

GAS SAFE REGISTER

Registration Policy

July 2019

P001_REG001

6.1



Contents

1 Scope.....	3
2 General communications.....	3
3 Guidance on the rules of registration.....	4
3.1 SECTION 1 - The registered business	4
3.2 SECTION 2 - General responsibilities	6
3.2.1 Undertaking work as a registered business	8
3.2.2 Undertaking gas work – alternative requirements applicable to Service Layer Engineers (SLEs) for disconnection activity in GB	8
3.2.3 Licence cards.....	9
3.2.4 Work records.....	10
3.2.5 Sub-contracting.....	11
3.3 SECTION 3 - Probationary registration	11
3.3.1 Probationary registration specific communication.....	12
3.4 SECTION 4 - Inspecting gas work.....	12
3.4.1 Appropriate behaviour	15
3.4.2 Alternative ‘inspection’ methods	15
3.4.3 Mandatory attendance events	15
3.4.4 Inspection events	16
3.4.5 Inspecting gas work specific communication	17
3.5 SECTION 5 – Complaints	18
3.6 SECTION 6 - Sanctions, suspension and removal	19
3.7 SECTION 7- Fees and charges.....	19
3.8 SECTION 8 - The Gas Safe Register Brand.....	20
3.9 SECTION 9 - Reporting notifiable building regulations work through the Register.....	20
4 Suggestions for improvements to the service provided by the Register	20
5 Complaints against the Register.....	21
6 Communicating with us	21
7 Definitions	22
8 Annex 1 – Changing trading titles/names	22
8.1 Acquisitions.....	24
8.2 Group structured businesses.....	24
8.3 Group structured businesses.....	25

1 Scope

This Policy clarifies the Rules of Registration in relation to first entering on to the Register, ongoing requirements, sanctions and communications.

Section 3 'Guidance on the Rules of Registration' has specific subsections providing additional guidance to each of the areas within the Rules of Registration.

This policy should be used to guide and inform stakeholders on the interpretation of the Rules that will be applied in relevant circumstances by Gas Safe Register.

Note: All Gas Safe Register published policies and other supporting documents, such as the Inspection Factsheet, can be viewed at: www.GasSafeRegister.co.uk/policies

2 General communications

1. To keep the service as cost effective and environmentally sustainable as possible we will use electronic means of communication with registered businesses as the preferred method wherever practical, for example, if a business applies for registration or when a registered business renews online the e-mail address provided will be the primary method used for all future communications.
2. We will assume that the e-mail address provided is current, correct and that of the responsible person for the registered business.
3. Where we receive notification of undeliverable e-mail, we will send a hard copy letter, or make a telephone call to the registered business address or listed telephone number.
4. Where a registered business has no e-mail account, an alternative method of communication will be used. We reserve the right to apply additional charges to businesses that register or renew using the preferential online charges, but which subsequently do not use electronic communication.
5. It is the responsibility of the registered business to monitor all communications from us and act on the content in a timely manner as required and as appropriate.
6. The registered business retains responsibility for ensuring that information is communicated internally within the business.
7. It is the responsibility of the registered business to ensure that their contact details and e-mail address are accurate and kept up to date. The business must advise us of any relevant changes within 5 working days.

3 Guidance on the rules of registration

3.1 SECTION 1 - The registered business

1. By registering with us, the registered business is agreeing to comply with the Rules of Registration and all other supporting policies and guides. Failure to comply with the rules may result in sanctions being applied to the registration in accordance with the Sanctions Policy.
2. The business registration must have in place a single person who is responsible for the business registration, any operating centres and any gas work undertaken or controlled by or under that registration.
3. You must inform us in writing, by telephone or online within 5 working days of any changes to:
 - The legal entity of a company
 - The trading title of the registered business, limited or otherwise
 - The change of ownership of the business, limited or otherwise

Following such notification, we will send you a change of trading title pack which must be completed and returned with any required supporting information within 5 working days of the postal date. If this is not done within these time scales, the business will be removed from the Register.

You must also notify us, in writing, by telephone or online, and within 5 working days, of the dissolution of a limited company or if a limited company goes into liquidation, administration or receivership.

Note: *Change of trading title forms can be returned by post or scanned and sent by email.*

4. In addition to the changes referenced in paragraph 3 above, you must inform us of any other changes relating to the registered business in writing, by telephone or online within 5 working days of any change. Examples are:
 - being served a Health and Safety Executive (HSE/HSENI) notice of contravention, improvement notice or prohibition notice relating to gas work;
 - pending prosecutions or criminal convictions; or
 - changes to the responsible person and engineers

Note: *Changes made by telephone can only be made by the responsible person as the main contact for the registered business, or a named contact listed against the registration. When we are advised by telephone of a business*

change we will send the relevant forms to the responsible person. They must be completed and returned within 5 working days of the business receiving them.

