

Report to: Policy & Performance Improvement Committee – 13 April 2026

Director Lead: Suzanne Shead, Director - Housing, Health & Wellbeing

Lead Officer: Wayne Fox, Business Manager - Building Safety & Asset Investment

Report Summary	
Report Title	HSG Policy – Heating & Gas Servicing Policy
Purpose of Report	This Policy has been developed to set out our approach to managing Newark & Sherwood District Council's (NSDC) Heating and Gas Servicing. This Policy is one of a suite of policies that covers all aspects of compliance, and these policies are designed to ensure that NSDC has a robust approach to compliance and customer safety. This is a new policy which will be aligned to current legislation, regulation and industry best practice to ensure that the services delivered in line with the Policy are both effective and efficient.
Recommendations	That the Policy & Performance Improvement Committee: a) note and endorse the Heating & Gas Servicing Policy to ensure legal compliance and improved service delivery in line with legislation, regulation and industry best practice; and b) recommend approval of the Policy to Cabinet.
Reason for Recommendation	The Policy has been developed to align with organisational responsibilities, legislation and industry standards.

1.0	<u>Background</u>
1.1	The NSDC Heating & Gas Servicing Policy (attached as Appendix 1) outlines the management, maintenance, and compliance framework to ensure the safety and wellbeing of residents, visitors, contractors and staff in and around NSDC properties. Detailing roles, responsibilities, training, communication, customer engagement, performance monitoring and adherence to relevant legislation and standards. The Policy will be subject to reviews every three years or at any point sooner if any changes in legislation are enacted. This will ensure that the Policy is kept up to date and remains effective.

	This Policy sets out servicing frequencies, contractor competency requirements, database and record-keeping strengthening, tenant access enforcement and emergency mantrap rescue procedures. The Policy includes revised responsibilities, tenant communication improvements, emergency procedures, KPI reporting and statutory compliance alignment.																																
1.2	The Policy is also intended to protect all residents from any risks associated with heating systems.																																
2.0	<u>Proposal/Options Considered</u>																																
2.1	It is proposed that the new Heating & Gas Serving Policy be agreed and forwarded to Cabinet with a recommendation for approval and implementation.																																
3.0	<u>Implications</u> In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.																																
	<table border="1"> <thead> <tr> <th colspan="4">Implications Considered</th> </tr> <tr> <th colspan="4">Yes – relevant and included / NA – not applicable</th> </tr> </thead> <tbody> <tr> <td>Financial</td> <td>NA</td> <td>Equality & Diversity</td> <td>NA</td> </tr> <tr> <td>Human Resources</td> <td>NA</td> <td>Human Rights</td> <td>NA</td> </tr> <tr> <td>Legal</td> <td>NA</td> <td>Data Protection</td> <td>NA</td> </tr> <tr> <td>Digital & Cyber Security</td> <td>NA</td> <td>Safeguarding</td> <td>NA</td> </tr> <tr> <td>Sustainability</td> <td>NA</td> <td>Crime & Disorder</td> <td>NA</td> </tr> <tr> <td>LGR</td> <td>NA</td> <td>Tenant Consultation</td> <td>NA</td> </tr> </tbody> </table>	Implications Considered				Yes – relevant and included / NA – not applicable				Financial	NA	Equality & Diversity	NA	Human Resources	NA	Human Rights	NA	Legal	NA	Data Protection	NA	Digital & Cyber Security	NA	Safeguarding	NA	Sustainability	NA	Crime & Disorder	NA	LGR	NA	Tenant Consultation	NA
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	<u>Financial Implications – FIN25-26/3137</u>																																
3.1	There are no financial implications arising from this report.																																
	<u>Legal Implications LEG2526/581</u>																																
3.2	By virtue of the terms and conditions of the tenancy agreement, tenants must allow access for certain reasons including gas service. Failure to comply with such an obligation is a breach of contract which can be remedied by way of injunction proceedings which means the court may order the tenant to comply with their tenancy and allow access to the Council.																																
3.3	Capping the gas needs careful consideration and should only be used in emergency situations. There are risks in taking this action where there are other alternative options available and whereby it is not an emergency and leaves the Council open to criticism and legal challenge.																																

