

# **Title Gas and Heating Policy**

**Applicable Company: Calico Homes**

**Author: Director of Maintenance & Compliance**

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## 1.0 Introduction and objectives

- 1.1 As a landlord, Calico Homes (Calico) is responsible for the maintenance and repairs to our homes, communal blocks and other properties we own and manage, many of which will contain gas installations and appliances. The Gas Safety (Installation and Use) Regulations 1998 (as amended) specifically deal with the installation, maintenance and use of gas appliances, fittings and flues in domestic properties and certain commercial premises to ensure they remain safe.
- 1.2 We are also responsible for maintaining other types of heating systems to ensure that all heating appliances provided for customers are safe. These include solid fuel and electrical heating systems.
- 1.3 The key objective of this policy is to ensure our Board, Senior Leadership Team (SLT), employees, partners and customers are clear on our legal and regulatory gas/heating safety obligations. This policy provides the framework our employees and partners will operate within to meet these obligations.
- 1.4 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst employees and contractors (as detailed within our corporate Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant employees.

## 2.0 Scope

- 2.1 This policy is relevant to all our employees, customers, contractors, stakeholders and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services.
- 2.2 The policy should be used by all to ensure they understand the obligations placed upon Calico to maintain a safe environment for customers and employees, within the home of each customer, and within all communal areas of buildings and other properties we own and/or manage. Adherence to this policy is mandatory.



## 3.0 Roles and responsibilities

- 3.1 The Board has overall governance responsibility for ensuring this policy is fully implemented to deliver full compliance with legislation and regulatory standards. As such, the Board will formally approve this policy and review it every year (or sooner if there is a change in legislation or regulation).
- 3.2 For assurance that this policy is operating effectively in practice, the Board will receive regular updates on its implementation, gas/heating safety performance and non-compliance.
- 3.3 The Homes SLT will receive monthly performance reports in respect of gas and heating safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 3.4 The Managing Director has strategic responsibility for the management of gas and heating safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy supported by the Director of Maintenance & Compliance.
- 3.5 The Group Head of Repairs has operational responsibility for the management of gas and heating safety and will be responsible for overseeing the delivery of these programmes.
- 3.6 Colleagues across Calico Homes will provide support where gaining access to properties is difficult and will assist and facilitate any controlled access processes as necessary.

## 4.0 Legislation, guidance and regulatory standards

- 4.1 **Legislation** - The principal legislation applicable to this policy is:
  - The Gas Safety (Installation and Use) Regulations 1998 as amended (hereafter referred to as the Gas Safety Regulations). We have a legal obligation under Part F, Regulation 36 of the legislation (Duties of Landlords) and we are the 'Landlord' for the purposes of the legislation.
  - Smoke and Carbon Monoxide Alarm (England) Regulations 2015. These regulations have been in place since October 2015 for private landlords and due to come into effect imminently for social housing providers.

- This policy also operates within the context of additional legislation (see Appendix 1).
- 4.2 **Approved Code of Practice (ACoP)** - The ACoP applicable to this policy is:
- ACoP L56 - 'Safety in the installation and use of gas systems and appliances' (5th edition 2018).
- 4.3 **Guidance** – The principal guidance applicable to this policy is:
- INDG285 - 'A guide to landlords' duties: Gas Safety (Installation and Use) Regulations 1998 as amended Approved Code of Practice and guidance (3<sup>rd</sup> Edition 2018).
- 4.4 **Regulatory standards** – We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England; the **safety & quality standard** Standard is the primary one applicable to this policy.
- 4.5 **Sanctions** – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution under the Gas Safety Regulations; and via a regulatory notice from the Regulator of Social Housing.

## 5.0 Obligations

- 5.1 The Gas Safety Regulations impose duties on landlords to protect customers in their homes. The main landlord duties are set out in Regulation 36 and require landlords to:
- Ensure gas fittings and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer's instructions. If these are not available it is recommended that they are serviced annually, unless advised otherwise by a Gas Safe registered engineer.
  - Ensure the annual safety check is carried out on each gas appliance and flue within 12 months of the previous safety check.
  - Have all installation, maintenance and safety checks carried out by a Gas Safe registered engineer.

