

Policy:**Housing Gas and Heating Safety Policy****Original Implementation Date: September 2026**

Control Schedule			
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Approved By:	<i>Cabinet</i>		
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Policy Statement

1. As a landlord, Ashford Borough Council (ABC) is responsible for the maintenance and repairs to its homes and other buildings it owns and manages, many of which will contain gas installations and appliances.
2. This policy sets out how we will meet our obligations under the Gas Safety (Installation and Use) Regulations 1998 (as amended). The Regulations specifically deal with the installation, maintenance and use of gas appliances, fittings and flues in domestic properties and certain commercial premises. The regulations also place a legal duty on landlords to ensure that gas appliances, fittings and flues provided for tenants' use are safe.
3. We are also responsible for maintaining other types of heating systems to ensure that all heating appliances provided for our residents are safe. These include: oil, solid fuel, air source heat pumps, ground source heat pumps, electric, renewables, mechanical ventilation systems, unvented electrical systems and heat interface units.

Scope of the policy

4. This policy applies to housing assets that are owned and managed by Ashford Borough Council, both socially rented housing and properties used as temporary or move-on accommodation. These include domestic homes (houses and flats), communal heating systems in blocks or schemes, Independent Living Schemes and supported housing schemes and associated offices/communal spaces.
5. This policy does not cover temporary accommodation that is used by Ashford Borough Council but owned and managed by others. Gas safety and heating obligations in those buildings rest with the organisations that own and manage those buildings. It does not cover other buildings owned and managed by ABC, which are covered by our corporate Gas Safety Policy.
6. However, where another organisation is responsible for the inspection, testing, and certification of gas installations, Ashford Borough Council (ABC) will undertake appropriate due diligence to ensure compliance with relevant legislation, regulations, and standards. This will include obtaining and reviewing valid Landlord Gas Safety Reports (LGSRs) and associated certification, confirming that inspections have been carried out by competent persons, and ensuring that any identified remedial works have been completed within required timescales.
7. 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.

8. The policy should be used by all to ensure they understand the obligations placed upon the Council to maintain a safe environment for residents and employees, within the home of each resident, and within all communal areas of buildings and other properties we own and/or manage. Adherence to this policy is mandatory and it is supported by robust procedures.

Relationship with other existing policies

9. This policy should be read alongside our corporate Gas Safety Policy and Procedures and the Housing Gas Safety Procedure and Housing No Access Procedure.
10. This policy forms part of our wider organisational commitment to driving a positive health and safety culture amongst staff, contractors and for our tenants (as detailed within our corporate Health and Safety Policy).

Legal Framework

11. This policy ensures we fulfil our statutory and regulatory obligations under the following principal legislation and regulations:
 - The Gas Safety (Installation and Use) Regulations 1998 (as amended), (“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
 - Safety and Quality Consumer Standard 2024
12. The principal approved codes of practice applicable to this policy are as follows:
 - ACoP L56 - ‘Safety in the installation and use of gas systems and appliances’ (5th edition 2018)
 - INDG285 - ‘A guide to landlords’ duties: Gas Safety (Installation and Use) Regulations 1998 as amended Approved Code of Practice and Guidance (3rd Edition 2018)
13. This policy also operates within the context of the following legislation:
 - Health and Safety at Work etc. Act 1974
 - Landlord and Tenant Act 1985
 - The Workplace (Health, Safety and Welfare) Regulations 1992
 - Health and Safety (Safety Signs and Signals) Regulations 1996
 - Pipelines Safety Regulations 1996
 - Provision and Use of Work Equipment Regulations 1998
 - Pressure Equipment Regulations 1999
 - The Management of Health and Safety at Work Regulations 1999
 - Dangerous Substances and Explosive Atmospheres Regulations 2002
 - Pressure Systems Safety Regulations 2000

- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Heat Network Regulations 2014
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Homes (Fitness for Human Habitation) Act 2018
- Gas Safety (Management) Regulations 2023 (as amended)
- The Building Regulations in England and Wales

Key Roles and Responsibilities

14. The Chief Executive has overall responsibility for gas safety management within Ashford Borough Council.
15. The Assistant Director of Housing has overall strategic responsibility for gas safety in relation to our housing assets.
16. The Head of Housing Assets is the operational lead for gas safety and compliance in relation to our housing assets.
17. The Compliance Manager is responsible for the operational delivery of this policy.
18. The Heating Services Manager is the appointed competent person for gas safety in relation to our housing assets.

Obligations

19. The Gas Safety Regulations impose duties on landlords to protect residents in their homes. The main landlord duties are set out in Regulation 36.
20. As a landlord the Council must:
 - Ensure gas fittings and flues are maintained in a safe condition.
 - Ensure the annual safety check is carried out on each gas appliance and flue within 12 months of installation and at 12 monthly intervals thereafter.
 - Ensure the gas safety check is carried out within 12 months of the previous safety check.
 - Have all installation, maintenance and safety checks carried out by a Gas Safe registered business with qualified gas safe registered engineers.
 - Keep a record of each gas safety check for at least two years.
 - Issue a copy of the latest gas safety check record to existing tenants within 28 days of the check being completed, or to any new tenant when they move in.
21. We must also 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.