3.4	The Protection from Eviction Act 1977 provides that the landlord of a residential occupier shall be guilty of an offence [criminal] if...interfere with the peace or comfort of the residential occupier or members of his household, or persistently withdraws or withholds services reasonably required for the occupation of the premises". Of a person is guilty of an offence under this section – summary conviction, fine and/or imprisonment. If committed by body corporate with consent of manager, both body corporate and manager shall be guilty and punished accordingly (s1(6)). An offence is not committed if there are reasonable grounds for doing the act or withdrawing the service.
3.5	Article 8 rights under the Human Rights Act 1998 may also be engaged whereby public authorities mustn't prevent tenants from entering or living in your home. They also have the right to enjoy their home peacefully without intrusion by a public authority. Capping the gas is a significant intrusion without sufficient justification.
3.6	S27BA of the Housing Act 1985 provides that the Secretary of State may make regulations for imposing requirements on local authorities to consult tenants. Any consultation should be carried out in accordance with the relevant Regulations.
<u>Tenant Consultation</u>	
3.7	Due to programme timescales and the need to progress these policies in a timely manner, tenant consultation was not undertaken on this occasion for the Passenger Lifts, Stair Lifts & Hoists Policy / the HSG Policy – Heating & Gas Servicing Policy. While tenant involvement is a key principle of the Council's approach to policy development, this was not achievable within the available timeframe. These policies will be kept under review, and opportunities for tenant feedback and engagement will be considered as part of future reviews or implementation activity where appropriate.
Background Papers and Published Documents Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.	



APPENDIX 1

Heating & Gas Servicing and Safety Policy - Housing

Newark and Sherwood District Council

Policy Document

January 2026

Approved by:	Date: January 2026
Maintained by: Business Manager Housing Maintenance & Asset Management	
Next review date: January 2029	

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1. Abbreviation Key

- NSDC - Newark and Sherwood District Council
- GSIUR - Gas Safety (Industry and Use) Regulations 1998 as amended
- GIUSP - Gas Industry unsafe situations procedure (IGEM/G/11 Edition 2)
- ACOP - Approved Code of Practice
- DLO - Direct Labour Organisation
- HETAS - Heating Equipment Testing and Approval Scheme
- OFTEC - Oil Firing Technical Association
- HO - Housing Officer
- LGSR - Landlord Gas Safety Report

2. Introduction

- 2.1 Newark and Sherwood District Council (NSDC) are fully committed to meeting all relevant statutory and regulatory requirements, including best practice standards, in the housing sector ensuring continual improvement in compliance performance, adopting a zero-tolerance approach to any deviation from this Policy.
- 2.2 The Gas Servicing and Safety Policy details how Newark and Sherwood District Council meet the requirements of the Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended in relation to its HRA Properties. In addition to this, the policy provides assurance to Newark and Sherwood District Council that measures are in place to ensure compliance with the regulations and to identify, manage and/or mitigate risks associated with gas fittings, appliances and flues.
- 2.3 NSDC ensures that all 'Gas Work' undertaken on its behalf is completed in-line with statutory regulations by suitably qualified engineers, retaining all relevant certification in accordance with the stipulations laid out in the GSIUR & GIUSP. Landlord certificate's will be kept for a period of 6 years from the date of the last check of the gas appliance or flue, warning notices will be kept for 6 years in the event of any future litigation.
- 2.4 This 'Gas Safety Policy' provides an outline of NSDC's regulatory obligations and operational activities, periodically reviewed and updated to reflect industry guidance and statutory changes. Notwithstanding, the guidance provided will be superseded due to revised industry guidelines, therefore these updates must take priority and followed to ensure that non-contravention occurs.
- 2.5 This document is divided into three distinct parts comprising of Regulatory Obligations, Operational Procedures and the Property Health & Safety Check Programme, supplementary to this there is an abbreviation section and a number of appendices. This document deals for the main part on Regulatory Obligational

Procedures completed by DLO, where the Heating & Gas Servicing Safety Program overlaps with information within this document is covered.

2.6 The regulations place a duty upon Newark and Sherwood District Council (NSDC), as a Landlord of domestic property, to ensure that gas appliances and flues are maintained in a safe condition, annual safety checks are carried out and appropriate records kept and issued or displayed to tenants. These duties are in addition to the more general ones that Landlords have under:

- Health & Safety at Work Act 1974.
- Management of Health and Safety at Work Regulations 1999.
- Gas Safety (Installation & Use) Regulations 1998 as amended in Great Britain (GB).
- Construction (Design and Management) Regulations 2015.
- Building Regulations Parts F, G, J, L, P.
- Industry standards as listed in the Normative Document List as published by Gas Safe Register (Technical Bulletin 999).

