

Governance and Business Resilience –
Health and Safety Policy

Gas and Heating Safety Management Policy

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North Kesteven
DISTRICT COUNCIL

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Policy Statement

North Kesteven District Council firmly believes that the health, safety and wellbeing of all those who may be affected by its activities is of paramount importance.

The Council, through its Corporate Management Team, Heads of Service, Unit Managers and Elected Members, in consultation with the Unions will ensure that its activities in relation to Gas & Heating Safety Management are conducted in a manner which identifies and controls foreseeable risks in accordance with current legislation, recognised guidance and best practice.

In order to achieve excellence in delivering the Gas & Heating Safety Management Policy the Council has the following objectives;

- To provide sufficient resources necessary to establish, maintain and develop comprehensive health and safety practices, competencies, safe places of work, safe living accommodation and social facilities, inclusive of safe equipment and safe methods in relation Gas & Heating Safety Management, Risk Assessment and Gas & Heating Safety Awareness.
- To ensure Gas & Heating safety related hazards are identified and the associated risks assessed, managed in a sensible way and reviewed as necessary, providing those affected with appropriate information, training, instruction or supervision.
- To comply with the requirements of current health and safety legislation and implement procedures to ensure a safe and healthy working environment with commitment to the prevention of injury and ill health.
- To maintain appropriate health and safety management systems and arrangements and to annually review the effectiveness of these arrangements striving for continuous improvement.

North Kesteven District Council, its Directors and Elected Members give full backing to this policy and support all those who take action to implement it.



Ian Fytche
Chief Executive

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Terms and Abbreviations A range of terms and abbreviations relating to gas safety are used throughout this document.

Term and/or Abbreviation	Meaning
ACS	The Nationally Accredited Certification Scheme for Individual Gas Fitting Operatives.
Approved Class of Persons	Term used in the Regulations. The HSE state that gas related work can only be carried out by persons who are members of, or are employees of members of the “approved class of persons”. ‘Gas Safe’ is the current registration body for gas safety.
Cadent	This is the primary Public Gas Transporter (PGT) and Gas Emergency Service Provider (ESP) in the UK. It is normal practice for Cadent to attend reported emergencies. As a PGT Cadent has the right to enter a property to make a situation safe, where there is an actual or suspected escape of gas and also products of combustion.
Construction, Design and Management Regulations 2015	The Regulations set out the roles and responsibilities in the management of construction projects. These Regulations are intended to focus planning and management throughout construction projects, from design concept onwards.
Client	This is the business that commissions the works under the CDM Regulations. For the purposes of these works the Client is North Kesteven District Council.
Competence	The Regulations require persons carrying out gas related works to be “competent”, to ensure they are able to undertake the work in a safe manner. To satisfy this requirement they must possess a current and suitable qualification, and have relevant knowledge, experience and skill.
Contractor	Term generally used to describe an organisation commissioned to undertake works.
CP6	A standard GAS SAFE pro forma. It is a “Service / Maintenance” checklist document.
CP12 (LSR)	A standard GAS SAFE pro forma. This is used to record the Landlord’s Safety Check and is often called the Landlord’s Safety Certificate. All external contractors undertaking work for NKDC must use this pro forma. The Health and Safety Regulatory Compliance Support Officer will only accept other forms if they are approved in advance of a contract commencing.