5. Information held about a registered business and how we will use it is set out in the Privacy Policy.
6. Applications for registration will not be accepted where the applicant is subject to an HSE prohibition notice or any 'live' suspended custodial sentence related to gas work. Where an applicant has served a custodial or suspended sentence which was related to gas work, all applications for registration in these circumstances must be made in writing and be accompanied by official evidence confirming that the sentence is spent, or the prohibition notice has been lifted.
7. Current/active Notices of Contravention and/or Improvement Notices issued against an individual or business must also be notified in writing when applying for registration and may result in conditions or sanctions being applied to any successful registration application.
8. The registered business trading name must be and remain the name registered with Gas Safe Register. Where it is identified that a registered business is advertising with the Gas Safe Register brand using a trading name different to that entered on the register, the Brand Enforcement Policy will be followed.
9. Where a change of business ownership takes place, it should not be assumed that the registration will automatically transfer to the new owner. In most cases a new registration will be required.

Note: *Please see Annex 1 of this Policy for further detail in relation to trading title and acquisitions.*
10. The business address should be the main address from which the registered business controls gas work.
11. Where a business ceases to trade, goes into administration or is liquidated, and we have documented evidence of this, we will arrange for the registration to be cancelled
12. The registration number of any previously registered businesses that has been archived or cancelled by Gas Safe following the business ceasing to trade will not be re-issued. The registration number in these cases will be archived
13. Registration numbers will not be reused. Where a registration has been archived or cancelled following the business ceasing to trade, it will not be reissued. In these cases, the Registration number will remain archived.

3.2 SECTION 2 - General responsibilities

1. All gas work should be carried out competently and safely in accordance with the relevant gas safety legislation, such as the Gas Safety (Installation and Use) Regulations 1998 (GSIUR) in Great Britain (GB), relevant Building legislation* and appropriate industry standards as listed in the Normative Document List as published by Gas Safe Register (Technical Bulletin 999). Deviations from normative industry standards or technical specifications or the use of 'alternative methods' to achieve compliance are not acceptable without documented and auditable approval from the equipment manufacturer or other relevant authority. It is the responsibility of the registered business to provide this evidence in these circumstances.

**Appropriate to the geographical area*

2. Registered businesses are required to hold sufficient copies of and demonstrate that they are applying the requirements and guidance of the most current edition of the Gas Industry Unsafe Situations Procedure (GIUSP/IGEM/G11). Where this cannot be demonstrated we will raise a requirement for conformance notice against the business.
3. Registered businesses are responsible for all gas work carried out in the name of the business by their employees, whether employed directly or indirectly, i.e. subcontracted, all of which must be appropriately Gas Safe registered.
4. Registered businesses must ensure the engineers under their control, whether employed directly or indirectly, have the legal right to work in the UK, IOM or Guernsey and are certified as competent in the appropriate work categories for the work they carry out.
5. Any gas work undertaken under a specific registration number must be carried out in the name of the business holding that registration. This also applies in relation to any documentation issued by the registered business e.g. landlords gas safety records (LGSR's).

Note: *Although it is not a requirement of GSIUR or the Rules of Registration, it is advised that all registered businesses hold appropriate levels of insurance for all activities undertaken by the registered business to protect their customers and themselves, e.g. Public Liability Insurance (PLI).*

6. A registered business may be/or may be part of a controlling group entity consisting of several businesses operating within a group business structure. In these situations, all gas work must be carried out in the name of the registered group entity and under the controlling registered business' registration number. All engineers undertaking gas work in these

circumstances must carry a licence card showing the name of the registered business in whose name the gas work is being carried out (See Rules of Registration, Section 2, clause (e)).

7. Where an individual business carries out gas work as part of a controlling group entity but uses a different business name to that of a registered group entity, the individual business that carries out the gas work is required to hold its own registration with Gas Safe Register.
8. Where an engineer leaves the employment of a registered business, that business must advise us in writing, by telephone or online, within five (5) working days and return the engineer's licence card.
9. The following are examples of what may constitute 'bringing the Gas Safe Register into disrepute'. This is an indicative, not an exhaustive list:
 - a. Poor quality levels of gas-related workmanship.
 - b. Failure to correct defective gas work.
 - c. Misuse of the Gas Safe Register brand (i.e. use outside published guidelines). This includes the use of any branding similar in colour or style to the Gas Safe Register brand or the use of the logo of the previous gas registration scheme which may cause confusion.
 - d. Using unregistered engineers to carry out gas work or signing off others' gas work as your own.
 - e. Using employees who do not have the legal right to work in the UK, IOM or Guernsey.
 - f. Consistent levels of justified customer complaints that warrant an inspection visit from us.
 - g. Failure to inform us of any improvement action, enforcement action and/or prosecution taken against the registered business and/or engineer (pending or otherwise).
 - h. Airing vexatious grievances against Gas Safe Register within the public arena without justification.
 - i. Using the registration details of employing businesses illegally or inappropriately.
 - j. Failure to appropriately manage gas work undertaken either directly or indirectly (sub-contracted) on behalf of the registered business.
 - k. Activities within the public domain that result in successful prosecution or enforcement action, including formal agency notification (e.g. Multi-Agency Public Protection Arrangements group) of an engineer representing a danger to the public
 - l. Failure to co-operate fully with any investigation by our inspectors or those of the relevant enforcement body.
10. We retain the right to make the final decision on what constitutes bringing the Register into disrepute and each occurrence will be judged on a case by case basis.