- Keep a record of each safety check for at least two years (until at least two further gas safety checks have been carried out).
  - Issue a copy of the latest safety check record to existing customers within 28 days of the check being completed, or prior to any new customer moving in.
  - Display a copy of the latest safety check record in a common area of a building where the gas appliance serves a communal heating system to multiple homes.
  - Ensure that no gas fitting of a type that would contravene Regulation 30 (for example, certain gas fires and instantaneous water heaters) is fitted in any room occupied, or to be occupied, as sleeping accommodation after the Regulations came into force. This includes any room converted into such accommodation after that time.
- 5.2 These obligations apply to both gas heating and liquid petroleum gas heating systems.
- 5.3 **Other heating types** – Although there is no legal requirement to do so, we will carry out an annual safety check to properties with other heating types such as those set out in Section 1.2 of this policy.
- 5.4 Under the forthcoming changes to the Smoke and Carbon Monoxide Alarm (England) Regulations 2015, social landlords will be legally required to:
- ensure at least one smoke alarm is installed on each storey of their homes;
  - ensure a carbon monoxide alarm is installed in any room with a fixed combustion appliance (excluding gas cookers); and
  - repair or replace alarms once informed that they are faulty (testing will remain the resident's responsibility).

## 6.0 Statement of intent.

- 6.1 We acknowledge and accept our responsibilities under the Gas Safety Regulations as outlined in Section 5 and all other duties set out in relevant legislation.
- 6.2 We will carry out an annual gas/heating safety check to all eligible properties.

- 6.3 We will ensure that copies of all landlord's gas safety records (LGSRs)/certificates are provided to customers or displayed in a common area within 28 days of completion.
- 6.4 We will cap off gas supplies to all properties when the property becomes void, and a new customer is not moving in immediately after. This will be completed within 48 hours.
- 6.5 We will cap off gas supplies to all new build properties at handover from the contractor/developer if the new tenancy is not commencing immediately at the point of handover.
- 6.6 We will ensure that gas safety checks are carried out within 24 hours of the commencement of a new tenancy (void or new build properties), mutual exchange and/or transfer, and that the customer receives a copy of the LGSR before they move in.
- 6.7 We will ensure a gas safety check is carried out following the installation of any new gas appliance and obtain a gas safety certificate to confirm the necessary checks have been completed. The safety check will include: a gas soundness test of the carcass; gas working pressures being taken; a visual inspection of the meter installation; and a visual inspection, including the safe working operation, on all other gas appliances and associated flues within a property.
- 6.8 We will carry out a five-point visual check of customer owned appliances, provided that the customer is able to provide evidence that the appliance has been installed by a Gas Safe engineer. If the customer is unable to provide evidence the appliance will be capped off until such time it can be evidenced as being safe. The visual safety check (location, flueing, ventilation, signs of distress, and stable and secure) will apply to gas cookers and gas fires, where the manufacturers' instructions are available. Where appliances are found to be faulty these will be disconnected and a warning notice issued.
- 6.9 A safety check will be carried out on completion of any repair and/or refurbishment works to occupied or void properties where works may have affected any gas fittings, appliances or flues.
- 6.10 We will test (and replace as required) battery operated and/or hard-wired smoke alarms and carbon monoxide detectors in domestic properties as part of the annual gas safety check (or at void stage). We also have a programme of testing smoke detection in non-domestic properties.

6.11 If Calico receive a report that anyone has been hospitalised due to CO, reporting CO symptoms or had a CO alarm activation.

- CADENT GAS must be informed by telephoning 0800 111 999 to attend site and make safe by the customer and person who has received the information at Calico.
- The Lead Engineer and Compliance planner at Calico Homes must be informed. If a situation arises during out of hours then the Duty Manager and Gas Engineer who are on call must be informed by means of a telephone call
- The Lead Engineer or Compliance Planner must contact the customer as soon as they receive the alert.
- A copy of the report from CADENT GAS will need to be copied from site and saved in Documotive against the asset.
- Lead engineer will then take appropriate action upon the report. In most instances a fumes investigation report will be carried out by a 3<sup>rd</sup> party ASAP.
- Calico Homes 3<sup>rd</sup> party for undertaking the fumes investigation report is Morgan & Lambert who can be contacted on 01757 210598.
- Neighbourhood Hood officer for the asset will be updated to stay in contact with the customer to see if they need any additional support.