CP14	This is a standard GAS SAFE “Warning Notice”. It is issued to, and signed by, tenants as a record that they should not use the appliance.
WL1 or TG3	These are standard GAS SAFE “Do not use” labels. They are affixed to appliances that should not be used.
Designers	The role of Designers is specifically mentioned in the CDM regulations. Under the regulations Designers are obliged to give consideration to safety in the construction, use, maintenance and demolition of the project when they prepare designs or specifications.
The Property Services Manager	The NKDC employee with overall responsibility for the administration of gas safety management within the contract.
The Health & Safety Executive. (HSE)	This is the government body principally responsible for the enforcement of health and safety legislation. They are responsible for enforcing the current Gas Safety (Installation and Use) Regulations 1998.
Supervising Officer	This is the NKDC employee with responsibility for the administration of gas safety management. The Contracts and Commissioning Manager will undertake this role.
RIDDOR	Report of Injury, Disease and Dangerous Occurrences Register used to inform HSE of serious incidents / accidents for consideration of investigation by that body
Principal Designer CDM 2015	The Principal Designer works with the Client to help them meet their duties under the CDM regulations. They have a range of duties under the regulations including: planning, managing and monitoring the pre-construction phase and coordinating matters relating to H&S during this phase.
Principal Contractor	This is the title used for main contractor under the CDM regulations. The Principal Contractor is responsible for the construction phase of the development.
The Gas Industry Unsafe Situations Procedure	This is guidance is aimed primarily at registered installers, however, NKDC employees involved in the administration of gas related work also need to have an understanding. It provides industry guidance and definitions for the various categories of unsafe situations and also details the procedures to be used when these situations are dealt with.

1.0 Introduction

The purpose of this policy is to document the Councils approach to managing Gas and Heating Safety systems in domestic and non-domestic settings. The Council is committed to ensuring those who fall within the scope of the Gas and Heating Safety Management Policy will be aware of hazards associated with its use and processes to follow to ensure Gas and Heating Safety is robustly managed.

The Policy should be read in conjunction with the Gas Safety Procedures utilised by North Kesteven District Council (NKDC) in the Management of Gas and Heating Safety.

Shortcomings in Gas and Heating Safety Management can be extremely serious potentially leading to serious injury, death and loss of property. Where an incident occurs action is taken by the Health and Safety Executive (HSE). Successful prosecutions can lead to individuals receiving significant fines or custodial sentences.

The intention of this document and associated procedures is to:

- Make clear the Councils acceptance of its duties with regard to the management of Gas and Heating Safety
- Confirm the approach the Council will utilise so as to ensure its duties are effectively discharged
- Confirm the standards the Council requires of all parties undertaking work on its behalf
- Confirm how the Council will monitor those parties operating on its behalf, and their work, in order to ensure it fulfil its duty so far as is reasonably practicable to do so.
- Ensure that the Councils Gas and Heating Management Policy ensures the safety and compliance of all heating systems throughout any future transition to Low Carbon heating.

2.0 Scope

This policy and accompanying procedures cover maintenance of gas and heating systems in domestic and non-domestic premises where the authority, North Kesteven District Council (NKDC), has landlord responsibility either as building owners or through terms of lease. It also covers any buildings owned by Lafford Homes managed by North Kesteven District Council.

3.0 Legislation

NKDC as an employer must abide by statute and regulations pertaining to Health, Safety and Welfare in the discharge of its functions. This duty exists to protect its employees, contractors, visitors, residents and the public at large from risk posed to their Health, Safety or Welfare.

- NKDC are fully aware of their duties under the **Health and Safety at Work etc. Act 1974, particularly Section 2(1) and Section 3(1)**
- **Gas Safety (Installation and Use) Regulations 1998/ACoPL56**

The regulations are supported by their own Approved Code of Practice (ACoP) L56 – Safety in the Installation and Use of Gas Systems and Appliances. The essential elements are described below.

- **Installation** - Installations, appliances and flues shall be installed in such a manner that they will be safe in use.
- **Preventative / Reactive Maintenance** – Required to avoid the risk of injury to any person in lawful occupation. All installations, appliances and flues shall be maintained in a safe condition. Landlords have the same responsibility for leased property, and it also applies to employers or the self-employed where work places are under their control.
- **Annual Safety Check and LSR** - In rented property, all gas appliances and flues shall have an annual safety check. Annual checks shall be no greater than 12 months apart. The tenant or responsible occupier must be provided with a Landlord's Certificate (LSR) detailing the results of the check. The LSR must be issued within 28 days of the completion of the check.
- **Approved Class of Persons** - Landlords shall ensure that all work carried out for them is undertaken by a member, or an employee of a member of the HSE's "approved class of persons".