Statement of Intent

22. We acknowledge and accept our responsibilities under the Gas Safety Regulations as outlined above.
23. We will carry out an annual gas/heating safety check (Landlord Gas Safety Record or LGSR) to all our properties, irrespective of whether the property has a gas supply or not, including checking whether a disconnected property has been reconnected to the gas supply by the resident.
24. We will carry out 6 monthly welfare checks with residents who live in properties where the gas supply is disconnected and/or the meter is capped.
25. We will cap off gas supplies to all properties when the property becomes void, and a new resident is not moving in immediately after.
26. We will cap off gas supplies to all new build properties at handover if the new tenancy is not commencing immediately at the point of handover.
27. We will obtain a gas safety certificate upon completion of any new gas appliance installation.
28. We will obtain a new gas safety certificate 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.
29. We will provide copy of the LGSR to the resident with 28 days of the check being carried out and to new residents before they move into a property, either a newbuild, relet property or via mutual exchange.
30. 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.
31. We will follow our No Access Procedure if there is difficulty gaining access to a property to carry out the gas/heating safety check or remediation works. We will use the remedies available within the terms of the tenancy agreement, lease, or license to gain access to carry out gas safety checks, which includes controlled access to a property.
32. 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 System and Part L Conservation of Fuel and Power.

- 33. We comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) for all maintenance works.
- 34. 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.

Inspection Programmes

Domestic properties

- 35. We will carry out a programme of annual gas safety checks to all domestic properties we own and manage. The aim is to complete an inspection within 12 months from the date of the previous LGSR/certificate.
- 36. We will carry out annual safety checks to properties with air source heat pumps/oil/solid fuel/electrical/renewable/mechanical ventilation/unvented electrical/heat interface units heating systems.
- 37. To support with compliant gas safety management and resident safety the Council commences its servicing programme 2 months prior to expiration of the LGSR.
- 38. It is a term of the tenancy agreement that residents must allow us access to carry out gas safety checks.

Communal blocks

- 39. We will carry out a programme of annual gas safety checks and services to all communal blocks where we have the legal obligation to do so. The aim is to complete an inspection within 12 months from the date of the previous LGSR/certificate.

Follow-up work

- 40. We will ensure there is a robust process in place for managing any required follow-up works following the completion of a gas/heating safety check (where the work cannot be completed at the time of the check).

Competent Persons

- 41. The Heating Services Manager will be Gas Safe Registered.
- 42. All contractors 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).
- 43. Only suitably competent Gas Safe accredited contractors will undertake works to gas/LPG fittings, appliances, and flues.

- 44. Only suitably competent Oil Firing Technical Association (OFTEC) and/or HETAS accredited contractors will undertake works to oil fired and solid fuel fittings, appliances, and flues.
- 45. Only individuals/organisations with a Microgeneration Certification Scheme accreditation (MCS) will undertake works on air source heat pumps.
- 46. Only suitably competent Gas Safe registered and NICEIC (or equivalent) third party technical auditors will undertake quality assurance checks.
- 47. All contractor checks will be undertaken during the procurement process.

Non-Compliance/Escalation

- 48. Our definition of 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.
- 49. Any non-compliance issue identified at an operational level will be formally reported to the Head of Housing Assets in the first instance, who will agree an appropriate course of corrective action with the Assistant Director of Housing. Issues should be reported within 24 hours of the issue being known.
- 50. In cases of serious non-compliance, the Chief Executive 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. In such instances, the issue will also be reported to the appropriate Member Committee.

Data and Records

- 51. We will maintain a core asset register of all properties we own or manage setting out which properties have gas and therefore require an LGSR and which require servicing for other heating types.
- 52. We will hold gas/heating inspection dates and inspection records against each property we own or manage. We will provide a copy of the gas certification to the tenant upon completion of the gas safety check within 28 days.
- 53. We will operate a robust process to manage all changes to our assets, including property acquisitions and disposals, to ensure that properties are not omitted from gas and other heating safety programmes and the programme remains up to date.
- 54. We will keep all gas and heating safety records and data for the duration that we own and manage the property/in line with our document retention policy and will have robust processes and controls in place to maintain appropriate levels of security for all gas and other heating safety related data.

Performance Reporting

55. We will report robust key performance indicator (KPI) measures for gas and other heating safety and compliance. These will be collected monthly and quarterly and reported internally and externally and as required by the Regulator of Social Housing.

Quality Assurance

56. We will ensure there is an annual programme of third-party quality assurance audits of gas/heating safety checks/gas appliance services. Additionally, a quality assurance audit will also be undertaken on produced LGSR certification.

Resident Engagement

57. We consider good communication, feedback and consultation essential in the effective delivery of gas and heating safety programmes and services. We will work in collaboration with our involved residents to use a variety of ways to communicate clearly and transparently with our residents to understand performance and involve them to help shape services around compliance. This will support tenants in their understanding of gas safety, advise them of how they can keep themselves and other tenants safe, and encourage them to report any gas or heating safety concerns.
58. We seek residents' views through a resident satisfaction survey following a gas or heating safety check or repair works.

Vulnerabilities

59. We will ensure that we take resident vulnerabilities into account when carrying out gas safety and other heating system checks, and gas and other heating related works.
60. We will work with and support vulnerable residents to ensure that we are able to secure access to their homes to carry out essential gas safety checks and works.

Equalities Impact Assessment

61. We are committed to welcoming and valuing diversity, promoting equality of opportunity and tackling unlawful discrimination in accordance with the Equality Act 2010. We, in delivering this policy, will have regard to the Public Sector Equality Duty and ensure that no individual is discriminated against based on their sex, sexual orientation, marital status, pregnancy and maternity, gender reassignment, race, religion, belief, disability or age.
62. The Public Sector Equality Duty is a duty on us and that responsibility cannot be delegated to a contractor/service provider and is a continuing duty.

63. An Equality Impact Assessment has been undertaken to assess the impact this policy will have on affected persons with protected characteristics. The review concluded that there were no known adverse impacts on any persons with protected characteristics.

Review of Policy

64. This policy will be updated every three years or sooner in the event of any major legislative or operational changes.