11. Gas Safe Register bears no liability financial or otherwise for the contingent services provided, or not provided, such as the 'Find a registered gas business' web check service.
12. To access the web services we provide, registered businesses are provided with a secure Personal Identification Number (PIN). Once issued, the security and use of this PIN becomes the sole responsibility of the registered business to which it has been issued. Gas Safe Register will not be responsible for any security breach or damages arising from the misuse of the PIN.
13. In all matters relating to a failure to meet the general responsibilities, sanctions may be applied in accordance with the Sanctions Policy.

3.2.1 Undertaking work as a registered business

An engineer may only use the details of the registered business by which they are employed to undertake gas work. An engineer who does not hold their own personal registration may not use the details of their employer (or any other registration) to undertake gas work outside their terms of employment, e.g. on a private basis or in their own right. This is a breach of:

- The Gas Safety (Installation and Use) Regulations 1998 (GB)
- The Gas Safety (Installation and Use) Regulations 1994 as amended and applied by the Gas Safety (Application) Order 1996 (Isle of Man)
- The Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004 (Northern Ireland)
- The Health and Safety (Gas) (Guernsey) Ordinance 2006 (Guernsey)

To maintain a valid registration a registered business must always have a minimum of one engineer, holding current certificates of gas safety competence, listed against the registration to allow the business to carry out gas work in its chosen field of work. A registered business with no listed engineers will automatically have its registration status changed to 'not registered' and will not appear on web searches and will not be legally able to undertake gas work. There are no refunds of fees for these situations.

3.2.2 Undertaking gas work – alternative requirements applicable to Service Layer Engineers (SLEs) for disconnection activity in GB

This section covers Service Layer Engineers (SLEs) who undertake specific meter disconnection work on low pressure installations up to and including 75 mbar and maximum meter capacity of 6m³/hr, to isolate and disconnect the meter, and cap the internal gas supply in accordance with the Gas Safety (Installation and Use) Regulations 1998.

Such SLEs must:

- Be employed by a Gas Safe Registered company that:
 - Is a Gas Distribution Network (GDN);
 - Is an Independent Gas Transporter (IGT) or;
 - Are Contractors of GDNs or IGTs,
- Be suitably qualified through pre-requisite training consisting of:
 - Network Construction Operations Level 2 (NCO2); or
 - Gas Network Team Leader Level 2 (Trailblazer); or
 - Gas Network Operations Level 2 (GNO2)
 - And by having completed Unit 219 of the NCO scheme
- Be listed on the EU Skills list of SLEs qualified to carry out this activity.
- Only undertake activity in connection with the disconnection and removal of a meter up to and including a maximum meter capacity of 6m³/hr, operating at low pressure (up to and including 75 mbar).

3.2.3 Licence cards

1. We will provide each engineer with a licence card which includes:
 - the registration period start and end date
 - a photograph of the engineer
 - the engineer's name
 - the engineer's licence card number
 - a list of work categories with end dates
 - the registered business name and registration number
2. Engineers are required to carry an up-to-date licence card showing the name of the registered business in whose name the gas work is being carried out.
3. Engineers should promote the use of the licence card.
4. Engineers should show the licence card when asked.
5. Engineers must let us know straight away if their licence card is lost or stolen.
6. The licence card should be returned to Gas Safe Register when an engineer's employment ceases and they no longer work for the registered business the card is held for.

7. The photograph submitted to the Awarding or Certificate Body and subsequently used on the licence card should be an accurate representation of the person holding that card.
8. Registered businesses are responsible for ensuring that photographs uploaded to the Gas Safe Register website by them or the Certification Bodies are verified, and a true representation of the engineer shown.
9. Registered businesses are responsible for ensuring that licence cards are updated/renewed following the renewal of any existing certificates of competence or attaining additional gas competence certificates, e.g. ACS or GCS.