Important: "Shall" refers to an absolute duty regardless of cost, time, and technical difficulty to comply.

Common Law

The Council also has a general duty of care in common law to its tenants, service users, and persons buying any of its properties. The Council must therefore have management systems and practices in place to adequately address all foreseeable risks. Management in accordance with the Gas Safety Regulations is demonstrable evidence of such.

4.0 Covid 19

The Council will ensure the risks associated with Covid 19 are considered and reduced to the lowest level practicable and the necessary control measures communicated to all relevant persons.

Contractors who conduct work on behalf of the Council or undertake any activity as required by this policy must ensure the risk associated with Covid 19 are managed and reduced to the lowest level practicable.

5.0 Risks Associated with Gas

The key risks associated with gas are:

Explosions or Fires from Gas Leaks / Escapes

Gas explosion can cause serious injury, multiple fatality and extensive damage to property. Severe fires can result from gas leaks and also lead to injury, death and loss of property and can be difficult for emergency services to manage.

Poisoning from Carbon Monoxide

Carbon monoxide gas is odourless, colourless and tasteless making it undetectable in the absence of specialised equipment. The consequences of poisoning depend on exposure but can range from fatigue, dizziness and headaches to suffocation and death. Individuals suffering from carbon monoxide poisoning are not usually aware that it is taking place.

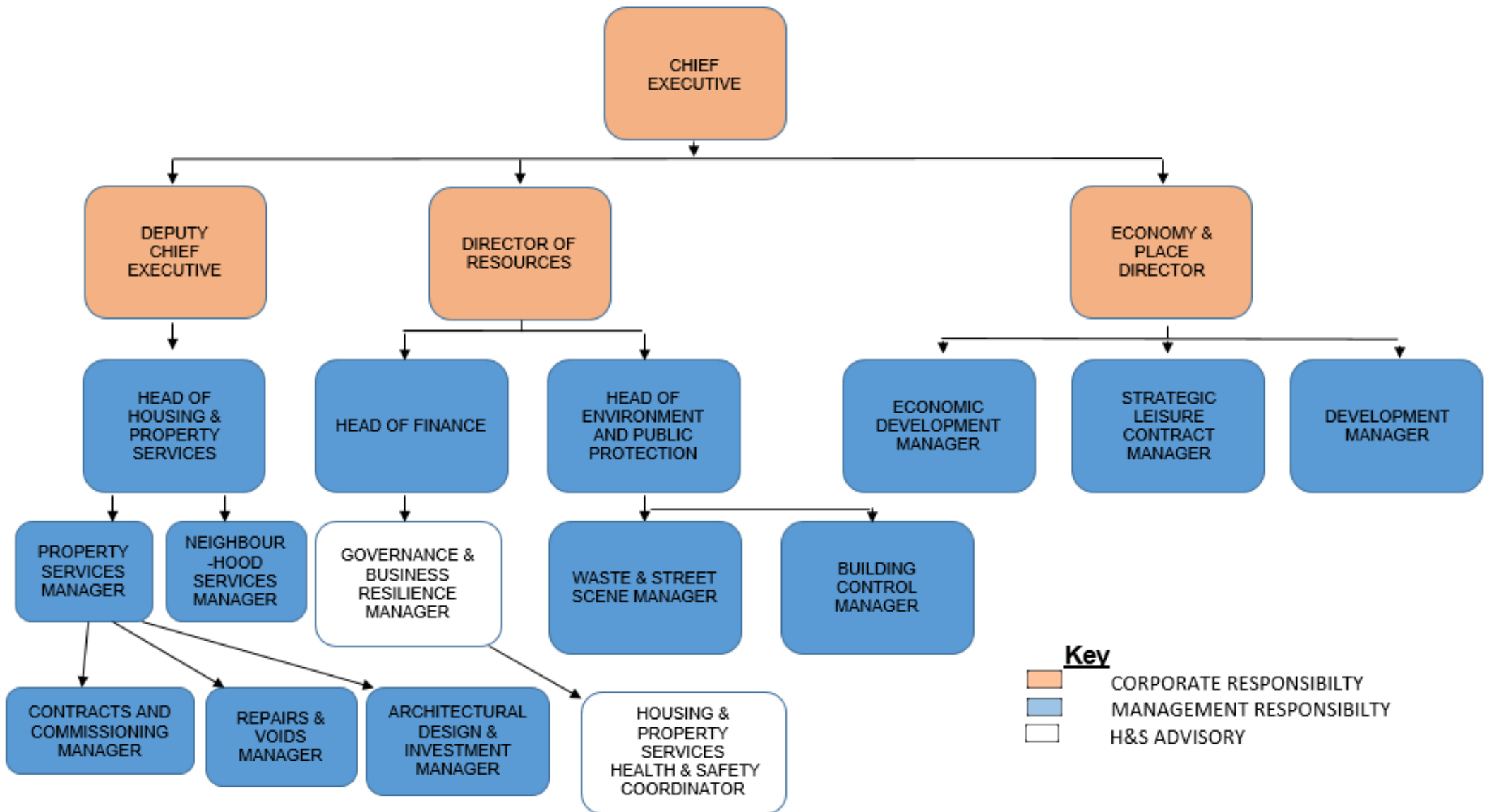
Carbon monoxide gas is a by-product of the combustion process of gas, solid fuel, wood and oil when burned with insufficient oxygen. It combines with haemoglobin and displaces oxygen in the blood. This results in the brain and other tissue being starved of oxygen. Even in low doses carbon monoxide is poisonous.