The above is not a definitive list of documents satisfying all regulatory obligations that impact on the gas safe working procedures. Landlord's failing to comply with these regulations can be liable to prosecution and ensuing penalties.

2.7 The policy is also relevant for maintaining a safe environment for all tenants and employees within non-domestic HRA properties.

2.8 It also relates to the servicing of solid fuel, Air source heat pumps and oil appliances which, although not a statutory requirement, will be serviced and maintained in accordance with this Policy and on a cyclical frequency.

2.9 Newark and Sherwood District Council will follow a systematic approach to the management of gas safety to ensure it meets the requirements set out in the Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended, and other relevant Legislative, Regulatory standards, and Approved Codes of Practice (ACOP) relating to gas safety. This is to ensure the safety of tenants, employees and members of the public.

2.10 Every year in the UK approximately 40 people die and 200 people suffer from carbon monoxide poisoning as a result of faulty gas fires, central heating boilers, cookers and other appliances. This risk can be reduced if a safety check is performed annually as required by legislation. Newark and Sherwood District Council are committed to providing a robust service delivery to our residents in relation to gas safety; the aims of this service are:

- To protect the health and safety of our residents and meet our legal and regulatory obligations to undertake annual Gas Safety Inspections, as required under the provisions of the Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended.
- To maintain all fixed gas appliances that are Newark and Sherwood District Council responsibility, in a safe working order and to manufacturers' instruction satisfying the GSIUR.
- To engage with our tenants in a participative and empowering manner so that they have the opportunity to contribute to the service provision in relation to gas servicing.
- To fulfil our commitment to equality and diversity while delivering the Gas Servicing and Repairs Service to our tenants and residents.
- To effectively maintain the Council's housing stock and preserve its asset value.
- Ensure that the annual gas safety check is undertaken in compliance with relevant legislation, in a manner that promotes gas safety within our tenant's homes.

3. Purpose of the Policy

- 3.1 This policy demonstrates how Newark and Sherwood District Council will comply with the above legislation for domestic properties managed and owned by the Council.
- 3.2 It outlines our commitment to ensuring that we offer the best possible service to our tenants in relation to gas servicing, it highlights our methods, targets and also makes tenants aware of their obligations in relation to gas safety.

4. Responsibility

- 4.1 NSDC acknowledges and accepts its responsibilities as a landlord regarding the management of gas safety to ensure it meets the requirements set out in the Gas Safety (Installation and Use) Regulations 1998 (GSIUR), as amended.
- 4.2 Newark and Sherwood District Council will undertake the following in relation to fixed gas appliances in properties and communal areas:
- MOT style servicing regime.
 - All pipework, boilers, gas fires, and associated flues installed by NSDC will be maintained in accordance with Manufacturer's Instructions and ACOP.
 - Repairs will be undertaken as and when necessary.
 - Ensure only Gas Safe, HETAS or OFTEC registered engineers holding the relevant competencies undertake work within managed homes.
 - Undertake quality checks of contractors and internal staff undertaking work on gas, oil, solid fuel, air source heat pumps, and LPG systems.
 - The relevant safety checks are undertaken at the change of tenancy, mutual exchange, or in accordance with legislative requirements and issuing the tenant with a valid certificate confirming the safe operation of the fuel burning appliance.

4.3 NSDC will not be responsible for:

- Gas cookers/hobs unless the Council has installed them. Identified safety concerns relating to tenant's own appliance will result in a Warning Notice being issued and the affected appliance labelled. Where necessary Newark and Sherwood District Council will request permission to disconnect or isolate the appliance from the responsible person within the home. Where permission is not granted the Gas Engineer will adhere to the GIUSP and will either result in the National Gas Transporter being contacted and Newark and Sherwood District Council writing to the tenant that they are in breach of their tenancy agreement.
- Repairs to gas fires installed by the tenant. However, we are required by law to check all flues and associated pipework, we will also check any gas fires that are installed by tenants, annually after installation, subject to confirming the appliance has been installed in accordance with the Regulations. Where necessary Newark and Sherwood District Council will make any appliances safe by disconnection. Where a flue flow test has failed Newark and Sherwood District Council will request the disconnection of the gas fire from the condemned flue. Condemned flues will not be relined, blockages removed or rebuilt for reinstatement.