Note: *We hold details of every engineer's current gas qualifications downloaded to us. These are received electronically from the relevant certification/awarding body. To make the engineer's qualifications easy for everyone to understand and check, they are summarised into work categories used on the website and licence card. For example, 'Central Heating DOM NG' is summarised as 'Gas Boilers' to aid a consumer in identifying what appliance a registered engineer can work on.*

3.2.4 Work records

Notwithstanding any legal or normative requirements for records, registered businesses and anyone carrying out gas work on their behalf must make sure that records are kept and given to us when requested (*See Rules of Registration Section 2, clause (t)*). These records must be retained for at least 6 years and accurately record the following as a minimum:

- a. The name of the person doing the gas work
- b. The Gas Safe registration number under which the work was carried out (see clause 3.2.5 Sub-contracting)
- c. What the gas work was. This should include: the appliance make, model and location; and positive recording of essential gas safety checks and test results carried out. Where applicable, record:
 - Flue operational checks
 - Provision of ventilation
 - Operating pressure and/or heat input
 - Safe and correct installation and operation of the appliance/installation
 - Combustion analysis readings
 - Tightness test results
- d. The date the work was completed
- e. The address where the gas work was done
- f. The actions taken for unsafe situations i.e. issuing of warning labels etc

Work records must be signed by the person carrying out the work confirming that the information captured is true and accurate.

3.2.5 Sub-contracting

Registered businesses/engineers carrying out gas work as a sub-contractor to another registered business must use their own registration details on any customer facing documentation. Registration details of the main contractor under whose name the work is done must also be shown on supporting documentation.

For example, where a registered business carries out work on behalf of another registered business (Contractor) on a sub-contracting basis and is not listed as an engineer against the Contractor's registration, then all documentation issued on behalf of the Contractor business must also include as a minimum the registration numbers of both the Contractor and sub-contracting businesses and also the licence number of the engineer who carried out the work.

3.3 SECTION 3 - Probationary registration

Probationary registration will remain in place until we are satisfied that work being carried out by or under the control of the registered business and within scope of the relevant gas safety legislation is being performed correctly, safely and to the appropriate standards.

1. The probation period will commence from the time the business has been accepted on to the Register.
2. The probation period will last for approximately 3 months from the time the registered business has been entered on to the Register.

Note: *The registered business must retain records of **all** gas work completed by the registered business (in accordance with the ongoing requirement in Section 2 of the Rules of Registration).*

3. Once registered a mandatory probationary inspection appointment will be arranged with the registered business within the 3-month period. A maximum of 2 appointments will be made for mandatory probationary inspection to take place.
4. Failure to keep mandatory probationary inspection appointments will result in suspension and possible removal from the Register, with all fees paid being forfeited. From the date of a suspension from the Register being applied, the business has 30 working days to arrange and keep an alternative mandatory probationary inspection appointment. Failure to keep this final appointment will result in removal from the Register, with all fees paid being forfeited.

5. Probationary registration will remain in effect until satisfactory gas work undertaken by the registered business has been successfully inspected.
6. We reserve the right to extend or reduce the duration of the probationary status of a registered business depending on any pre-existing registration history or failure to demonstrate gas work to the required standards.

3.3.1 Probationary registration specific communication

1. Upon a satisfactory application resulting in probationary registration status we will issue a welcome pack and licence card(s) to the business.
2. We will inform the registered business of the time and date for the mandatory probationary inspection appointment.

***Note:** Failure to keep this appointment without a valid reason will lead to a suspension being placed upon the business until the appointment /inspection is agreed and takes place.*

3. We will confirm with the registered business when the requirements of probationary registration have been met and the probationary status has been removed.
4. Where sanctions are applied, we will communicate in accordance with the Sanctions Policy.

3.4 SECTION 4 - Inspecting gas work

1. We operate a risk-based inspection programme using a range of risk factors which are used to profile the risk applied to businesses and individual engineers employed by businesses in determining inspection frequency. These factors include but are not limited to:
 - a. Certification / Awarding Bodies used for qualifications
 - b. Engineer demographic
 - c. Previous inspection history including any unsafe gas work accredited to the business or engineer
 - d. Any complaint history
 - e. Business size (number of employed engineers)
 - f. Locations of the business' registered address or regional depot
 - g. Qualifications and resultant work categories
 - h. Scope of gas work undertaken e.g. domestic or commercial etc.
 - i. Registration history

2. We will use work inspections to establish that the work carried out by registered businesses/engineers is correct and safe against the requirements of relevant gas safety legislation, manufacturers' installation/servicing instructions, industry normative documents and aspects of relevant Building legislation and guidance documents, e.g. the 'Domestic and Non-Domestic Building Services Compliance guides' as appropriate.
3. Work inspections will be carried out by our Inspectors. Registered businesses will normally be invited to accompany our inspector unless the property owner has advised us otherwise* (or the registered business is suspended at the time to the inspection appointment). (Note: Where the registered business is in attendance the registered businesses competent engineer will be required to undertake all checks and tests to establish the safety and compliance with the Gas Safety (Installation and Use) Regulations 1998. The registered business/representative undertakes to comply with both the GSIUR and the Health and Safety at Work Etc Act 1974.

