



Gas safety review: options for change

Key issues for consumers

This discussion document is issued by the Health and Safety Commission to encourage a debate about what changes should be made to the current health and safety regime for the installation and use of gas.

Responses would be welcome and should be sent to:

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to reach her no later than 4 February 2000

The Commission tries to make its consultation procedure as thorough and open as possible. Responses to this discussion document will be lodged in the Health and Safety Executive's Information Centres after the close of the discussion period, where they can be inspected by members of the public or be copied to them on payment of the appropriate fee to cover costs.

Responses to this discussion document are invited on the basis that anyone submitting them agrees to their being dealt with in this way. Responses, or parts of them, will be withheld from the Information Centres only at the express request of the person making them. In such cases a note will be put in the index to the responses identifying those who have commented and have asked that their views, or part of them, be treated as confidential.

DISCUSSION
DOCUMENT

GAS SAFETY REVIEW: OPTIONS FOR CHANGE

KEY ISSUES FOR DOMESTIC CONSUMERS

Gas Safety is an issue of interest to the 20 million domestic gas consumers in this country. Although the risk from gas in the home is quite low, every year about 40 people die unnecessarily in their own home from gas-related incidents. Even more suffer some form of injury.

We need your help to try to improve this situation, so please spend a few minutes reading this leaflet - you might help to save someone's life.

Why we need your help

The Health and Safety Executive (HSE) is currently carrying out a Review to look at whether there are ways to improve arrangements for protecting the safety of gas consumers. Although gas safety is tightly controlled at present, some changes have been suggested by interested parties (gas consumer and industry bodies) consulted by HSE - this leaflet outlines the main ideas put forward which we believe to be of interest to gas consumers and asks what you think about them.

Your answers will help us to decide whether a particular idea should be considered further in the next stage of the Review, when we aim to develop final recommendations for submission to the Health and Safety Commission (HSC) and Ministers as early as practicable in year 2000.

We would emphasize that the ideas put forward in this leaflet represent the views of people consulted so far: HSE has not reached any conclusions on their merits. Some of the suggestions made might have important implications, eg in terms of costs to the consumer and industry working practice; these would need to be carefully balanced against any safety benefits and you might wish to consider this in your reply. At this stage, HSE is not making any proposals of its own for change.

The risk

There are around 40 unnecessary deaths in the home every year from gas-related incidents: 30 of these are caused by Carbon Monoxide (CO) poisoning, many more people are injured. Such incidents usually occur because gas appliances and flues have not been properly maintained, if they have been maintained at all. Each incident causes considerable pain and distress - and often the feeling that lessons should be learnt so that others do not suffer the same fate. The regulations which regulate gas safety in the home - the Gas Safety (Installation and Use) Regulations - have in fact been tightened on several occasions over the past decade.

The level of accidental death related to gas has declined from an average level of around 50 in the late 1980s. Research indicates that, overall, the risks are low in relation to other causes of death in the home, the major killers being falls (42%), non-gas poisoning (24%), fires (14%), and choking (7%). Gas now accounts for fewer than 1% of domestic accidents.

However, the previous downward trend has levelled off in the last few years. Also statistics show that the risks can be higher for certain groups within the general population: for example the elderly, chronically sick and disabled, particularly those who may be housebound, and tenants in some (mainly private - sector) rented accommodation, including students. The Government believes that now is the right time to see what can be done to develop an effective and publicly acceptable way of improving safety levels still further.

Question C1. Do you think that more needs to be done to improve gas safety?

Information and advice on gas safety

Before we look at specific suggestions for change, we would like to know whether you feel properly informed about gas safety.

Question C2. Are you aware of the risks from the use of gas?

Question C3. Have you ever seen publicity, either in newspapers or on the television, about gas safety?

Question C4. Do you think more should be done to publicise gas safety risks?

Servicing of gas appliances

Although the law currently requires gas appliances and flues to be maintained in a safe condition in workplaces and rented accommodation, it does not require this in private 'owner-occupied' property. Such occupiers are advised as a matter of good practice that all gas appliances and flues should be properly serviced/maintained and annually checked for safety.

Question C5. Do you think the law should require gas appliances and flues in private 'owner-occupied' property to be maintained in a safe condition?

Question C6. If you answered 'yes' to Question C5, who do you think should be responsible for ensuring gas appliances and flues are maintained, the gas consumer or gas supplier?

Question C7. If you believe that a gas supplier should be responsible, do you think this should apply to (a) all consumers in owner-occupied property, or (b) only those people who are at a greater risk and on a low income, eg single parent families, elderly people and the chronically sick?

Question C8. Should a gas supplier be required to refuse to supply gas where gas appliance and flues have not been properly maintained?