6.0 Competent Persons

North Kesteven District Council recognise the limitations placed upon them in the safe management of gas systems and appliances and therefore will ensure specialised tasks are reserved for competent persons only. North Kesteven District Council will:

- Appoint a competent contractor to ensure installations, appliances and flues are installed and maintained in such a manner that they will be safe.
- Appoint a competent contractor to conduct an Annual Safety Check for commercial premises and Landlords Safety Check (LSR) for rented domestic premises.
- Only appoint contractors to work on or with gas appliances, installations and flues who are a member or employee of the HSE's "approved class of persons" (Currently Gas Safe)
- Ensure letting agents acting on the Councils behalf implement all of the requirements of current legislation addressing gas and heating system risks.
- Ensure suitable emergency procedures are in place and that these procedures are routinely tested for effectiveness
- Promote awareness of the hazards associated with gas and other heating appliances to all staff within the Council through development of this policy and gas safety procedures, induction and periodic training as appropriate to their job
- Ensure leisure contractors operating on the Councils behalf demonstrate an effective policy for the management of risk associated with Gas Safety.
- Allocate sufficient resources to ensure the effective management and control of gas and other heating fuels and systems.

7.0 Management Control – Policy Organisation



8.0 Arrangements

Chief Executive

The Chief Executive will have ultimate ownership of this policy and the arrangements described within. The delegation of responsibility can be made to Deputy Chief Executive or Director of Resources in the absence of the Chief Executive either through leave or other absence.

Corporate Directors

The Deputy Chief Executive or Director of Resources will take ownership of the Policy and the arrangements described within in the absence of the Chief Executive either through leave or other absence.

