# Gas safety policy

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## 1. Scope

This policy outlines Ealing Council’s approach to gas safety and applies to all housing stock owned or managed by Ealing Council. This policy also covers those homes managed by South Acton Community Builders Co-operative (SCBC) that contain gas appliances supplied by the council.

This policy applies to all properties where Ealing Council have a responsibility for gas safety, and any heating appliance that could produce carbon monoxide.

This policy also incorporates items such as boilers, fires, flues (concealed and exposed), chimneys and associated pipework.

All references to Ealing Council within this document refer to the council’s function as a landlord of residential property.

## 2. Aims and objectives

The aim of this policy is to show how we will keep our customers safe by ensuring we meet our legal and regulatory requirements for undertaking landlord gas safety checks as set out by the Gas Safety (Installation and Use) Regulations 1998 (as amended). All landlords have a legal responsibility to comply with these regulations, which are enforced by the Health and Safety Executive (HSE).

We will conform to all relevant legal obligations and regulatory requirements on gas safety in any home where we are the landlord with responsibility for gas safety.

We will ensure compliance with the law and regulations by having comprehensive gas safety procedures. We will be flexible (while remaining compliant) where we need to meet the specific needs of customers to keep them safe.

We will ensure arrangements are in place so that all homes where we have gas safety obligations have an annual gas safety check.

We will issue a copy of the latest gas safety check record to existing tenants within 14 days, or to any new tenant at sign up.

We will display a copy of the latest gas safety certificate in a common area of a building where the gas appliance serves a communal heating system to multiple homes.

We will undertake gas repairs in line with our repairs policy.

## 3. Policy statement

Ealing Council is committed to the provision of safe housing for its tenants and leaseholders. It is the council’s duty to comply with all relevant statutory and regulatory provisions and have a relevant policy that comprehensively deals with the subject of gas safety from a landlord perspective.

The main duties as a landlord are set out in Regulation 36 requiring landlords to:

* ensure gas fittings and flues are maintained in a safe condition. Gas appliances should be serviced in accordance with the manufacturer’s instructions
* ensure the annual safety check is carried out on each gas appliance and flue within 12 months of the previous safety check
* have all installation, maintenance and safety checks carried out by a gas safe registered engineer
* keep a record of each safety check for at least 2 years
* issue a copy of the latest safety check record to existing tenants within 28 days of the check being completed, or to any new tenant when they begin their new tenancy
* display a copy of the latest safety check record in a common area of a building where the gas appliance serves a communal heating system to multiple homes

To meet these requirements, we will ensure that a specific contract is in place employing a specialist gas safe registered contractor to undertake work on the systems and appliances for which it is responsible. This will allow for servicing and associated installation works and will cover all aspects of gas repair including safety inspections.

## 4. Robust safety inspection regime on Ealing owned gas appliances

We will do everything that we can to ensure that we are aware of all instances where gas appliances, carcass (pipe work) or meters are present in our homes.

In general, residents are responsible for the safety of cookers or other tenant owned installations and appliances, however, pipe work remains our responsibility.

We are responsible for all other gas appliances that could be considered as fixtures. This includes but is not limited to, boilers, fires, water heaters, space heaters.

On inspection, if any installation is found to be defective the contractor will deal with the issue using the gas industry unsafe situations procedure (GIUSP). If they are unable to repair or replace the appliance, the gas supply to the defective appliance or installation will be terminated and relevant warning notices issued. This procedure will be followed irrespective of appliance or installation ownership.

Whenever a new gas cooker or other flueless gas appliance is installed in a multi occupancy dwelling (e.g. a block of flats or maisonette) it must have a flame supervision device (FSD). This will cut off the supply of gas to the burners in the event that the flame is extinguished unexpectedly (for example by a gust of wind).

Primarily, it is the responsibility of residents to ensure that appliances have FSDs however all Ealing Council staff must be mindful of these regulations in cases where they are visiting residents homes.

Any cooker found not to comply with the regulations will be dealt with appropriately, be reported to the domestic gas lead and the occupant(s) advised accordingly.

## 5. Gas safety

We are committed to the provision of safe housing for our tenants and leaseholders.

To minimise the risk in its residential properties the council will:

* ensure annual landlord gas safety checks are conducted at intervals of not more than 12 months by a gas safe registered contractor
* ensure that only contractors / engineers with the relevant qualifications (gas safe registered/HETAS etc.) can work on our gas, oil and solid fuel installations and appliances
* ensure where a chimney or flue is serving a heating appliance that could produce carbon monoxide (e.g., solid fuel or oil fueled fires) within a property (no matter who is the owner of the appliance), the chimney / flue is ‘fit for purpose’
* ensure a Landlord Gas Safety Record (LGSR) check is conducted at each change of tenancy and a copy of the appropriate certification issued to the incoming resident prior to occupation
* ensure that any gas appliance, pipework or flue is repaired and maintained to approved standards
* procure and manage contractors appropriately
* keep detailed computerised information (for at least 2 years) of all LGSRs and monitor performance to ensure that 100% compliance is maintained
* regularly publicise the risks associated with gas installations and appliances to residents

reconcile records with those held by the contractor on a quarterly basis

* issue residents with a copy of the LGSR within 28 days of it being completed
* post a copy of the LGSR on a communal noticeboard in a prominent position at sites where checks relate to communal systems. Include details on how to obtain individual copies if required
* provide a copy of the current LGSR to new residents, or exchanging residents
* ensure appropriate and regular gas safety awareness training is provided to all relevant staff
* employ staff to manage the contract and oversee the works
* encourage staff to be alert to the danger signs from gas appliances as part of their routine duties and visits and have a clear process for reporting concerns
* make provision for a third-party audit process that will provide reports on the performance of the gas safe contractor, and conduct sample checks of the quality of on-site work undertaken by operatives and representatives.