Note: *Gas Safe Register will not accept any liability for the actions undertaken by the registered business during any type of inspection activity*

4. Complaint inspections will be carried out by our Inspectors. Registered businesses will be required to attend unless there are exceptional circumstances that may prevent this, or the registered business is suspended at the time of the complaint inspection appointment.
5. The main types of work inspection applied by Gas Safe Register are:
 - a. **Installation** – *This type of inspection encompasses work that has been notified to us or is nominated for inspection by a consumer.*
 - b. **Business** – *This type of inspection encompasses: servicing, maintenance activity and landlord gas safety checks, as well as mandatory probationary inspection and inspection where previous inspection/complaint activity has highlighted concerns over an engineer's application of competence.*
 - c. **Complaint** – *This type of inspection forms the basis of an investigation into the standard of gas work that has been carried out by a business, either registered or unregistered, following a complaint allegation being received*
 - d. **Competence** – *This type of inspection arises as a possible outcome of the other inspection types mentioned above and could consist of further site visits and/or planned attendance at a theory-based inspection*

event(s). Competence inspections are designed to target concerns that may include, individual engineer(s) or types or categories of work carried out. Within a competency inspection we may ask to see targeted types of work and/or use verbal competency questioning.

Note: *We reserve the right to commence inspection activity that could include any of the above where information is received from external sources such as an enforcement body e.g. RIDDOR (11(2)) reports.*

5. Registered businesses and their engineers will be expected to demonstrate their competence periodically through our inspection process. We will engage with businesses to monitor the application of gas safety competence against the work categories for which they are registered for.
6. Where registered businesses employ 10 or more engineers either directly or indirectly through a contract, the inspection process will include assessment of the business's gas safety management policies and procedures and measuring that gas work is being adequately supervised. We also reserve the right to do this with businesses that employ 5 to 9 engineers.
7. Failure to allow a work inspection without a justified reason will be deemed a breach of the Rules of Registration and will attract appropriate actions in accordance with the Sanctions Policy.
8. Where defective or non-compliant work is discovered during inspection activity, the issues will be reported in a defect notice served to the responsible business. All identified defects are recorded even if the work is corrected by the engineer during the visit. This is done to ensure an accurate view of defects on gas work is held and that trends can be monitored, reported and addressed. We will monitor for the completion of the remedial action and when requested we can arrange to re-inspect any remedial action where there has been unsafe gas work attributed to a registered business. Failure to correct work identified on a defect notice will attract appropriate actions in accordance with the Sanctions Policy.

Note: *Where through inspection activity of any type it is established that a registered business or engineer has worked outside the scope of their work categories and has created gas safety defects, a defect notice will be issued. Where this is the case, the business will be responsible for the correction of the defects and will need to engage a suitably registered and competent engineer/business for the remedial action.*

9. A registered business will retain full responsibility for any outstanding defective work issues including those attributable to any previous business registration(s) held.

10. If an archived business, that is deemed responsible for outstanding gas related defects re-registers with us, and where the costs of rectification work have been covered by the Register, we will seek reimbursement of the costs incurred by a complainant. The amount repayable will be at our discretion and will not be more than the total of monies used to rectify the defects.

3.4.1 Appropriate behaviour

Appropriate professional behaviour is always required by engineers and registered businesses. In the case of inspection events, inappropriate behaviour may result in expulsion from the event and the application of sanctions against the registered business. Examples of inappropriate behaviour include but are not limited to:

- Threats of physical violence
- Verbal abuse/swearing
- Inappropriate cultural, racial or religious references
- Rudeness, including derogatory remarks
- Inflammatory statements
- Raising unsubstantiated allegations
- Being unreasonably distracting

3.4.2 Alternative 'inspection' methods

We may, where appropriate, use alternative theory-based methodologies to establish theoretical gas safety competence through knowledge and understanding based testing events.

3.4.3 Mandatory attendance events

A business and/or an engineer will be required to attend and participate in a Mandatory Attendance Event where we identify that their inspection history justifies this.

Mandatory Attendance Event participation will generally apply in the following circumstances:

- Where a consistent number of inspection failures outcomes are at 'At Risk' and/or 'Immediately Dangerous' level as defined within the current Gas Industry Unsafe Situations Procedure
- Where a poor inspection history over prolonged periods exists
- Where a high level of risk is identified.

Note: *Other sanctions as defined within the Sanctions Policy may have already been applied and lifted or run in conjunction with required attendance at a Mandatory Attendance Event.*

A Mandatory Attendance Event will incorporate theory-based mentoring and assessment with the primary objective of providing an opportunity for a business and/or engineer to demonstrate their underpinning knowledge and the required level of theory-based competence in specific areas relevant to their inspection history.