Question C9. Should insurance companies and building societies provide incentives for ensuring gas equipment is properly maintained through conditions of house insurance or mortgages?

Installation and service records

The current regulations require landlords to arrange for annual safety checks on gas appliances and flues provided for tenants' use in the properties they rent out. They are also required to provide their tenants with a detailed record of these checks. However, there is no requirement for installers to issue customers - whether landlords, tenants or owner-occupiers - with any record confirming that installation or servicing work has been properly and safely carried out.

Question C10. Do you think that installers should provide a certificate on completion of work confirming that it has been carried out properly and safely?

Question C11. If so, should this be required by law or simply recommended as good practice?

Question C12. Do you think that consumers should keep a record of the installation and service history of their gas equipment, including any certificates issued?

Question C13. If so, should this be required by law or simply recommended as good practice?

Question C14. Do you think that suppliers of gas to new premises should be required to obtain a certificate showing that the gas installation work has been properly completed?

Gas safety checks in house transactions

For rented accommodation, before a new tenant moves in a gas safety check has to be carried out on any appliance/flue which has been installed in the premises for one year or more. A copy of the safety check record has to be issued to the new tenant before they occupy the premises. In contrast, there are no similar requirements for providing an assurance of the safety of gas equipment in owner occupied property, when such property changes hands.

Question C15. Should the law be changed to require (a) gas equipment in owner-occupied properties to be checked for safety (b) any faulty equipment to be made safe or repaired, before the property is sold?

Question C16. If so, should this apply across the board or should there be an exemption (a) where the check has been made within a year prior to the sale of the property (b) where the property is less than five years old?

Question C17. Who do you think should be responsible for ensuring any safety check is carried out (a) the property vendor (b) the estate agent (c) someone else?

The role and response of Emergency Service Providers (ESP's)

Under the licence conditions of Transco (the main emergency service provider (ESP)), service engineers attending an emergency call in a customer's home will work for up to 30 minutes and, if they find a cause for concern, provide parts up to a value of £4 to repair equipment. If the fault cannot be

remedied in this way, the gas supply to the appliance concerned will be disconnected or sealed off, and the customer advised to contact a registered installer for corrective action. Several bodies have expressed the view that ESPs should investigate the cause of concern and repair defective equipment, where practicable.

Question C18. What are your views on the current role and level of response provided by Emergency Service Providers? If you think changes are required, please give details?

The use of flue gas analysers

Currently the law requires certain checks to be carried out immediately after installation or other work on a gas appliance; these include establishing the effectiveness of any flue and safe functioning of the appliance. However, no particular test methods are specified although HSE gives some guidance in its publications.

It has been proposed that gas installers and service engineers of ESPs (see above) should legally be required to be equipped with flue gas analysers. It is argued that this proposal would make an important contribution towards improving gas safety, as in addition to analysing flue gases the same equipment may be used to detect and monitor CO levels in a room.

Question C19. Should (a) Emergency Service Providers and/or (b) gas installers be equipped with flue gas analysers?

Question C20. If so, should a legal requirement be imposed or should the use of flue gas analysers be recommended as good practice?

Use of Carbon Monoxide alarms

Some bodies have argued that increased recognition should be given to the positive role CO alarms can play in reducing CO incidents, and that they should be legally required in certain situations. Others say more research is needed on the reliability and optimum siting of such alarms. In any case, they should only be regarded as a second line of defence - they are not a substitute for the proper installation and servicing of gas appliances themselves. Various suggestions have been made on how a requirement for alarms should be targeted, including all domestic premises, all rented accommodation, houses in multiple occupation, or the homes of vulnerable groups such as the elderly, disabled and chronically sick. This might be done by placing a duty on gas consumers to fit such alarms or, for new buildings, on the builder (by means of building regulations) or on the gas supplier.

Question C21. Do you think the use of CO alarms should be required by law or simply recommended as good practice?

Question C22. If CO alarms are legally required, do you think this should apply to (a) all domestic premises (b) rented accommodation only (c) homes of elderly, sick or disabled person (d) other places?

Question C23. Should this be done by placing (a) a duty on gas consumers (b) for new buildings, on the builder, or (c) a control on gas suppliers which makes supply of gas conditional on the fitting of alarms?

Question C24. If controls are to be enforced through gas suppliers should they be responsible

for providing CO alarms? If so, should this be done in all cases or for those on low income only?

DIY gas installation and maintenance

While current law does not prohibit DIY gas work provided that the person is competent to do it safely, DIY is strongly discouraged in HSE guidance, and the use of a CORGI¹ registered gas installer is advised for all gas work.

