



CORGI Technical Services

# ESTATE MANAGEMENT - HOW SAFE IS YOURS?

BY TREVOR BATT

Estates Managers in Hospitals have a large range of responsibilities within their role and they are all very important. Delivery of an effective efficient hospital is the aim of the Manager and their team, this depends on the co-ordination of the in house staff and also, in certain instances, the use of external contractors.

Gas safety is a vital element of those responsibilities and one which can have devastating consequences if not managed properly. One positive aspect of working with gas is that there are clearly laid out Regulations and requirements that need to be met and these provide us with a framework to work within.

CORGI Technical Services are experts in the fields of gas safety and have assisted many hospitals and trusts to deliver a safe and effective gas safety regime. The regime in place will need to encompass many aspects and through this article Trevor Batt, a Technical Safety Manager with CORGI, will outline some of the basic requirements of such a structure

## YOUR RESPONSIBILITIES

The first thing to ascertain is where your responsibilities lie with regard to the work undertaken, if the site you manage includes people who are tenants (accommodation blocks, on site properties rented out etc.) then there is a specific Regulation within the Gas Safety (Installation & Use) Regulations 1998 (GSR1998) that deals with this area.

## MAINTENANCE AND SAFETY CHECKS

Regulation 36 requires that the landlord, or their managing agent, must undertake on going maintenance on gas pipework, gas appliances and their flues and annual safety checks on gas appliances and their flues. Records of the checks need to be produced and given to the tenants or displayed.

## RECORDS AND CERTIFICATES

There are certain checks under Regulation 36 that need to be recorded for the landlord gas safety record to be a valid certificate, so it is important that the right recording medium is used. Tenants need to be provided with a copy of the record within 28 days, or in certain circumstances the record may be displayed. The landlord must keep a copy of the record for at least two years and the checks have to be undertaken every 12 months at least. Any new tenant must be provided with a copy of the record before taking up residency, however you must ensure safety checks are carried out to ensure the appliances are still safe.

New appliances require a landlord gas safety record within twelve months of their installation, so ensure you obtain a commissioning certificate and Benchmark certificate when the appliance is installed.

In accommodation blocks where the appliances are not in the occupied rooms, e.g. plant room serving flats through radiators, then it would be appropriate to display the record centrally. The display must indicate that a copy is available on request and stating where the copy can be obtained from.



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## **RESPONSIBILITY OF EMPLOYERS**

If you do not have any landlord tenant relationships within your organization then there are different areas of legislation that apply. Regulation 35 of the GSR1998 deals with the responsibilities of employers to maintain gas appliances and pipework, at any place of work under their control, so that they are in safe condition and do not injure any persons. The Health and Safety at Work Act also requires that persons are not adversely affected by any work undertaken and this would also apply.

## **COMPETENCE AND COMPLIANCE**

Now that we know what the responsibilities are we need to ensure that they are complied with and this is where the Estates Manager and their team need to ensure processes and procedures are in place to facilitate safe gas work.

Firstly, we need to consider the competence of the operatives undertaking the work and this will apply equally whether they are directly employed or contracted in. All operatives working on gas need to have Accredited Certification Scheme (ACS) qualifications in the areas in which they work and be registered with Gas Safe Register to allow them to undertake the work.

If they are directly employed this will mean that you need to have in place a structure which monitors the expiry of the qualifications of the operatives, ensures they are trained in the right categories and maintains the organizations continued registration with Gas Safe Register.

The same rules apply to contract labour, although you would not be concerned with managing the process. Proof of competence and registration needs to be acquired prior to the contract start and before any new operatives were introduced. ACS qualifications last 5 years, so records need to be kept up to date, in addition to proof that Gas Safe Registration had been renewed (this is done annually).

You should have records of the Gas Safe Register certificate of the contractor as well as copies of the front and back of all the ID cards of the operatives undertaking the work. Even if a company is registered to carry out Non Domestic gas work it does not necessarily mean that all the operatives are qualified in that field, some may do domestic work only. This will be determined by their ACS qualifications and the work they are allowed to undertake will be shown on the back of their ID card.

## **YOU CAN CHECK REGISTRATION DETAILS AND CATEGORIES OF WORK ON THE GAS SAFE REGISTER WEBSITE [WWW.GASSAFEREGISTER.CO.UK](http://WWW.GASSAFEREGISTER.CO.UK)**

If you do not have copies of certificates or ID cards how could you prove that the contractor, and his operatives, were capable of undertaking the work you employed them to do?

Once the right operatives are in place, you need to ensure they are working to clear specifications so that the work undertaken complies with the requirements of relevant legislation and also satisfies your needs as a Client/employer.

## **STANDARD OPERATING PROCEDURES**

Does your direct labour team have an operations manual? Do your contractors have their own operating procedures and structures that will satisfy your requirements; you should be asking these questions to ensure that work is undertaken in a structured way and to your specification.