One or more registered businesses and/or engineers from a business will be required to attend an event of this type and at a location of Gas Safe Register's choice.

A Mandatory Attendance Event will normally be one day in duration but may be altered, considering the businesses/engineers attending that event.

Where a business and/or engineer fails to attend/participate in a Mandatory Attendance Event when required, the business will be immediately suspended pending removal.

When we are satisfied that the relevant business and/or engineer has successfully attended, participated and achieved the required demonstration of theoretical competence at the event, the business and/or engineer will be placed into a tightened inspection regime.

Any resulting inspection during the tightened inspection regime must satisfy the Rules of Registration meeting the required industry standards before the business and/or engineer returns to a normal inspection regime and that we deem this registration status appropriate to be lifted.

Where a business and/or engineer fails to meet the required standards at the Mandatory Attendance Event or within the tightened inspection regime, immediate sanctions will be applied in accordance with the Sanctions Policy.

3.4.4 Inspection events

An Inspection Event is a complementary inspection method by which we may engage with 'low risk' registered businesses and/or engineers which have not undergone planned inspection activities for a predetermined period.

Only registered businesses and/or engineers which have undergone previous planned inspections and have no ongoing or pending reactive or investigative inspection, or other inspections arising from elevated risk or concern will meet the criteria for attending an Inspection Event by invitation.

An Inspection Event will incorporate an informative presentation which will include but not be limited to, information about the Rules of Registration and the current Gas Industry Unsafe Situations Procedure and a 'questions and answer' session.

Attending businesses/engineers will be required to undertake a theory-based knowledge check to demonstrate a satisfactory level of underpinning knowledge and understanding of the principles and application of the current Gas Industry Unsafe Situations Procedure.

One or more registered businesses/engineers will attend an event of this type and at a location of our choice.

An Inspection Event is normally 3.5 hours in duration but may be altered, considering the businesses/engineers attending that event.

Where the outcome of the theory-based knowledge, check is satisfactory, and the risk level remains the same, the business and/or engineer will remain at their existing risk level and be subject to a site-based inspection within 3-5 years.

Where the outcome of the theory-based knowledge check, arising out of the inspection event, is unsatisfactory the business and/or engineer will undergo a site inspection by one of our Inspectors based on their risk.

As an Inspection Event is part of the inspection program, failure to attend an event without an acceptable justified reason will be considered a breach of the Rules of Registration and will attract appropriate sanctions in accordance with the Sanctions Policy for failure to allow a work inspection.

3.4.5 Inspecting gas work specific communication

1. The registered business will be advised, where possible, in advance of our inspection visits. Timescales can be flexible and adjustable to reflective the level of risk.
2. Any pre-existing gas safety faults will be dealt with in accordance with the GIUSP by our Inspector on unaccompanied inspections, and by the registered business on accompanied inspections.
3. Upon completion of a work inspection, a factual and impartial report may be provided to the registered business, the customer and where applicable, the landlord for the property. The report may include a description of any gas work defects and/or Building Regulation non-compliances encountered and

attributable to the registered business being inspected along with timescales for actions where applicable.

4. Where our Inspector is accompanied by a representative of a registered business, who is not a registered engineer and faults have been identified, the opportunity will be taken to discuss the fault and requirements, including timescales, for the necessary rectification work.
5. Where our Inspector is unaccompanied by a representative of a registered business and issues have been identified, we aim to contact the business to discuss the requirements ahead of any report being received. If this has not been possible and the registered business needs to discuss the report content, upon receipt they should contact us without delay.
6. Where sanctions result, these will be applied in accordance with the Sanctions Policy.
7. We reserve the right to pass relevant information to appropriate enforcement agencies and support their investigation.

3.5 SECTION 5 – Complaints

We will impartially and robustly investigate all complaint allegations about registered businesses/engineers in accordance with our authority and contractual remit.

We require the registered business to attend site with our Inspector(s) on the day of the complaint investigation unless there are exceptional circumstances that would prevent this. Failure to attend may result in suspension or other sanctions being applied.

Note: *The Register will make a record of any “exceptional circumstances” quoted.*

Where sufficient evidence supports that unsafe gas work or other breaches of the Rules of Registration or Policy have occurred, appropriate and proportionate sanctions as set out in the Sanctions Policy will be applied during or after a complaint investigation.

1. Where a complaint investigation finds issues beyond the scope of our authority and remit we will take steps to signpost the complainant to the relevant organisation(s) and/or supply enforcement agencies with information about the complaint.
2. Where gas appliances or gas pipework have been dismantled or removed prior to inspection/investigation and/or where rectification work has been completed,

we reserve the right to inspect a business or engineer(s) if concerns relating to applied gas safety competence or standards might exist.