4.4 The accountable person for ensuring delivery of the requirements of this Policy is the Director Housing and Wellbeing and the Business Manager Building Safety & Asset Investment.

4.5 The responsibility for ensuring that gas servicing and maintenance is carried out effectively is a key responsibility of the Business Manager Building Safety & Asset Investment or Compliance and Safety Manager.

4.6 The operational responsibility for compliance and quality is the responsibility of the Compliance and Safety Manager and Gas Surveyor.

4.7 The responsibility for ensuring that routine repairs are undertaken promptly and safely is the responsibility of the Housing Maintenance Manager, or Gas Surveyor.

4.8 Tenants have the following responsibilities:

- Ensuring that they use gas services within Newark and Sherwood District Council properties safely and responsibly. Tenants should follow any advice given and ensure they do not operate or interfere with gas-fired appliances in any way which could endanger themselves or other building users.
- Allow access to their home so that we can undertake a gas safety inspection of their property.
- Ensure there is sufficient credit on the meter to enable a gas safety inspection.
- Tenants are encouraged to use the installed central heating system to maintain adequate indoor temperatures, as this helps prevent the development of damp and mould. Maintaining a warm and well-ventilated home is essential for health and safety, particularly for vulnerable individuals. Newark and Sherwood District

Council will provide support and advice to tenants who may face barriers to heating their homes.

- 4.9 Where access is not provided, or where a gas installation has been modified or interfered with by an individual not authorised by Newark and Sherwood District Council, the Council may mechanically seal the gas supply at the meter to ensure safety and regulatory compliance. Full details of the mechanical sealing procedure and associated guidance are provided in Section 4.2.
- 4.10 Leaseholders also have a responsibility to ensure they have a gas compliance safety check undertaken annually. Newark and Sherwood District Council will request confirmation from leaseholders that they are complying with this requirement.

5. Policy Detail

- 5.1 This section details the actions taken and measures that are in place to ensure NSDC appropriately carries out safety checks and repairs to all heating systems within our properties.

These actions and measures demonstrate NSDC's commitment to ensuring a safe environment in which our residents and employees can live and work.

5.2 Annual gas safety checks

Access procedure

NSDC will operate an MOT style annual gas safety check (LGSR) program that commences on the 10-month anniversary date of the most current LGSR to ensure that sufficient time is available to access the property prior to the expiration of the existing LGSR.

Access to properties will be managed with the aim of ensuring properties are accessed within no more than three attempts by the nominated contractor. The procedure will allow sufficient flexibility to accommodate resident requests and circumstances. There will be instances where access is not gained within 3 attempts by the contractor, and after three failed attempts NSDC will provide the tenant a written 24-hour notice requesting access. At which point if no access is provided and following a review of all access attempts, NSDC will act which can include:

- We will write to the tenant informing them of our intention to pursue a court injunction
- Mechanically sealing the gas supply where the gas meter is accessible on completion of risk assessment.
- Application to the Magistrates Court for an injunction for access.

In all cases approval to proceed with any of the above must be obtained by the Business Manager Building Safety & Asset Investment which should only be considered once all other reasonable options have been exhausted. This request for

approval will be supported by a full chronology of all access attempts and a declaration of any known resident vulnerabilities.

Due to court waiting times for an injunction application in most cases it will not be possible to apply for and obtain an injunction application before the MOT expiry date. It is therefore likely that other actions will be taken in conjunction with the application to ensure the LGSR is completed in time, e.g., entry via Tenancy Agreement Clause 10 or mechanically sealing accessible gas meter (Prior to undertaking a mechanical seal we will conduct a risk assessment on the resident in order to identify any vulnerabilities and put appropriate measures in place). Residents will be notified in writing before any of the above actions are enacted. In extreme cases there may be a requirement to mechanically seal the gas supply when the gas meter is accessible. Details around this procedure can be seen in the following section.

