

Gas safety - COVID-19

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Chartered
Institute of
Housing

The Gas Safety (Installation and Use) Regulations 1998 require landlords to have annual gas safety check on each appliance and flue carried out by engineers registered with the Gas Safe Register and to keep a record of each safety check. Further advice can be found on the Gas Safe Register's [website](#).

Following announcement of the most recent national lockdown, there is now a balance between ensuring people, including the vulnerable, are protected from possibly fatal risks arising from carbon monoxide exposure or gas explosion, while doing what we can to protect people from COVID-19.

Current guidance from HM Government states that work can be carried out in people's homes provided that the [GOV.UK guidance](#) on staying alert and safe social distancing is followed. There is also updated [guidance](#) for engineers and their employers regarding working in peoples' homes.

At present, the statutory obligation requiring an annual (12 month) gas safety inspection has not been removed or amended. Landlords should make every effort to abide by existing gas safety regulations, however, if they are not able to gain access to properties because the tenant does not wish to grant access because of concerns over the COVID-19, because tenants are shielding or self-isolating, it is recommended that attempts to gain access and all correspondence with tenants are documented and retained. There may also be occasions where staffing shortages amongst gas engineers, brought about by the COVID-19 crisis mean there is insufficient capacity to carry out inspections. Again, this will need to be documented and that documentation retained. This is detailed further under the compliance section of this brief.

It is important to remember that as this is an ever-changing situation, information will be updated, amended and added on a regular basis, so please keep referring back to the [Chartered Institute of Housing dedicated COVID-19 webpage](#).

England & Wales

Compliance and legal obligations

Landlords have a legal duty to repair and maintain gas pipework, flues and appliances in a safe condition, to ensure an annual gas safety check on each appliance and flue, and to keep a record of each safety check.

Landlords should not suspend all gas safety checks at this time as it will unnecessarily put tenants at increased risk, particularly as people are spending most, and in some cases all, of their time at home. Each property should be considered on a case-by-case basis, completing safety checks where tenants permit access and gas engineers are available. If you are unable to secure the services of your usual engineers, you must make reasonable attempts to obtain alternative services

If you anticipate difficulties in gaining access as the COVID-19 situation progresses, you have the flexibility to carry out annual gas safety checks two months before the deadline date. Landlords can have the annual gas

Guidance for:

- England
- Wales
- Scotland
- Northern Ireland

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safety checks at their properties carried out any time from 10 to 12 calendar months after the previous check and still retain the original deadline date as if the check had been carried out exactly 12 months after the previous check.

You are encouraged to arrange your annual gas safety checks as early as possible, as a contingency against tenants being in self-isolation for a period of 14 days (in line with current guidelines), or gas engineers being unavailable due to illness. The two-month period to carry out annual gas safety checks should provide adequate resilience in most situations.

No work should be carried out in a household which is isolating or where an individual is being shielded, unless the work is to remedy a direct risk to wellbeing or life of the household.

Current restrictions may be preventing routine and obligatory inspections. Tenant cooperation is essential for operatives who need to carry out inspections or maintenance in someone's home which is understandably being refused in the current environment.

The Regulator of Social Housing (RSH) have provided some clarification where COVID-19 restrictions prevent you from meeting some routine obligations, with assurances that they will take a proportionate regulatory approach that takes full account of the current challenging operating context.

However, it is important to remember that all reasonable steps taken to access a property for gas servicing should be recorded, including methods and outcomes of communication. [The Health & Safety Executive \(HSE\) have set out further guidance](#) on what 'reasonable steps' may look like by providing some example scenarios, including what to do if a person is shielding, or if you are experiencing a shortage of staff.

Organisations should inform the regulator as promptly as possible about material issues that relate to non-compliance or potential non-compliance with the regulatory standards focussing on health and safety, significant service delivery risks to vulnerable tenants, and financial viability.

Make sure to inform the Regulator if:

- a) either as a result of access issues, or a shortage of staff, are unable to deliver a minimum service to tenants; experience a shortage of staff which means that safe levels of staffing cannot be maintained in care, supported or vulnerable people's accommodation; or
- b) identify danger to tenants that cannot be rectified within reasonable timescales.

You can read the most recent guidance from The Ministry of Housing, Communities & Local Government (MHCLG) for landlords, tenants and local authorities [here](#).

Scotland

The [Scottish Government have acknowledged](#) that the annual gas safety regulations are reserved to the UK Government, meaning that landlords should still be making every effort to abide by existing gas safety regulations, taking a pragmatic, common-sense approach in these unprecedented times. Landlords should carefully record all reasonable steps made to deliver gas safety checks.

Scottish Government advise [following the latest guidance](#) for landlords and Gas Safe Engineers and inspectors from the Health and Safety Executive.

Northern Ireland

The Health and Safety Executive Northern Ireland (HSENI) has delivered the message from the Department for Communities that gas checks must continue where it is safe to do so.

Current government guidance concurs that work can still be carried out in people's homes where necessary, e.g. for reasons of safety, provided that the [guidance on social distancing](#) is followed. HSENI, in association with Public Health Agency, has produced useful advice and [guidance](#) for employers when employees have to self-isolate. Tenants should be contacted before gas safety checks are carried out both verbally and in writing to [ascertain if access can](#)

[be obtained](#) to carry out the gas safety check and confirm whether or not the tenant is in self-isolation.

Where an RHA has difficulty complying with the regulations, it [should contact the HESNI](#) on a case by case basis.

Stay safe - gas engineers

Gas engineers working in the homes of people who are self-isolating or shielding should follow the latest [social distancing and safety advice](#).

If you are a gas engineer carrying out essential maintenance in people's homes, you can continue work, providing that you are well and have shown no [symptoms of COVID-19](#). No work should be carried out by a tradesperson who has Coronavirus symptoms, however mild.

You should notify all clients in advance of your arrival.

On entry to the home you should wash your hands using soap and water for 20 seconds.

Always maintain a safe distance (at least 2 metres) from anybody in the household at all times, and make sure that there is good ventilation in the area where you are working, including opening the window or doors.

We will be updating this factsheet as and when more information is available. You can contact the policy team at: policy.practice@cih.org.