court for the tenant's committal to prison. The Solicitor will write to the tenant confirming Chorley Community Housing intention.

If the tenant still refuses to allow access after receiving notification of the intention for their committal to prison Chorley Community Housing will seek further legal advice on an individual case basis.

### **The time scale for Stage 12 will depend on the County Court**

*Note: If it is found that the tenant is not using the gas or electrical supply or has no gas or electricity then a test of the appliances cannot take place. Under these circumstances the Association will lock off the gas supply to the property to prevent future usage of the appliances until the necessary checks have been undertaken.*

*If the tenant does not intend to use the gas appliances the gas supplier will be informed and arrangements made to remove the gas meter.*

## **QUALITY ASSURANCE**

A structured procedure of quality auditing is undertaken to ensure that all gas personnel (management / administration / gas operatives) and the different aspects of gas work that they carry out are included in the quality audit process.

Chorley Community Housing monitor quality and customer care by three methods:

1. Letter questionnaire – gas inspection (internal audit) – Customer satisfaction questionnaires are sent to properties with enclosed 'freepost' envelopes.
2. Physical inspection – inspections and repairs (internal audit) – The Senior Housing Repair Officer (Gas) RMS visits selected properties and inspects that work has been carried out in compliance with the CCH Gas Safety Procedures Manual. The results are recorded on form 'CCH - Gas Servicing Quality Control'.
3. Quality Auditing (external audit) – Chorley Community Housing employ external consultants to provide quality auditing of gas work. Completed gas certification and work records are checked for accuracy and completeness. All types of gas work, which RMS carries out, are included in the audit.

The results of the audits both internal and external are reported to the Services Manager and the Housing Asset Manager.