Heads of Services

The Heads of Service will:

- Ensure adequate resources are made available to ensure the effective implementation of this policy and procedures and the duties described within to reduce risks presented by gas or heating systems within North Kesteven District Council managed premises.
- Ensure that all Responsible Persons retain and communicate the results of inspections and where appropriate remedial actions identified.
- Ensure that preventative maintenance and repair are brought to a satisfactory conclusion by liaison with the Property Services Manager, Commissioning and Contract Manager, Architectural Design and Investment Manager, Repairs Manager, Property Officer, Corporate Governance & Business Resilience Manager, Housing Health and Safety Coordinator and any other relevant post in a timely way.
- Delegate responsibility to appropriately trained and competent staff as necessary.
- Monitor the implementation of the policy and procedures.
- Ensure adequate records are maintained in relation to compliance with Landlord Duties and regulatory compliance.

Property Services Manager will:

- Ensure the effective implementation of the policy and procedures including ensuring adequate resources and planning.
- Ensure that actions arising from monitoring and inspections are recorded and brought to a satisfactory conclusion.
- Only use competent contractors for work instructed by North Kesteven District Council.
- Identify any training needs within their department relating to the policy and procedures and ensure these are met.
- Attend any training required

Architectural Design and Investment Manager, Repairs and Voids Manager and Contract and Commissioning Manager will:

- Take all steps to ensure the effective implementation of this policy and the procedures to ensure gas and heating safety arrangements are effective and managed accordingly.
- Successfully conclude any actions allocated to them either by direct intervention or appropriate instruction / delegation.
- Identify any training needs within their department relating to the policy and ensure these are met.
- Attend any training required
- Attend the Gas and Heating Health and Safety Working Group.
- Ensure monitoring and auditing takes place as detailed in Section 10 of this policy and any non conformities are actioned in a timely way.

Governance and Business Resilience Manager and Housing and Property Health & Safety Coordinator will:

- Monitor the implementation of this policy and accompanying procedures with other interested parties including but not limited to the Property Services Manager and members of the Asset Management Group.
- Provide advice and support to ensure effective policy implementation, gas safety management and contractor control arrangements.
- Lead in the policy review at least every two years, annually or sooner if circumstances require it.
- Facilitate and attend the Gas and Heating Safety Working Group.

Property Officer and Facilities Officer will:

- Continually monitor property under their responsibility and organise repair work or regulatory testing, service and inspection as required in the policy.
- Liaise with the Housing and Property Health and Safety Coordinator on matters of concern
- Assist in keeping records of inspections
- Instruct rectification works as the role requires.
- Attend the Gas and Heating Health and Safety Working Group

Neighbourhood Services Manager will:

- Ensure resources are available to assist with the communication of safety and inspection information to council residents.
- Liaise with the Contract and Commissioning Manager to ensure access issues are communicated and recorded as appropriate.
- Where appropriate take all legal action necessary to ensure access to premises in accordance with this policy.
- Attend the Gas and Heating Health and Safety Working Group

Health and Safety Regulatory Compliance Support Officer will

- Ensure records are kept in relation to servicing and LSR compliance
- Ensure records are compatible with those held by the Gas Contractor
- Manage the Gas Safety records
- Carry out all duties as denoted in procedural document GSP 8 in the Gas Safe Procedures.
- Attend the Gas and Heating Health and Safety Working Group

Building Responsible Managers – NKDC Premises will

- Ensure that gas and heating assets under their responsibility are monitored at least annually and any concerns identified and recorded.
- Ensure that any actions identified through inspection are concluded in a timely manner
- Communicate any matters of concern to the Property Services Manager, Property Officer and/or the Housing and Property Health and Safety Coordinator.

Leisure Contracts Manager – Arts & Leisure will

- Appoint competent contractors to manage the Council's Leisure service.
- Obtain assurance that suitable arrangements are in place which allow for full legal compliance, report incidents and attend the Gas & Heating Health and Safety Working Group.

Economic Development Manager will

- Ensure competent Managing Agents are appointed
- Obtain assurance that suitable arrangements are in place, which allow for full legal compliance, report incidents and attend the Gas and Heating Health and Safety Working Group.