In addition, following approaches from HSC/E and Ministers, most DIY retailers selling gas appliances or fittings now provide point of sale information and offer advice about competency and the use of registered installers; some have voluntarily restricted sale of gas appliance spare parts only to such installers; at least one retailer offers an installation service through approved, CORGI-registered contractors. The industry is also seeking to develop a voluntary scheme to restrict supply of gas fittings only to those people who are competent to undertake installation work safely. Some bodies have argued that such actions do not go far enough and further legal action is required.

Question C25. Should DIY work be prohibited, eg by restricting the sale of gas equipment to registered installers?

Question C26. Should retailers be legally required to record sales of gas equipment and to pass these to a central body, perhaps CORGI, to enable safety checks to be made?

CORGI

One of the principal changes made to gas safety regulations within the last ten years was the introduction, with effect from April 1991, of a statutory registration scheme for gas installation businesses which is operated by CORGI to criteria set by HSE. CORGI's main roles are to maintain a register of competent installation businesses, monitor their ongoing competence and investigate gas safety complaints, particularly those against registered installers. CORGI is financed mainly through the annual fees paid by registered installers. Some, particularly small businesses, say the system places an unfair financial burden on them and that other ways should be found of funding the gas safety regime.

Question C27. What are your views on the continuation of the statutory registration scheme? Do you think CORGI does a good job and is it essential to the maintenance of gas safety standards? Should the burden of financing the system be shared more widely, eg by gas suppliers?

Extension of the registration scheme to cover non-gas work

The present regulations cover gas work only. However we know that the public often assumes that CORGI registration covers non-gas (eg plumbing and electrical) work associated with gas installation work, and that the CORGI logo implies an across-the-board guarantee of quality. Extending the statutory registration scheme would have cost implications for installers, and ultimately customers. One suggestion is that non safety critical work might be covered by voluntary arrangements, such as

¹ The Council for Registered Gas Installers

the builders' Quality Mark scheme being considered by the Department of the Environment, Transport and the Regions.

Question C28. What are your views on the extension of the registration scheme to cover non-gas work undertaken by installers?

Tenant/landlord issues

The current regulatory regime places important and wide-ranging duties on landlords, eg to ensure that gas equipment provided for tenants' use is properly maintained and checked annually for safety by a registered installer. The landlord has also to keep a copy of the safety check record and provide a copy of it to the tenant within 28 days of the check.

Question C29. Should the current duties on landlords be (a) retained without change (b) amended in any way (to increase or relax controls)?

Question C30. Should the existing general duties on landlords to ensure gas fittings/flues are maintained in safe condition be (a) retained (b) supplemented by a requirement to ensure that gas equipment is serviced annually?

Other fuels

Gas related CO is estimated to account for fewer than 1% all domestic fatal accidents (around 30 each year), a slightly greater number than the number of fatalities caused by Carbon Monoxide poisoning from solid fuels, oil and paraffin (around 21 each year). However, the Solid Fuel Association has estimated that 1.4 million households use some form of solid fuel, compared to the 20 million where gas is used. Solid fuel-related Carbon Monoxide poisoning thus represents approximately twelve times the risk from gas. Though strictly speaking outside the scope of the Gas Safety Review, some people who have expressed views so far consider that this risk level justifies the introduction of statutory controls to protect solid fuel users.

Question C31. What are your views on extending safety controls to cover the use of fuels other than gas?

Other issues

This document deals in summary form only with those issues that are judged to be of key interest to domestic consumers. The main discussion document covers all the issues that surround gas safety. These include, for example:

- w** what more needs to be done to analyse and refine gas safety statistics?;
- w** what level of resources should be devoted to gas safety?;
- w** the role of HSE and intermediary bodies;
- w** issues related to the statutory registration scheme for gas installation businesses;

- w competency requirements for gas fitting operatives;
- w action to deal with non-registered installers; and
- w the scope of current legislation.

How to comment

If you would like to contribute to the debate on these wider issues you will need a copy of the main discussion document - Gas Safety Review: Options for Change. This can be obtained from HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS, Tel: 01787 881165, Fax: 01788 313995 (single copies free of charge). It is also available on HSE's Internet web-site www.open.gov.uk/hse/disdocs/

Please send any comments to:

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to reach her no later than 4 February 2000

DISCUSSION DOCUMENT

If you wish to post comments to our gas safety bulletin board as part of the debate please send these to our dedicated e mail address at:

gas.safety.comments@hse.gov.uk



The full text of this and other Discussion Documents can be viewed and downloaded from the Health and Safety Executive web site on the internet:

www.open.gov.uk/hse/disdocs/

Discussion Documents are available from:

HSE Books, PO Box 1999
Sudbury, Suffolk CO10 2WA
Tel: 01787 881165
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