6.12 We will carry out an annual gas safety check to all properties where the gas supply has been capped at the request of the customer, to ensure the supply has not been reconnected by the customer. At the same time, we will check on the customer's wellbeing and assess whether the lack of gas heating is adversely affecting the condition of the property. In addition, the repairs team will communicate on a six-monthly basis with these customers to ensure the property remains capped and to inform the customer of what is required to reinstate gas at the property.

6.13 Any open flue gas appliances found in any rooms that are being used as bedrooms or for sleeping will be removed.

6.14 We will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the gas/heating safety check.

6.15 If we face difficulty gaining access to a property for a gas/heating safety check, we will follow a robust process to resolve the issue which may involve capping the gas. If leaving the customer without



gas is deemed unacceptable, we will work with the Neighbourhood Management team to request an injunction to gain access to carry out the LGSR.

- 6.16 We will ensure that all replacements, modifications and installations of gas appliances and heating systems within our properties will comply with all elements of Building Regulations, *Approved Document J: Combustion appliances and fuel storage systems*.
- 6.17 We will establish and maintain a risk assessment for gas safety management and operations, setting out our key gas safety risks and appropriate mitigations.
- 6.18 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be in place in respect of all repairs to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement works and refurbishment projects.
- 6.19 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications submitted to the HSE in relation to gas and heating safety and will take action to address any issues identified and lessons we have learned to prevent a similar incident occurring again.

## 7.0 Programmes

- 7.1 **Domestic properties** – We will carry out a programme of annual gas safety checks to all domestic properties we own and manage; the check will be completed within 12 months from the date of the previous LGSR/certificate.
- 7.2 We will consider implementing the 'MOT' approach to gas safety checks within the lifecycle of this policy (from April 2022). This approach, under Part F, Regulation 36 (3) of the Gas Safety Regulations, allows a gas safety check to take place within ten months and one day of the previous safety check and retain the original 12-month anniversary date of the previous LGSR.
- 7.3 We will carry out an annual safety check to properties with, solid fuel and electrical heating systems. Calico homes no longer approve permissions requests for solid fuel burners but will undertake annual servicing on the properties that contain an existing solid fuel burner. These will be removed should the property become void.

- 7.4 **Non-Domestic Installations** – We will carry out a programme of annual gas safety checks and services to all communal blocks and other properties (for example, offices, shops and community centres), where we have the legal obligation to do so; these will be completed within 12 months from the date of the previous LGSR/certificate.
- 7.5 **Properties owned and managed by others** – We will obtain LGSRs/gas safety certificates for properties owned by a third party from which Calico Homes or Calico Group deliver services. If the third party does not provide the LGSR/certificate, we will carry out the safety check and re-charge them for the cost of this work.
- 7.6 We will ensure there is a robust process in place for the management of any follow-up works required following the completion of a gas/heating safety check where the work cannot be completed at the time of the check.

## 8.0 Data and records

- 8.1 We will maintain a core asset register of all properties owned and managed by Calico Homes and the Calico Group, with component/attribute data against each property to show gas/heating safety check requirements.
- 8.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from gas/heating safety programmes and the programme remains up to date.
- 8.3 We will hold gas/heating safety check dates and safety check records against each property owned or managed by Calico Homes and the Calico Group. We will hold the dates of the safety checks in Active H and safety check records in Documotive.
- 8.4 We will ensure the Gas Safe registered engineer records the details of all appliances and other equipment which is served by the gas/heating supply in every domestic property, communal block or other property.
- 8.5 We will keep all completed safety check records, warning notices and remedial work records for the legal minimum requirement and will have robust processes and controls in place to maintain appropriate levels of security for all gas/heating safety related data and records.

## 9.0 Customer engagement

- 9.1 We consider good communication essential in the effective delivery of gas and heating safety programs and we will utilise social media, the website and other methods to increase awareness.
- 9.2 This will assist us in maximising access to carry out gas safety checks, encourage and support customers to report any concerns about gas and heating safety, and help us engage with vulnerable and hard to reach customers.
- 9.3 We will share information clearly and transparently and will ensure that information is available to customers via regular publications and information on our website.