9.0 Gas Safety Management Responsibilities

Refurbishment & Development Works – The Council has a legal obligation to ensure that, so far as reasonably practicable, when refurbishment and development works are undertaken the work and subsequent completed refurbishment poses no risk to the occupants or others working or visiting premises.

Construction Design and Management Regulations 2015 - NKDC is the de facto principal designer for all projects, unless delegated to a contractor through the procurement process.

NKDC instruct a competent contractor to carry out works on its behalf. Project works falling under Construction (Design and Management) Regulations 2015 (CDM Regulations). NKDC is the “Client” and is assisted by a “CDM Advisor. NKDC and the CDM Advisor will ensure all pre-construction information (including asbestos and services) is passed to any designers and contractors. The main contractor is the “Principal Contractor”.

Responsibility for safety related aspects during the works falls to the Principal Contractor. The Council has a responsibility to the tenants of the property when it is eventually let / relet.

Maintenance & Upgrade Works

The Council as Building Owner and a Landlord is required to ensure that its installations, appliances and flues are maintained in a safe condition. The organisation commissions regular and routine servicing including as necessary, any required repairs and upgrades, in order to meet this obligation. This work is undertaken by an external contractor as part of an established partnering arrangement.

Landlord’s Duty

Under the regulations Landlords have a duty to ensure that each appliance and flue has an annual safety check. Checks must be completed at no more than 12 month intervals. Landlords must also ensure that the task is carried out by competent persons. To satisfy the regulations these must be members of, or employees of members of, the “approved class of persons” (See Terms and Abbreviations). Nominated staff, who deal with maintenance activities (Property Services), are responsible for managing this duty. Where it is deemed necessary the frequency of safety checks may be increased, for example, larger installations at former sheltered housing schemes.

Note - Directly Employed Staff

NKDC does not directly employ any qualified approved trades persons as part of its workforce to undertake gas related work in support of external contractors. NKDC has no persons in its workforce who hold valid ACS qualifications.

10.0 Gas Safe Registration / Contractor Competence, Maintenance and Servicing, and the “Landlord’s Safety Check”

The Contracts & Commissioning Manager shall contact Gas Safe Registration Enquiries to confirm that the prospective organisation has a valid registration, and that they, or their employees competence is appropriate for the intended work, prior to awarding or instructing any work.

Building Manager or Responsible Person - shall ensure that operatives used within the remit of non-domestic stock for maintenance, service and upgrading have been registered as Gas Safe Operatives prior to the commencement of works and that their employees competence is appropriate for the intended work.

Architectural Design and Investment Manager Duty - New build or refurbishment work or planned capital programme works – Work initiated by The Councils Design Team will fall under the CDM Regulations.

The Principal Contractor has responsibility for co-ordinating the activities of all contractors and sub-contractors to ensure compliance with relevant health and safety legislation and the Pre-Construction Information and Construction Phase Plan.

The Council requires the Principal Contractor to undertake the following in order to meet this requirement:

- Use Cadent plc, or their nominated contractors to carry out the works and certify the termination, where it is necessary to discontinue existing supplies,
- Check that Gas Safe registration is held by all Contractors undertaking any gas related works,
- Submit appropriate written certification to the Council prior to hand over. This shall confirm compliance with the Gas Safety Regulations.

The Architectural Design and Investment Manager will check the list of operatives involved in Gas Installation work at the pre contract stage to ensure they have Gas Safe Registration. Throughout the duration of the project operatives on site will be checked against the agreed list of Gas Safe Personnel which will be established via Contracts Management meetings.

Gas Installation, Servicing and Repair Contractors

Gas Safe registration must be held by all organisations undertaking gas installation, including any self-employed workers.

Auditing of Contractors Servicing and Installation Works

An independent auditor will be used to audit 10% of works relating to Servicing, Installation, New Builds and Refurbishments. Records will be kept in relation to findings and discussed at Contract Management Meetings. Serious oversights or breaches in safety procedures or regulatory compliance will result in action being taken against the Gas Contractor by NKDC.