5.3 Mechanically Sealing Gas Meter

Mechanically sealing the gas supply will only be used in extreme circumstances. Demonstrable evidence such as contacts from the HO, recorded phone call attempts, SMS, contacted NOK, and that NSDC have completed the Equality Assessment. These most commonly occur in the following situations:

- Access to the property has been denied by the tenant and NSDC's access procedure has been followed.
- Access is gained to a property, but the LGSR cannot be completed. The most common reason for this is that there is no or insufficient credit available to carry out the safety check. In these instances, the engineer will be required to turn off the emergency control gas valve and mechanically seal the gas supply on the Landlord's side of the meter. This is necessary to ensure that the gas installation is left in a safe condition and cannot be used until the LGSR has been completed.
- When a gas installation has been made safe because of insufficient credit NSDC will write to the tenant and request the tenant to make contact within 7 calendar days prior to their details being passed to the HO. The letter will additionally sign post the tenant to where they can receive financial advice.
- Following 7-calendar days the HO will actively contact all affected residents and offer all necessary support to assist the resident in getting the gas supply restored and the LGSR completed. Quarterly welfare checks will be made with the tenant by the HO.
- The HO will ensure details are provided explaining to the tenant the action to be taken to get the meter uncapped and will also ensure an Equality Act Assessment (EAA) is up to date and presented to the Business Manager Building Safety & Asset Investment.

In all cases where the engineer is forced to mechanically seal the gas supply this will be noted on NSDC's Housing Management System ensuring that an up-to-date record is maintained of all properties that have been mechanically sealed. Properties

living in fuel poverty will regularly be contacted to establish if their circumstances have changed. Progress updates will be provided to the Director of Housing and Wellbeing and the Directorate Business Managers regarding all properties without a valid LGSR.

Unsafe Installations

During the LGSR the engineer may identify gas appliances and/or installation which are defective. The engineer will act in line with the Gas Industry Unsafe Situations Procedure (GIUSP), either categorizing the appliance/installation as Immediately Dangerous or At Risk. Immediately Dangerous requires the gas engineer to disconnect the gas appliance from the gas supply, and the At Risk categorization requires the appliance isolated from the gas supply. In all instances the engineer will issue a Warning Notice detailing the faults and categorization and label the affected appliance with a "DO NO USE" label.

Where the appliance cannot be repaired at the time of the visit the Gas Engineer will follow the classification methodology within the GIUSP. The Gas Engineer will request permission from the responsible gas user and make the installation safe as per the GIUSP. Should the resident refuse the engineer permission to fulfil their duty of care as per the GIUSP they may be required to report the situation to the National Gas Transporter who have legal powers of entry to make the situation safe and are also able to disconnect the gas supply to the property.

Tenants Own Appliances

Under the Gas Regulations NSDC has no responsibility or obligation for the replacement, or repair of tenants' own gas appliance. However, the GIUSP's Appendix 5: Visual Risk Assessment of Gas Appliances places a duty of care on the gas safe registered engineer to visually check tenant's own gas appliance ensuring that they do not constitute a danger. Appliances classified as At Risk or Immediately Dangerous require the Gas Engineer to follow GIUSP guidance to ensure they are left in a safe condition.

Smoke, Heat and CO Alarms

NSDC will, at the same time as the undertaking of the LGSR, ensure that a check is made of any installed Smoke, Heat and Carbon Monoxide (CO) alarms. The gas engineer will test that each detector is sounding and working in line with manufacturer's instructions. The engineer will replace any hard wired existing defective alarm head and replace where applicable defective battery-operated CO alarms. If during the service there is less than 14 months remaining life on the detector it will be replaced.

Safety Checks to Non-Gas Heating Systems

NSDC have a small number of non-gas heating systems, that have no legislated safety check requirements, Landlords are guided towards carrying out certain safety and/or operational checks. These systems include Solid Fuel, Oil Fuel, Heat Pump, or electrical heating sources. Where these systems exist NSDC will arrange for these appliances to be serviced by relevant competent person holding the relevant accreditation. NSDC will only instruct competent persons holding applicable accreditations such as HETAS,

OFTEC, F-GAS, or G3 (unvented cylinders). Ensuring only persons deemed competent with the relevant accreditation will be instructed to undertake servicing and maintenance within NSDC's managed stock.