## 6. Resident engagement

Ealing Council will provide all residents with information on how to manage gas safety in their homes and the buildings they occupy. This is included in the tenant’s handbook.

Ealing Council will ensure that all gas safety information that is produced for residents will be first considered and approved by our engaged residents.

Under the terms of their tenancy agreement, residents have a responsibility to:

* allow access to enable the landlord gas safety check or any service or safety inspection to be undertaken
* immediately reporting any concerns with gas appliances, flues, or installation pipework, turning off gas supplies and appliances in hazardous situations and keeping them turned off until a competent person has conducted checks
* regularly test their carbon monoxide alarms and report any problems
* must not act in a way that creates a significant risk of a building safety risk materialising

In addition, leaseholders who decide to let their properties will be reminded of their landlord obligations to their tenants.

We will always work in partnership as landlord with our tenant. However, when this relationship breaks down, Ealing Council will use the legal remedies available within the terms of the tenancy and lease agreements, should any tenant refuse access to carry out essential gas safety inspections and remediation works. Where we need to ask the court for an injunction, we will always ask for this to be for the lifetime of the tenancy.

## 7. Contractor engagement

We will only use contractors registered with Gas safe (or equivalent body). Furthermore, engineers undertaking inspection, testing and certification must hold the necessary additional qualifications.

Contractors and others working in Ealing Council properties are required to demonstrate that their representatives understand how the work they undertake may impact on the gas safety. No works can begin until the method statement for the activity, has been approved by Ealing Council.

Contractors have a responsibility to identify on the Landlord Gas Safety Certificate (LGSR) any unsafe resident-owned appliances and advise the resident of any remedial actions required. Ealing Council service and maintain resident’s gas fires which are served by a flue owned by Ealing Council. Any repairs that need to be carried out or removal of the appliance due to its state of disrepair are recharged to residents. Safety checks to resident’s own gas fires are carried out in accordance with the Gas (Installation and Use) Regulations 1998 ACoP 36(2) guidance note 299.

Contractors are required to immediately report any gas related risks or concerns to their gas manager and the National Gas Emergency Service, stop ongoing works if the concern is significant or warrants immediate action.

The contractor undertakes work in accordance with the specific requirements set out in the contract.

## 8. New build

Ealing Council will ensure that all new developments will be undertaken in accordance with the requirements of the Gas Safety (Installation and Use) Regulations 1998 and Gas Safety (Management) Regulations 1994.

## 9. Monitoring, compliance, and review

The day-to-day responsibility for gas safety for the council’s housing stock is implemented in line with this policy has been delegated, via the chief executive, to the strategic director of housing and environment.

Performance against targets of key performance indicator is monitored by the senior leadership team of housing and environment namely:

* percentage of homes with a valid gas safety certificate

The performance information is shared with appropriately engaged residents.

We will regularly review and monitor the qualifications of all contractors’ employees delivering works to ensure that only appropriately trained and skilled employees are engaged on gas works to our homes.

This policy will be reviewed every 2 years, unless new legislation or good practice means it needs to be reviewed sooner.

## 10. Diversity and inclusion

Ealing Council will ensure that all gas safety information is shared with residents in a form that is easily understood.

An equality impact assessment ‘initial screening’ has been carried out which has influenced the formation of this policy and will also affect the procedure to make sure that our implementation of this policy does not have a detrimental impact on our disabled or elderly residents.

## 11. Governance

The Ealing Cabinet has overall responsibility for ensuring that this policy is implemented to ensure compliance with the law.

In practical terms, the chief executive reports to cabinet to demonstrate accountability for corporate health and safety across the council and will also ensure that property health and safety compliance management duties in its landlord function, are properly assigned and managed.

The day-to-day responsibility for gas safety for the council’s housing stock that is implemented in line with this policy has been delegated, via the chief executive, to the strategic director of housing and environment.

The gas safety management plan also identifies the roles and responsibilities of those who will undertake the day-to-day tasks on behalf of the strategic director of housing and environment.

## 12. Legal framework

There is a significant raft of legislation and regulation around gas safety in residential buildings that has developed over the years:

* Health and Safety at Work etc Act 1974, particularly Section 3: - General duties of Employers and Self-employed persons other than their employees
* Landlord and Tenant Act 1985
* The Workplace (Health, Safety & Welfare) Regulations 1992
* Gas Safety (Management) Regulations 1996
* Right to Repair Scheme (introduced 1994)
* The Gas Safety (Rights of Entry) Regulations 1996
* Gas Safety (Installation and Use) Regulations 1998
* Management of Health and Safety at Work Regulations 1999
* Housing Act 2004
* The Construction (Design and Management) Regulations 2015
* Building Safety Act 2022
* Building Regulations
* The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013

## 13. Associated policies and procedures

Voids policy

Repairs policy

Gaining access policy

Building safety policy

Leaseholder policy

Tenancy management policy

Gas safety management plan

Housing household vulnerability and reasonable adjustments policy

## 14. Implementation

Implementation of this policy is through the gas safety management plan and associated forms and flow charts.