3.6 SECTION 6 - Sanctions, suspension and removal

We reserve the right to impose sanctions on any registered business and/or individual engineer. Please refer to the Sanctions Policy for further information.

1. A sanction will primarily be applied for failure to deliver gas safety and/or operate in accordance with the Rules of Registration or Registration Policy.
2. We will advise the registered business and/or engineer of what actions are required to enable the lifting of any sanction(s) or the criteria for reapplication following removal.
3. Failure to demonstrate that the registered business or engineer is working to the standard we expect may result in the removal of the registered business and/or engineer from the Register.

***Note:** A business and/or engineer that has been removed from the Register may reapply. However, they will need to satisfy us that they have complied with the criteria set for reapplication and meet the gas safety standards expected. We also reserve the right to apply conditions to any new registration or to reject an application where a higher power such as an enforcement agency or court has placed a ban preventing them from carrying out gas work.*

Sanctions Specific Communication

Please refer to the Sanctions Policy.

3.7 SECTION 7- Fees and charges

1. Where a registered business is declared insolvent or is dissolved for any reason, the controlling entity/person(s) will remain responsible for the payment of any outstanding fees or charges relating to the dissolved business.
2. New applications for registration will be withheld until all outstanding fees and charges relating to pre-existing or previous registrations have been paid in full.
3. Where a registered business does not renew before or upon the anniversary of their registration they will be liable to the application of a penalty fee at a level determined by us, please refer to the Sanctions Policy.
4. Where an engineer requires an updated/replacement licence card, during the registration period, a fee will be applied at a level determined by us.

The current schedule of fees can be found on the Gas Safe Register Engineers website, www.gassaferegister.co.uk

3.8 SECTION 8 - The Gas Safe Register Brand

1. When advertising and using the Gas Safe Register Brand, a business must only use the trading name registered with Gas Safe Register. Where it is identified that a business is using a different trading name to that registered, the Brand Enforcement Policy will apply.
2. Where a group of companies are registered under one registration using the group name, any documentation displaying the Gas Safe Register Brand must reflect the trading name registered. Other businesses within the group who operate using a different trading name are not permitted to use the brand and in cases where this occurs that business would be required to be registered in its own right.

Please refer to the Brand Enforcement Policy for further information.

3.9 SECTION 9 - Reporting notifiable building regulations work through the Register

Gas Safe registered businesses have a legal duty to comply with both the technical and procedural requirements of the respective Building legislation for the geographical areas covered by Gas Safe Register. In England and Wales registered businesses must report/notify the installation and commissioning of all heat producing gas appliances e.g. boilers, fires, water heaters and any heating or hot water system also installed and served by the appliance through the facilities provided by the register.

4 Suggestions for improvements to the service provided by the Register

We are committed to continual improvement and accept suggestions on how we may improve our service within our defined remit. If you have a suggestion that you would like us to consider please let us know by telephone, letter or email addressing any written correspondence for the attention of the Business Improvements Manager.

5 Complaints against the Register

Every year we successfully deal with tens of thousands of registered businesses and consumers. We aim to provide a high level of service to all our customers but sometimes things can occasionally go wrong, or your expectations are not always met.

If you have a complaint about the way, we have dealt with you or about any of our services we want to know. We always welcome feedback and suggestions to help us improve our performance. Information about the Register, how we operate and how to make a complaint against our service is available at <https://www.gassaferegister.co.uk/who-we-are/our-policies/>

6 Communicating with us

You can contact us by telephone, letter or email. If, for accessibility, you have any reason why these methods of communication are not suitable, please let us know so that reasonable adjustments can be made to help your communication with us or access to our services.

We will deal with your correspondence and requests in a prompt and professional manner. The list below provides some examples of what you can expect;

- Our operating hours are between 7.30 am and 7.00pm Monday –Friday and between 8.00am and 1.00pm on Saturdays
- Our automated telephone and webservices are available 24 hours
- Calls into our office will be answered promptly
- Field-based staff work remotely and will respond to telecoms and email by the end of the next working day
- We will respond to general correspondence and emails within 5 working days
- We evaluate gas safety complaints against registered and non-registered businesses and where appropriate, carry out an inspection within 10 working days
- We will respond to complaints about the delivery of our services within 5 working days, by acknowledging your complaint and either; providing a full response or; an outline of our initial findings, explaining why more than 5 working days will be required to provide you with a more detailed response and confirming when a full response will be provided to you.