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## DOCUMENTATION

Documentation produced is important in all aspects of gas work. Where a landlord gas safety record is produced it is vital that all required information is included, otherwise the record could be invalid. CORGI Direct ([www.corgi-direct.com](http://www.corgi-direct.com)) supplies records that comply with the requirements of the relevant legislation, although some companies can produce their own documentation as long as this is compliant. Before the start of any contract or programme of work you should be agreeing what documentation is acceptable so that it meets your needs and requirements.

## BE PROACTIVE – STAY SAFE

All the aspects we have considered so far are pro-active measures - steps you can take to ensure gas work is done safely, legally, by the right personnel and is correctly documented.

Under the GSR1998 and the Health and Safety at Work Act there are requirements that you must ensure that work is done correctly and complies with legislation. This means that there needs to be an element of quality control applied to programmes of work.

## JOINT RESPONSIBILITY

The HSE publish a document "Use of contractors a joint responsibility" this states that "Clients must decide what they need to do to effectively manage and supervise the work of contractors. The more the impact the contractor's work could have on the health and safety of anyone likely to be affected, the greater the management and supervisory responsibilities of the client". It goes on to elaborate by saying "The level of monitoring depends upon the risks - the greater the risks, the greater the monitoring. Clients should make periodic checks on the contractor's performance to see if the work is being done as agreed."

We can see from this that it is not sufficient to appoint a contractor and then assume that all work will be done correctly. You have a responsibility to monitor the work. Quality control must be undertaken by someone who is competent, with the correct ACS and Gas Safe Registered to make the checks valid.

If you do not have the expertise in house to undertake the quality control then you should be looking to appoint outside consultants with expertise in this area. A proportion of the quality control could be undertaken by the contractor, however you should ensure the person undertaking the checks is trained in quality control and is competent to carry out this activity.

## THE IMPORTANCE OF QUALITY CONTROL

Some of the quality control that CORGI Technical Services has undertaken has revealed failings by the appointed contractor to undertake the work correctly or complete the documentation to a standard that would make it comply with the requirements of the Regulations. The most common failing of contractors is not identifying existing defects on landlord gas safety record forms, this means the landlord is not made aware of the issues and then has no opportunity to put them right, leaving them exposed.

The quality control process must be structured and should react to findings to ensure it is not just a number crunching exercise. All operatives and all appliance types need to be included in the programme at the outset to ensure all aspects are covered. From the initial sets of results risk assessments need to be made so that the programme is targeting the right areas. It may be that certain operatives are failing to complete paperwork correctly and others are not identifying defects on installations. This gives clear indications as to where the emphasis needs to be placed during the next audit period although not all of the focus should be on these areas. An overarching control level still needs to be maintained to ensure any other areas of concern are highlighted.

As performance improves in one area it may fall in another which goes to illustrate your quality control regime needs to react to these findings to be effective.

Quality control checks should also be carried out on internal staff as the requirements of the GSR1998 and Health and Safety at Work Act will also apply to their work.



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## RECORD KEEPING

Ensure that you are provided with all quality control records and they are stored for reference as they will prove invaluable when it comes to proving you have taken steps to ensure the quality of the work carried out, by your staff or, by contractors on your behalf.

If you do not have staff that are gas qualified, and many organizations do not, it is important they are trained in gas safety awareness at basic level so that they will understand the importance of the work that is being done. Part of this training should include Carbon Monoxide awareness.

Feedback that CORGI Technical Services has received from organisations where they have delivered gas safety awareness training is that small issues are flagged up earlier which stop them from developing into possible unsafe situations.

## KEEPING ON THE RIGHT SIDE OF THE LAW

Over reliance on a contractor to deliver the work, with no formal quality control programme in place has led to problems and potentially fatal gas incidents in the past. Blame in such instances is apportioned by the Court, under these circumstances you need to ensure that you have done all that is reasonably practicable to ensure the incident did not occur. This is where your control structures, proactive and reactive measures will come under close scrutiny.

You must ensure that you remain in control of the work at all times, through proactive and reactive checks you can ensure the right operatives are undertaking the work and doing it correctly.

Clearly defined documentation and effective record keeping will ensure that if problems do arise you will be able to supply evidence that shows you took reasonable steps to ensure the work was safe.

Not being technically qualified should not be a hindrance in overseeing a gas management regime as long as clear structures are in place, competent personnel are used, checks are made and documentation is clear and available.

**IF YOU WOULD LIKE ANY FURTHER INFORMATION OR GUIDANCE REGARDING GAS SAFETY OR THE CORRECT WAY TO ENSURE YOUR STAFF AND CONTRACTORS ARE AS SAFE AND EFFECTIVE AS POSSIBLE IN THIS AREA PLEASE CONTACT TREVOR BATT OF CORGI AT TBATT@TRUSTCORGI.ORG, TEL 01256 548040**