11.0 Faulty Appliances where alternative heating is required

The Contract requires the Gas Contractor to attend and repair the Councils domestic gas and heating appliances when faults occur as detailed in the accompanying procedures.

Special arrangements are included for dealing with faulty appliances resulting in no heating and/or hot water between the months of October and March. Alternative heating must be offered under the terms of contract by the Heating Service and Repair Contractor. In addition the contractor will update the joint database to inform the Repairs Manager that alternative heating has been left at a premises as detailed in the accompanying procedure.

12.0 Computer Records

Accurate and up to date computer records are essential to the effective delivery of all gas servicing programmes. Information held on the systems operated by NKDC and the Gas Contractor should tally

- 1. Property Access Spreadsheet – Shared with Contractor**
- 2. NKDC Servicing Record Live Protected – NKDC only**
- 3. NK OneServe IT system - Shared with the Contractor**

Future work is determined by the information held on the OneServe IT System which is shared by NK and the contractor.

Data is kept on the NKDC Servicing Record Live Protected held by the Health and Safety Regulatory Compliance Support Officer as follows:

- 1. Completion date for the previous year**
- 2. Address of property to be serviced**
- 3. Completion date this year**
- 4. Target date for this year**
- 5. LGSR number**
- 6. New boiler installations**
- 7. Properties where gas supply capped off**
- 8. New Builds**
- 9. Void cap offs and reconnection**

On receipt of the Landlords Safety Record (LSR) from the Gas Contractor the date completed will be entered onto the Excel spreadsheet by NKDC (Health and Safety Regulatory Compliance Support officer) and a quarterly report will be prepared to measure the Gas Contractor's performance against target times.

13.0 Training

Gas safety awareness training will be provided for those NKDC employees involved in the management of Gas and Heating Safety. A health & safety training matrix is held by Human Resources.

14.0 Reporting and Emergency Procedures

Site specific emergency procedures for an accidental unplanned release of gas are detailed in the accompanying procedures. The policy and the procedures will be tested via the Gas and Heating Health and Safety Working Group at regular intervals, along with a table-top exercise.

15.0 Incident Investigation and Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR)

An uncontrolled release of gas should be reported to the Governance and Business Resilience Team and a response team set up to:

- Investigate cause
- Report to HSE if applicable
- Identify actions to prevent a reoccurrence
- Communicate with affected persons, CMT and others as necessary

16.0 Consultation

Executive Board Members, Members of the Corporate Management Team, Heads of Service, GMB, Unison, The Gas Health and Safety Working Group and Lafford Homes Board will be consulted and given opportunity to make comment, recommendations, inclusions or changes to the Corporate Gas and Heating Safety Policy prior to its adoption.

17.0 Communication

The Corporate Management of Gas and Heating Safety Policy and the accompanying procedures will be communicated to those who have a named responsibility in the policy. Publication of the policy will be via the intranet.

Tenants of domestic housing stock will periodically receive information about the presence and associated hazards of gas and other heating related hazards and in all cases at commencement of a tenancy as detailed in the procedures.

Tenants of non-domestic council property will periodically receive information about the presence and associated hazards of gas and other related hazards and in all cases at commencement of a tenancy.

18.0 Updating and Reviewing

This policy will be subject to a review at least every three years by the Governance and Business Resilience Team in consultation with the Gas and Heating Health and Safety Working Group and those named in the policy under section 8.

The procedures will be reviewed more regularly and updated as required.

19.0 Limitations

This policy is intended to assist with the completion and communication of the Councils' gas and heating safety arrangements and it does not supersede any statutory obligation placed on the Council.

It should be read in conjunction with the supporting procedures. Queries regarding health safety or welfare can be addressed by contacting the Governance and Business Resilience Team



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