

## GAS AND HEATING POLICY

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## **1. Introduction and aims**

- 1.1 As a landlord, Tuntum Housing Association (Tuntum) 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.
- 1.2 We are also responsible for maintaining other types of heating systems to ensure that all heating appliances provided for residents are safe. These include air source heat pumps, district heating and all electrical heating systems. We do not own or manage any properties with liquid petroleum gas, solid fuel appliances or oil-fired appliances.
- 1.3 The key objective of this policy is to ensure our Board, Senior Management Team, employees, partners, and residents are clear on our legal and regulatory gas/heating safety obligations. This policy provides the framework our staff 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 staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

## **2. Scope**

- 2.1 This policy applies to the following property types:
  - Domestic properties (houses, flats, bungalows, and so on).
  - Communal blocks.
  - Independent living schemes.
  - Specialist housing
  - Commercial buildings.
- 2.2 This policy is relevant to all our employees, residents, 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. Adherence to this policy is mandatory.

## **3. Roles and responsibilities**

- 3.1 The Board has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Board will formally approve this policy and review it every three years (or sooner if there is a change in legislation or regulation).
- 3.2 The Customer Experience Committee will ensure that, the Board receives the necessary assurance to fulfil its responsibilities.
- 3.3 The Senior Management Team (SMT) 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 Director of Operations 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 with support from the Head of Asset Management & Compliance.
- 3.5 The Compliance & Safety Manager has operational responsibility for the management of gas and heating safety and will be responsible for overseeing the delivery of these programmes.

- 3.6 Supported Housing Managing Agents will provide support where gaining access to properties is difficult and will assist and facilitate any legal access processes, as necessary.
- 3.7 Under the requirements of the Social Housing (Regulation) Act 2023 we have appointed the Head of Asset Management and Compliance as our Health and Safety Lead.

#### **4. 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 (Amendment) Regulations 2022.
- 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 Compliance with the Heat Network Regulations**

Tuntum Housing Association will ensure compliance with the Heat Network (Metering and Billing) Regulations, which require accurate metering, transparent billing, and periodic notifications to residents connected to district heating systems. This includes compliance with the Heat Networks (Market Framework) Regulations which comes into effect from 1<sup>st</sup> April 2025. We commit to maintaining meters in good working order, providing clear billing information, and promptly addressing any metering or billing discrepancies. Regular reviews will be undertaken to ensure ongoing compliance with these regulations, thereby protecting residents' rights and promoting energy efficiency and transparency in service charges."

##### **4.5 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 and Quality Standard is the primary one applicable to this policy.

The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

##### **4.6 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 judgement from the Regulator of Social Housing.

## 5. Obligations

5.1 The **Gas Safety (Installation and Use) Regulations 1998** impose duties on landlords to protect residents in their homes. These obligations apply to both gas heating and liquid petroleum gas heating systems. 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 residents within 28 days of the check being completed, or prior to any new resident 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 The **Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022**, came into effect on 1 October 2022, require landlords to:

- Install smoke alarm on every storey with living accommodation.
- Install carbon monoxide alarms in any rooms used as living accommodation with a fixed combustion appliance (excluding gas cookers).
- Repair or replace faulty alarms as soon as reasonably practicable.

5.3 For **other heating types** (as set out in Section 2.1), although there is no legal requirement to do so, we will carry out periodic safety checks to these properties as detailed in Section 7.

## 6. Statement of Intent

6.1 We acknowledge and accept our responsibilities under the Gas Safety Regulations, Smoke and Carbon Monoxide Alarm (Amendment) Regulations, and other duties outlined in Section 4 and Section 5.

6.2 We will carry out an annual gas safety check to all properties with a gas supply, irrespective of whether the gas is connected or not.

6.3 We will ensure that copies of all landlord's gas safety records (LGSRs)/certificates are provided to residents or displayed in a common area within 28 days of completion.

- 6.4 Any open flue gas appliances found in any rooms that are being used as bedrooms or for sleeping will be removed.
- 6.5 We will cap off gas supplies to all properties when the property becomes void, and a new resident is not moving in immediately after. This will be completed within 5 working days of tenancy termination.
- 6.6 We will cap off gas supplies to all new build properties at handover from the contractor/developer to us if the new tenancy is not commencing immediately at the point of handover.
- 6.7 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 resident receives a copy of the LGSR before they move in.
- 6.8 We will ensure a gas safety check is carried out following our installation of any new gas appliance and obtain a gas safety certificate to confirm the necessary checks have been completed.
- 6.9 We will carry out a five-point visual check of resident owned appliances, at the annual gas inspection. If the appliance is found to be unsafe, then the appliance will be capped off until such time it can be evidenced as being safe.
- 6.10 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.
- 6.11 We will install, test, and replace (as required) battery operated and/or hard-wired smoke alarms, carbon monoxide detectors and heat detectors as part of the annual gas safety check or annual fire alarm servicing visit (or at void stage).
- 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 resident, to ensure the supply has not been reconnected by the resident. At the same time, we will check on the resident's wellbeing and assess whether or not the lack of gas heating is adversely affecting the condition of the property. In addition, we will communicate quarterly with these residents to ensure the property remains capped and inform the resident of what is required to reinstate gas at the property.
- 6.13 We will regularly check properties through stock condition surveys that are not currently connected to the gas mains network to ensure a gas supply has not been installed without our knowledge.
- 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 We will operate a robust process if there is difficulty gaining access to a property to carry out the gas/heating safety check or remediation works. We will use the legal remedies available within the terms of the tenancy agreement, provided the appropriate procedures have been followed and approval given by a Head of Service (or more senior role). Where resident vulnerability issues are known or identified, we will ensure we safeguard the wellbeing of the resident.
- 6.16 Where appropriate, we will seek to recover costs associated with gaining access from the resident, including legal and court fees.
- 6.17 Where we have legitimate reasons to believe the property has been abandoned, we will externally cap the gas supply to the property for safety reasons.

- 6.18 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.19 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, Part J Combustion Appliances and Fuel Storage Systems.
- 6.20 We will establish and maintain a risk assessment for gas safety management and operations, setting out our key gas safety risks and appropriate mitigations.
- 6.21 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement and refurbishment works.
- 6.22 To comply with the requirements of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002, we will consider the safety of our workspaces and plant/boiler rooms of our residential blocks that fall within scope of the legislation.

## 7. 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 adopt the 'MOT' approach to gas safety checks. 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 annual detector safety inspections to all properties with all electric heating systems and fully inspect the emitters every five years during the periodic electrical inspection and testing programme.
- 7.4 We will carry out an annual safety check to properties with air source heat pumps and district heating.
- 7.5 **Communal blocks and other properties** – We will carry out a programme of annual gas safety checks and services to all communal blocks and other properties (commercial, independent living and specialist housing), where we have the legal obligation to do so; these will be completed within 12 months from the date of the previous LGSR/certificate.
- 7.6 **Properties managed by others** – Where any of our properties are managed by a third party, we will carry out our legal and contractual obligations in relation to the provision of LGSRs/safety certificates in line with the terms and conditions as set out in the lease or management agreement. Where the responsibility to provide the LGSRs/ safety certificate remains with the third party under the terms of such arrangements and they fail to provide it, this will be addressed through our escalation procedure.
- 7.7 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. Data and Records**

- 8.1 We will maintain a core asset register of all properties we own and/or manage, 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 we own or manage. We will hold the dates of the safety checks and safety check records in Pyramid.
- 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 at least two years and the duration that we own and manage the property /in line with our document retention policy. We will have robust processes and controls in place to maintain appropriate levels of security for all gas/heating safety related data and records.

## **9. Resident engagement**

- 9.1 We consider good communication essential in the effective delivery of gas and heating safety programmes, therefore we will establish a resident engagement strategy and communication programme to support residents in their understanding of gas and heating safety.
- 9.2 This will assist us in maximising access to carry out heating safety checks, encourage and support residents to report any concerns about gas and heating safety, and help us engage with vulnerable and hard to reach residents.
- 9.3 We will share information clearly and transparently and will ensure that information is available to residents via regular publications and information on our website.