Gas Fires

NSDC aims to proactively reduce the number of open flued gas appliances within its portfolio to mitigate the possible production of Carbon Monoxide fumes within our residents' homes. As such, NSDC will remove gas fires from all void (empty) properties during the void process. NSDC will not re-line or rebuild defective chimneys where an open flued appliance is connected, and in such instances where an open flue test has failed the connected gas appliance will be removed and the builder's opening sealed. NSDC will also not permit the installation of a fuel burning fire within its properties.

Voids

The Gas engineer will test or visually inspect the boiler and carry out identifiable repairs in preparation to be relet. Upon completion of viable checks, the gas supply will be mechanically sealed, the emergency control valve dropped to the off position, and labelled accordingly as "DO NOT USE". They will also inspect the property and complete an LGSR confirming the appliance is not safe for use.

As per seasonal guidelines and to minimise the risk of damage from burst frozen pipes the mains incoming water will be isolated, and the central heating system will be drained. During the void works any gas cooker bayonet fittings will be replaced with half inch black iron plug, and any identified NSDC owned gas installation dead legs will be removed. New tenants moving in will be advised to make arrangements with an energy supplier and to then contact Your Response to arrange a "Turn on and Test", i.e., to have the gas supply turned back on and an LGSR completed. This will be carried out within 2 working days of the residents' request being made and an LGSR produced.

6. Relevant Legislation, Statutory Regulations, Approved Codes of Practice and Industry Standards

6.1 Work completed on behalf of NSDC will be carried in line with the following Legal, Statutory Regulations, Approved Codes of Practice, and Industry Standards such as the:

- The Health and Safety at Work Act 1974.
- Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended.
- The Landlord and Tenant Act 1985.
- Building Regulations Parts F, G, J, L, and P.
- Management of Health and Safety at Work Regulations 1999.
- Construction, Design and Management Regulations 2015.
- Industry standards as listed in the Normative Document List as published by Gas Safe Register (Technical Bulletin 999)

6.2 The Health & Safety Executive's Approved Code of Practice (ACOP) for the domestic gas industry is 'The Gas Safety (Installation and Use) Regulations 1998 as amended'. The ACOP provides NSDC as an Employer / Landlord guidance and practical advice on

how to avoid contravention. NSDC's Policies and Procedures require that any work undertaken does not breach the Regulations including (but not limited to) the installation, servicing, maintenance or repair of gas appliances and other gas fittings.

Reference to the following Regulations within the GSUIR:

- Regulation 3 Qualification and Supervision
- Regulation 4 Duty on Employer
- Regulation 5 Materials and workmanship
- Regulation 26 Gas appliances – safety precautions
- Regulation 29 Manufacturer's Instructions
- Regulation 30 Room-sealed appliances
- Regulation 33 Testing of Appliances
- Regulation 35 Duties of employer's and self-employed persons
- Regulation 36 Duties of Landlords
- Regulation 39 Exemption as to liability.

6.3 In addition to the aforementioned there are also a number of Approved Codes of Practice and Guidelines issued by the Health and Safety Executive, including:

- *HSE Leaflet INDG285(rev3), revised 04/18 – LANDLORDS. A Guide to Landlords' Duties: Gas Safety (Installation and Use) Regulations 1998.*
- *HSE leaflet INDG238(rev3), revised 03/09 - GAS APPLIANCES. Get Them Checked. Keep Them Safe.*
- *HSE Book - Safety in the installation and use of gas systems and appliances. Gas Safety (Installation and Use) Regulations 1998. Approved Code of Practice and guidance L56 (Fifth Edition) Published 2018.*
- *ACoP L56 - 'Safety in the installation and use of gas systems and appliances' (4th edition 2013).*

6.4 Newark and Sherwood District Council will comply with HSE Codes of Practice and Guidelines, whilst not mandatory they are good practice and set out expected levels and standards.

6.5 In the delivery of gas safety works Newark and Sherwood District Council will ensure it meets the requirements of the Home Standard 2015. The standard applies to all registered providers, including local authorities.

7. Implementation

To meet the aims that this policy sets out, Newark and Sherwood District Council will:

7.1 Maintain all Newark and Sherwood District Council owned gas appliances, flues and associated pipework in a safe condition and carry out gas safety checks on all appliances and flues in the Newark and Sherwood District Council housing stock, in accordance with the current gas safety regulations, legislation, and ACOPs.

- 7.2 Newark and Sherwood District Council will adopt the MOT approach to gas safety checks as detailed within Regulation 36A's determination of date when next safety check is due under Regulation 36(3). With the introduction of the new regulation 36A from 6 April 2018 landlords will be able to have gas safety checks carried out any time from 10 to 12 *calendar months* after the previous check but still retain the original deadline date as if the check had been carried out exactly 12 months after the previous check.
- 7.3 Annually undertake functional tests on all hard-wired smoke detectors and carbon monoxide (CO) Detectors, installed within our properties containing fixed gas appliances. These functional tests are completed at the same time as the annual gas safety check and will undertake any maintenance or replacement as required.
- 7.4 Have a procedure that defines clear, concise, convenient and well published arrangements to complete the annual gas safety check, service and any necessary repairs. This includes seeking to identify and respond appropriately to the specific needs of our tenants and ensure that every resident is aware of the importance of the annual gas safety check and service
- 7.5 Ensure that all work to gas appliances and fittings are carried out by a competent and suitably qualified engineer who is Gas Safe registered.
- 7.6 Ensure that all fixed gas appliance installations are fitted and conform to current legislation, codes of practice and manufactures instructions.
- 7.7 Employ sufficient and suitably qualified colleagues and engineers to enable us to meet our gas servicing and repairs responsibilities.
- 7.8 Ensure that all contractors employed to deliver gas servicing and the repairs and maintenance service adhere to the Council's Code of Conduct for colleagues and contractors.
- 7.9 All broken or obsolete gas fires are to be replaced with an electric fire, subject to installation feasibility.
- 7.10 On completion of the gas safety check, service or new installation, issue to the resident a copy of the landlord's gas safety record (LGSR) within 28 days and maintain a copy of the LGSR on file for at least 2 years in accordance with legislative requirements.
- 7.11 Maintain a gas property database that clearly details the property's gas servicing history, records and date next due, gas appliances installed, gas access procedure records and timescales etc.
- 7.12 Where a gas appliance or supply is installed by the tenant without our permission, Newark and Sherwood District Council will mechanically seal the gas supply until such a time the gas appliance is removed permanently.

- 7.13 Maintain a call-out service 24 hours per day, 365 days per year to all tenants and residents. Outside of normal working hours this will be for emergency repairs and/or making safe only and will be provided through our own, or an approved, call handling centre. Where this is the case, the service provider will be given clear instructions and detailed contact lists to ensure that all potential problems can be resolved with a minimum of inconvenience for the caller.
- 7.14 Comply with legislation by undertaking a Gas Safety Check every time the status of a property or its tenancy changes. This is usually when a property becomes empty (void) or when a mutual exchange takes place.
- 7.15 Undertake an initial gas safety check on all void properties and mutual exchanges to comply with relevant legislative requirements. In the case of void properties, mechanically seal the gas supply at the meter and issue a landlord gas safety certificate. Where testing in a void property cannot be carried out due to problems with obtaining either gas or electrical supply, we will carry out an air tightness test on the gas carcass, a visual safety check, mechanically seal the gas supply at the meter and issue the LGSR appropriately. On Re-letting, when we are notified that the service supply has been restored, a Turn on and test will take place and an LGSR will be issued to the new tenant.
- 7.16 Make aware the importance of gas safety to our residents ensuring that relevant information is made available upon request in audio versions, large print, audio and in other languages.
- 7.17 Have clear procedures to gain access to undertake the gas safety check.
- 7.18 In cases where access is not granted, in line with procedure, we will take the necessary action.
- 7.19 Publicise to our leaseholders the importance of making sure the gas appliances installed in their homes are checked regularly by a qualified professional.
- 7.20 Any non-compliance issue identified at an operational level will be formally reported to the Business Manager Building Safety & Asset Investment, or equivalent in the first instance and action will be taken as detailed below:
- The Business Manager Building Safety & Asset Investment, or equivalent, will agree an appropriate course of corrective action with the operational team in order to address the non-compliance issue and report details of the same to the Senior Leadership Team.
 - The Senior Leadership Team will ensure the relevant Committee are made aware of any non-compliance issue so they can consider the implications and act as appropriate.

8. Competency

8.1 Newark and Sherwood District Council will employ a suitable qualified person, Surveyor (Gas), or equivalent, who will work in consultation with a specialist Quality Assurance (QA) company. This person will be the principal person responsible for ensuring the Council's operational compliance with all relevant legislation and training as it relates to gas servicing.

8.2 This person will:

- Check all certification.
- Check contractors' competency and methods of recording competency.
- Ensure that all directly employed engineers are Gas Safe qualified.
- Ensure that the Council's Gas Safe registration is kept up to date.
- Ensure quality checks of the contractor's work are carried out and that of directly employed gas engineers and keep records of these checks.
- Ensure that any contractors working for us have a permit to work and that all risk assessments and health and safety information is provided and compliant.
- Ensure that Newark and Sherwood District Council are compliant with the Gas Safety (Installation and Use) Amendment Regulations 2018.

8.3 This policy and the procedures that support it will be subject to a range of training across Newark and Sherwood District Council. The training will be bespoke to the individuals and refresher training will be provided as appropriate.

8.4 Training will include team briefings for those employees who need to have a basic understanding and awareness of gas safety, but who may not be actively involved in the delivery of the gas safety policy. This will be basic gas safety awareness training.

8.5 On the job training will be provided for those employees who will be responsible for managing the programme of gas safety checks and repair works to gas fittings, appliances, and flues as part of their daily job.

9. Quality and Performance Monitoring

9.1 Newark and Sherwood District Council are committed to ensuring that both the performance and quality of any gas related repairs and inspections are to current standards. To ensure compliance with this we will:

- Carry out, as a minimum, a representative 5% sample of independent quality assurance checks to directly employed engineers on new installations, gas servicing, repairs and all landlords LGSR certificates to ensure that the works and certificates are completed in accordance with current legislation and codes of practice.
- Carry out, as a minimum, a representative 5% sample of independent quality assurance checks to employed contractors' engineers on new installations, gas

servicing, repairs and all landlords LGSR certificates to ensure that the works and certificates are completed in accordance with current legislation and codes of practice

- Maintain performance indicators as detailed below to monitor the delivery of the gas servicing and repairs service and report this to an appropriate committee.
 - Total Number of properties with no gas supply
 - Total Number of properties with a gas supply
 - Percentage of properties with a valid gas safety certificate
 - Number of properties Out of Compliance at each month end
 - Number of properties going Out of Compliance each month

- Carry out servicing and testing to solid fuel, oil, and LPG systems as part of the gas safety programme, using HETAS, and OFTEC qualified contractors, and report on the following to an appropriate committee:
 - Total Number of properties with Solid Fuel/Oil systems
 - Percentage of properties with a valid Solid Fuel/Oil certificate

- Survey residents' views on the service they receive; take action to remedy any problems and use the results to continually improve our policies, procedures and service.
- Provide the opportunity for tenants to be involved in the monitoring of the service.
- Effectively manage and monitor the contractors we employ to undertake gas servicing works.

10. Policy Review

10.1 Newark and Sherwood District Council will review this strategy on a three yearly basis or as required following:

- New legislation.
- Emerging best practice.
- Day to day operational issues.

11. Equality & Diversity

11.1 This Policy will be applied in a way which ensures equality of treatment for all residents without discrimination, or victimisation on account of any protected characteristic as defined within the Equality Act 2010.

In drafting this policy NSDC has had regard to its public sector equality duties under s149 of the Equality Act 2010, namely the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under the Act.

- Advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The policy pays regard to diversities around access to and delivery of any services. On request NSDC will provide translations of all its documents, policies and procedures in various languages and formats including computer disc, large print, and tape.

12. Privacy Statement

- 12.1 All information provided will be treated in compliance with the Data Protection Act 2018, the Freedom of Information Act 2000, the Privacy and Electronic Communications Regulations 2003 and other relevant legislation. We will keep your information for the minimum time necessary.
- 12.2 Newark and Sherwood District Council Ltd may wish to share the information you supply with local or national Government Departments and other organisations. If you do not wish Newark and Sherwood District Council Ltd to share your information, you should decline to provide the personal information requested. We will only share your information with other organisations if we are required to by law. We will not use your information for marketing purposes without your consent. Your personal data will be stored securely.
- 12.3 Your rights under **General Data Protection Regulations** will be respected when we access information held about you.
- 12.4 If you require any further information, please contact Newark and Sherwood District Council on 01636 650000.