7 Definitions

These definitions have been created for the purposes of supporting use and understanding of this Policy and are supplementary to those in the Rules of Registration:

Controlling Group Entity	An overarching business owning or responsible for a number of separate businesses.
Entity	A business having real and distinct legal personality.
Gas Related Workmanship	This includes gas work as defined within the scope of the Gas Safety (Installation and Use) regulations 1998, but may include such work as related to the installation of a gas appliance, such as compliance with relevant Building Services Compliance Guides etc.
Gas Safety Legislation	GB – The Gas Safety (Installation and Use) Regulations 1998 NI – The Gas Safety (Installation and Use) Regulations (Northern Ireland) 2004 IOM – The Gas Safety (Installation and Use) Regulations 1994 as amended and applied by the Gas Safety (Application) Order 1996 Guernsey – The Health and Safety (Gas) (Guernsey) Ordinance 2006
Licence Card	A card we provide annually for each engineer which includes registration start and end dates, a photograph of the engineer, the engineer's licence number, the list of gas competence derived work categories with start and end dates, the registered business's name and registration number.

8 Annex 1 – Changing trading titles/names

A registered business is only permitted to carry out gas work under the trading name with which it is currently registered. This trading name should be the name which appears on all promotional material used by the business e.g. headed paper, advertisements, websites, van stickers, invoices etc. This trading title/name is the only trading title/name a registered business is permitted to associate with the Gas Safe Register brand.

Registrations are not normally transferrable, and a business is only permitted to have one trading name per registration

Gas Safe Register - Registration Policy

The following Table sets out the policy in the range of circumstances that may exist.

	Nature	Criteria	Can the existing registration continue to be used?
1	Non-limited business name change	No change in the controlling interest of the business	Yes - Where the registered business is a partnership that splits, and both parties wish to continue to be registered in their own right(s) each party will require new separate registrations unless a signed agreement from both parties is provided allowing one of the parties to retain the existing registration and an indemnity is signed by that party accepting responsibility for any gas work previously undertaken by the partnership.
2	Non-limited business sold or transferred	A change in the controlling interest of the business has occurred	No – A new registration is required For acquisitions see section 8.1 below.
3	Limited business sold or transferred	See section 8.1 below.	See section 8.1 below.
4	Non-limited business to limited business (Incorporation with Companies House)	Incorporation with Companies House changes the legal entity status of the business	Yes – A signed Indemnity accepting responsibility for all gas work undertaken by the previous non-limited business is required. The Gas Safe registration number passes to the newly incorporated business.
5	Limited business to Limited business (legal entity change)	The new business will be operating under a different Companies House incorporation number. A change in legal entity status occurs	No – A new registration is required.
6	Name change of Limited business (no legal entity change)	The new business retains the previous Companies House incorporation number	Yes – Provided a copy of a ‘ <i>Certificate of Incorporation on Change of Name</i> ’ is provided with the completed Change of Trading Title (COTT) document. No – If the limited business has gone into liquidation, receivership or administration
7	Limited business reverting to non-limited business	A change to the legal entity status has occurred	Yes – Where the controlling interest in the business remains the same i.e. sole director becomes sole trader

			No - Where there is a change in the controlling interest i.e. more than one director or the business has gone into liquidation, receivership or administration. A new registration will be required
--	--	--	--

8.1 Acquisitions

If a business is sold, the registration remains with the legal entity and not the individual(s) seller(s). If the seller(s) requires Gas Safe registration to trade under a new business entity (whether limited or non-limited), a new registration for the new business is required. When a new registration is required, no gas work can be carried out following the acquisition until registration has been granted.

Where a business has been sold, the purchaser is required to ensure that the acquired business is compliant with Gas Safe rules of registration.

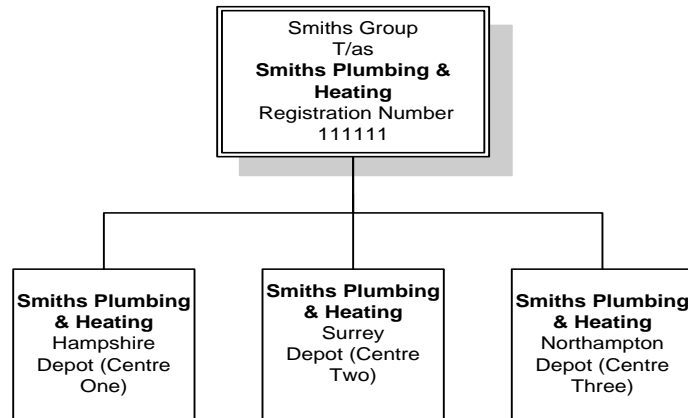
8.2 Group structured businesses

A business is only permitted to have one trading name per registration. Where a business carries out gas work under a group structure, there are two registration options available:

- Where each business within the group carries out gas work under the same trading name (see example one below) the group can register under one registration with multiple operating centres; all using the same registration number.
- Separate businesses carrying out gas work within the scope of GSIUR within the group structure will need to be registered separately with us (see example two below)

8.3 Group structured businesses

Example One:



Example Two:

