



Housing Manual

Policy / Procedure Title: **Gas Safety Procedure**

Policy No.:
10

Issue No.:
5

Policy Identified for Equality Impact Assessment No

Effective From: 1st November 2023

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Person(s) Responsible: Supported Housing

Policy Consultation with: Supported Housing Team and Quality Team.

Signed off by: Emma Richardson - Assistant Director of Supported Housing.

Reviewed by: Julie Wallace – Service Improvement Manager

Scope: This policy covers all supported housing managed by Outward.

All Housing Management Staff.

All Support Staff

Relevance to external standards:

Supporting People:

Care Quality Commission:

Other: Gas Safety (Installation and Use) Regulations 1994

Related Outward Policies:

Gas Safety Leaflet

Abandonment Policy and Procedure

Lone working Policy & Procedure

Data Protection Policy and Procedure

This information can be made available in alternative formats, such as easy read or large print. Please contact 0208 980 7101 or email info@outward.org.uk.

1.0 Introduction

This procedure aims to support the Group Policy on Gas Servicing and to ensure that Outward as a managing agent, fulfills its obligations in assisting Newlon Housing Trust (NHT) and other Registered Providers (RP) to achieve 100% of properties to have an up to date safety certificate.

Regulations

All tenants will be provided, at the point of letting and on an annual basis thereafter, with a Gas Safety certificate in compliance with Legislation.

Gas regulations covering the installation and use of gas fittings and appliances in domestic premises were introduced in 1994 to reduce the number of gas related deaths and injury.

The regulations place landlords under a legal duty to ensure the safety of gas installations in their dwellings. Non-compliance with the regulations is a criminal offence for which Senior Officers can be held personally liable.

NHT and other registered providers are obliged under the law to carry out gas servicing for all gas appliances they have installed including, fires, water heaters, boilers, cookers, hobs, flues and ovens. This must be completed annually by a Gas Safe registered engineer and a Landlord Gas Safety Record (LGSR) must be produced and a copy provided for NHT and other RPs records and one left with the tenant.

2.0 Procedure

What actions will be taken when Property is referred to Outward?

2.1 Where NHT and the gas safety contractors have been unsuccessful in gaining access to a property. NHT will notify Outward's Supported Housing Team. The letters, details of phone calls etc. will be on each case on Dynamics and the case/s and will be referred to Outward one month prior to the expiry of the Landlord Gas Safety certificate (LGSR).

2.2 First contact

On being notified that access has not been obtained by NHT or another RP, the Tenancy Management Officer (TMO) or Scheme Manager (SM) will make immediate contact with the relevant support officer (where applicable) and make every effort to contact the tenant or visit within 3 working days of being notified.

2.3 Second contact

If the tenant fails to respond within 2 days, the TMO or SM will visit the property and attempt a second contact. If there is no response a Gas Servicing Notice Letter (See Appendix 1) will be left at the property. All signs of abandonment or any additional information must be noted at this visit.

2.4 Third contact

If the tenant fails to respond after a further 2 working days, a final attempt must be made to gain access, a Reminder Notice (Appendix 2) should be left at the property, as well as a gas

safety visit sticker being placed on the door. It is expected that calls to all telephone contacts should be made, including contact details on Dynamics and the Next of Kin recorded on the Tenancy Agreement.

All actions including visits, telephone calls and letters sent will be recorded on the case created on Dynamics for NHT properties and the performance spreadsheet.

All the above actions must be completed within 10 working days of being notified by either NHT or another RP. Where the notices and visits do not result in access being provided and the tenant has not made contact the following action should be taken:

Properties where Newlon is the Registered Provider

Within 2 weeks before the LGSR is due to expire the TMO or SM should send a letter to the tenant. Where previous gas servicing notices and all other methods of contact have been exhausted, the letter should also state that if no contact is made by the tenant to arrange for the gas safety inspection to be completed, Outward will start legal proceedings through an injunction process to gain access to the property within 14 Days. Any action will be dependent on what other mitigating factors might be contributing to the no access. For example the resident may be temporarily residing elsewhere.

At the end of the 2 weeks a final letter will be sent out by the TMO or SM and outward will take the next step which is mainly referring the matter to solicitors to take out Injunction proceedings. A vulnerability assessment should take place alongside any enforcement action that is being carried out. This is to ensure that Outward/ NHT remain compliant. Where this action is taken NHT will provide all the case records for the initial contact and Outward will then gather together additional information and copies of letters/details of contact made by outward etc. Where Outward instruct solicitors, the legal costs are to be agreed and will be paid by Newlon to Outward. Legal costs are to be sent to the Senior Management Team and Assistant Director of Housing to charge to Newlon via intercompany.

Some new tenancies allow NHT to force entry, where this is considered to be the best option then approval should be sought from the assistant director of Supported Housing Director and NHT.

- 2.5 The TMO and SM will continue to try to facilitate access alongside support colleagues after the case has been referred to solicitors.

Other Registered Providers

- 2.6 Where Outward have been notified by an RP (other than NHT) of a tenant's non-compliance to gas safety, the TMOs or SM if relevant will apply the same steps as above to facilitate access, however where access has been unsuccessful after 10 days the TMO or SM will report back to the RP with the outcome. The RP will then follow their own legal process.

3.0 What are Outwards Obligations?

While the procedure and timescales are very tight, they reflect the importance that the Group places on achieving 100% of LGSR. As a care and support provider to vulnerable adults, we will always consider other extenuating circumstances that may lead to non-compliance. All efforts to make contact and gain access to the property will continue even

when the property has been referred to solicitors (NHT) or has been referred back the RP for legal action.

3.1 If contact is made at any time during the process, the TMO or SM must advise NHT /-RP and the gas contractor immediately and agree the earliest available appointment for servicing. If the next available appointment falls outside of office hours or on a weekend, the TMO may be required to attend the appointment to facilitate access. Attendance will need to be approved by the Senior Supported Housing Manager and the Lone Working/Out of Hours policy must be followed.

3.2 Where we are aware that English is not the first language or there are other preferred methods of communication, we will inform NHT / RP and the contractor and arrange for translation or other methods of communication as required. The Supported Housing Team will deal with issues such as arranging contact via a key worker/relative or where other support can be offered in order to provide access.

4.0 Gas Capping

Where a meter has been capped by an RP, the TMO and SM will prioritise working with the with the tenant and support provider, if applicable, to get the gas reinstated and the property back to gas safe compliancy. The target date for capped cases to be resolved being 10 days

5.0 Record keeping

To ensure compliance with the General Data Protection Regulations (GDPR), the Officer must ensure that copies of all documents and correspondence are filed on Dynamics which is a Password-controlled with role-based access control.

5.1 Every case referred must be recorded on the spreadsheet and Dynamics. All attempts to gain access, notification letters and outcomes must also be recorded on the spreadsheet & Dynamics.

5.2 The reports will be discussed at managers' meetings, all outcomes must be signed off by the Senior Supported Housing Manager who is responsible for ensuring that these spreadsheets are checked on a monthly basis for consistency, and will provide a detailed performance report to the Assistant Director of Supported Housing and NHT building services at the end of each reporting month.

6.0 Performance Monitoring & Reporting of Referred cases & Outcomes:

6.1 Target of 100% of completed Landlord gas safety records at any time during the year; 100% compliance with procedure in cases of failed access.

6.2 Outward will monitor and review monthly cases where the gas has been capped to ensure compliancy. Working with tenants where possible in order to get the supply uncapped and the LGSR carried out.

7.0 General Data Protection Regulations Statement

Outward is committed to compliance with the General Data Protection Regulations and the Data Protection Act 2018. It requires all staff and partners to respect confidentiality and data subjects' rights in line with its policies and procedures.

To ensure compliance with the Regulations staff must ensure that any personal information produced or processed as part of these procedures is appropriately filed on SharePoint, Sona, Iplanit, the Outward server or other agreed password-controlled filing system(s) with role-based access control.

Whilst processing paper documents, including those from third parties, these documents must be stored in secure lockable cabinets. Records will be kept for as long as they are needed to meet the operational needs of Outward, together with legal and regulatory requirements. Where there is a deviation from this principle, the reasons for this must be recorded.

A detailed breakdown of retention and deletion of records can be found in Outward's Record Management and Retention Policy.

When disposing of documents containing personal data this should be done via confidential waste.

Please refer to Outward's Data Protection Policy and Procedure for more information.

8.0 Appendices

Appendix 1- Gas servicing notice letter

Appendix 2 –Reminder notice