## **10. Competent persons**

- 10.1 The Compliance & Safety Manager will hold the Level 4 VRQ in Gas Safety Management or Level 4 VRQ Diploma in Asset and Building Management (if they are not Gas Safe Registered), and full membership of the Association of Gas Safety Managers (AGSM). If they do not have these already, they will obtain them within 24 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, appliances, and flues.
- 10.4 Only individuals/organisations with a Microgeneration Certification Scheme accreditation will undertake works on air source heat pumps.
- 10.5 Only suitably competent NICEIC (or equivalent) electrical contractors and operatives will undertake servicing and repairs to electrical heating systems.



- 10.6 Only suitably competent Gas Safe registered and NICEIC (or equivalent) third party technical auditors will undertake quality assurance checks.
- 10.7 We will check our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

## **11. 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 staff will be formally recorded.

## **12. Performance reporting**

- 12.1 We will report key performance indicator (KPI) measures for gas/heating safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came into force on 1 April 2023 and must be reported to the RSH on an annual basis.

- 12.2 We will report the following gas safety performance:

<b>Report recipient</b>	<b>Frequency</b>
Regulator of Social Housing	Annual
Senior Management Team	Monthly
Board	Quarterly
Customer Experience Committee	Quarterly
Residents	Annual report

- 12.3 We will also report the following:

### **Data – the total number of:**

- Properties split by category (domestic, communal, commercial/others).
- Properties on programme split by category.
- Properties not on programme.
- Properties with a valid and in date LGSR/certificate.
- Properties without a valid and in date record LGSR/certificate.
- Properties due to be serviced within the next 30 days.
- Follow-up actions arising from the programme (in time and overdue, by priority).
- Properties with a valid and in date record of Carbon Monoxide and Smoke Detectors installed.
- Properties without a valid and in date record of Carbon Monoxide and Smoke Detectors installed.

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

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

**In addition:**

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

**13. 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. This will be:
- Ten per cent of all new installations.
  - Ten per cent sample of field checks.
  - Ten per cent of all certificates.
- 13.2 Internally we will undertake 100 per cent desktop audits of all LGSRs/certificates using the nine-point check.
- 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. 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, and which needs to be managed as an exception to routine processes and procedures.
- 14.2 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 an Tuntum employee becoming aware of it.
- 14.3 Any non-compliance issue identified at an operational level will be formally reported to the Compliance & Safety Manager in the first instance, who will agree an appropriate course of corrective action with the Director of Operations and report details of the same to the SMT.
- 14.4 In cases of serious non-compliance, SMT 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.
- 14.5 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.

**15. Equality impact assessment**

- 15.1 Tuntum Housing Association is committed to Equality, Diversity and Inclusion and will make reasonable adjustments to the policy to recognise, accommodate and support individual needs where needed. This Policy adheres to the Association's approach to Equality and Diversity. All staff members will take a proactive approach to ensure that no individual or group is discriminated against or treated differently as a direct or indirect result of this Policy.

**16. References**

External references
<b>This policy also operates within the context of the following legislation:</b>
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 (DSEAR) 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
Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022
Social Housing (Regulation) Act 2023
Gas Safety (Rights of Entry) Regulations 1996 as amended by the Utilities Act (2000)
Gas Appliances (Safety) Regulations 1995 (revoked)

Internal references	
This policy also operates within the context of the following Tuntum Policies:	
Key Strategy	Corporate Strategy
Other Strategies	Asset Management Strategy, VFM strategy
Policies	Complaints, Data Protection, Decant, Health & Safety, Recharge, Safeguarding, Empty Homes, Tenancy Fraud, Decent Homes,
Other documents	Tenancy Agreement, Code of Conduct for Employees, Board Members, and Involved Residents, Tuntum's Contractor Service Standard Agreement, Tuntum Financial Regulations, Environmental Sustainability Policy Statement

## 17. Glossary

17.1 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.

## 18. Contacts

18.1 If you have any queries on this policy, please contact:

**The Director of Operations - Tuntum Housing Association.**

Internal control not for publication

Policy changes	
Policy version	Proposed changes