## 10.0 Competent persons

- 10.1 The Compliance Contracts Manager will hold the Level 4 VRQ Diploma in Asset and Building Management (if they are not Gas Safe Registered). The Lead Gas Engineer will hold full membership with the Association of Gas Safety Managers (AGSM). If they do not have these already, they will obtain them within 12 months of the approval of this policy.
- 10.2 All operatives/engineers (internal or external) will maintain Gas Safe accreditation for all areas of gas/LPG works that they undertake and will be members of the Nationally Accredited Certification Scheme for Individual Gas Fitting Operatives (ACS).
- 10.3 Only suitably competent Gas Safe accredited contractors will undertake works to gas/LPG fittings, appliances and flues.
- 10.4 Only suitably competent Oil Firing Technical Association (OFTEC) and/or HETAS accredited contractors will undertake works to oil fired and solid fuel fittings, appliances and flues.
- 10.5 Only individuals/organisations with a Microgeneration Certification Scheme accreditation (MCS) will undertake works on ground/air source heat pumps, solar thermal and biomass heating systems.
- 10.6 Only suitably competent NICEIC (or equivalent) electrical contractors and operatives will undertake servicing and repairs to electrical heating systems.



- 10.7 Only suitably competent Gas Safe registered and NICEIC (or equivalent) third-party technical auditors will undertake quality assurance checks.
- 10.8 We will check our contractors hold the relevant qualifications and accreditations upon procurement and then on an annual basis thereafter. We will document these checks and each contractor's certification appropriately.

## 11.0 Training

- 11.1 We will deliver training on this policy and the procedures that support it, through appropriate methods including team briefings; basic gas and heating safety awareness training; and on the job training for those delivering the programme of gas and heating safety checks, planned maintenance and repair works as part of their daily job. All training undertaken by employees will be formally recorded.

## 12.0 Performance reporting

- 12.1 We will report robust key performance indicator (KPI) and performance indicators (PI) measures for gas/heating safety. These will be provided to SLT monthly and to the Board on a quarterly basis at the appropriate level. As a minimum, we will report:

### **Data – the total number of:**

- properties – split by category (domestic, communal and others);
- properties on the gas/heating servicing programme;
- properties not on the gas/heating servicing programme;
- properties with a valid and in date LGSR/certificate;
- properties without a valid and in date LGSR/certificate;
- properties due to be serviced within the next 30 days; and
- completed, in-time and overdue follow-up actions arising from the programme.

### **Narrative – an explanation of the:**

- current position;
- corrective action required;
- anticipated impact of corrective actions; and

- progress with completion of follow-up actions.

**In addition:**

- The number of RIDDOR notifications to the HSE about gas/heating safety.

## 13.0 Quality assurance

13.1 We will ensure there is an annual programme of third-party quality assurance audits of gas/heating safety checks, gas appliance services and gas appliance repair works.

- Five per cent sample of field checks
- Five per cent of all certificates

13.2 Internally we will undertake 100 per cent desktop audits of all LGSRs/certificates. This will include the 'nine-point' check for LGSRs.

13.3 We will carry out an independent audit of gas/heating safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify non-compliance issues for correction.

## 14.0 Significant non-compliance and escalation

14.1 Our definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety. All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of a Calico employee becoming aware of it.

14.2 Any non-compliance issue identified at an operational level will be formally reported to the Group Head of Repairs in the first instance, who will agree an appropriate course of corrective action with the Managing Director and Director of Maintenance & Compliance and report details of the same to SLT.

14.3 In cases of serious non-compliance, SLT and Board will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.



## 15.0 Glossary

15.1 This glossary defines key terms used throughout this policy.

- **Gas Safe Register:** the official list of gas engineers who are qualified to work legally on gas appliances.
- **LGSR:** Landlord's Gas Safety Record – a certificate containing the results of the annual safety check carried out on gas appliances and flues.

## Appendix 1 - Additional legislation

This policy also operates within the context of the following legislation:

- Defective Premises Act 1972
- Health and Safety at Work Act 1974
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- The Occupiers' Liability Act 1984
- Workplace (Health, Safety and Welfare) Regulations 1992
- Pipelines Safety Regulations 1996
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Gas Safety (Management) Regulations 1996 (as amended)
- Provision and Use of Work Equipment Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Pressure Equipment (Safety) Regulations 2016
- Pressure Systems Safety Regulations 2000
- Dangerous Substances and Explosive Atmospheres Regulations 2002
- Housing Act 2004
- Building Regulations 2010 (England and Wales)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018



