



**Saffron**  
Housing Trust

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Housing  
Trust

Policy: Open  
Flue

## Statement of Intent – Overview

This Policy outlines the principles that will be used by Saffron Housing Trust in the management of the risks associated with open fires and wood / multi-fuel burners. (Here after referred to as open flue appliances).

Saffron sets out the guidelines on how to be consistent in our approach, whilst still recognising the need for flexibility regarding alternative heat sources, but not to disregard the 'duty of care' which Saffron has for the Health and Safety of the residents/visitors/neighbours and our own employees.

### 1 PURPOSE

1.1 Saffron still has, within its current stock, a significant number of primary and secondary open flue heating appliances.

- Some remain as the tenants' preference over an oil/gas or electric upgrade.
- Some were left in situ at the tenant's request following an upgrade to a full wet system.
- Some have been fitted following a heating upgrade with/ without the relevant permissions being obtained.
- Some primary systems were installed with the secondary open flue remaining open. This was done by Saffron's predecessors.

### 1 REFERENCES

1.1 The following legislation and guidance apply to this procedure:

- The Health and Safety at Work Act 1974
- The Gas Safety (Installations & Use) Regulations 1998
- Building Regulations
- The Gas Safety (Management) Regulations 1996
- Building Regulations 2010 Combustion appliances and fuel storage systems – Approved Document J

1.2 In addition to the above legislation and guidance this procedure is supported by the following Saffron Housing Trust Internal Documents

- Appendix 01 – Documents Relevant to Gas Work
- Appendix 03 – How to deal with a Gas leak
- Appendix 04 – Gas Escape P1

- Appendix 07 – Gas Work Records
- Section 01 – Saffron Gas Management Policy
- Section 03 – Gas Industry Unsafe Situations Procedure
- Section 04 – Gas Escape Procedure
- Section 09 – Ventilation Checks
- Section 10 – Flue Checks
- Section 14 – Alterations to Property

## **2 POLICY APPLICATION**

- 2.1 It is Saffron’s intention to close off when possible and restrict any new installations to mitigate the enhanced risks posed by open flue appliances. This includes refusing permissions on the re-opening of existing flues as ‘tenants own improvements.
- 2.2 Saffron commits to maintaining a single primary heat source within each property. Where solid fuel is the primary heat source Saffron will continue to maintain the appliance where practical, and offer a heating upgrade every 3 years.
- 2.3 When refusing any new request for installation as a ‘tenants own improvement’ Saffron will commit to reviewing the building fabric to ensure that the insulation levels are acceptable with regards to heat loss and undertake appropriate works as a result.
- 2.4 When refusing any new request for installation as a ‘tenants own improvement’ Saffron will commit to review and advise on current energy bills to ensure that usage is understood and appropriate tariffs supplied.
- 2.5 Saffron is mindful of the issue of fuel poverty, in respect of this policy, and has carefully weighed this against the ‘Duty of Care’ obligations imposed upon it as a Landlord and considered any potential Health & Safety risks.
- 2.6 At void stage open flues will be closed off, while with mutual exchanges the incoming tenant will be given the choice of signing up to the future maintenance commitment and provision of certification or having the flue blocked off.
- 2.7 Open flued heating appliances owned by Saffron Housing Trust will be on a targeted planned heating upgrade, to remove risk, and improve SAP ratings.

### **3 The Policy allows for the following**

3.1 When carrying out the first Total Property Management (TPM) inspection and a secondary open flue appliance is identified, for tenants that wish to retain this as a 'secondary appliance' Saffron will discuss with the tenants individually the reasons for wanting to keep the secondary appliance and advise whether there's a more efficient way to heat the property. If the tenant still wishes to retain the secondary open flue appliance Saffron will arrange an initial safety inspection.

Costs that arise from the inspection as repairs will be down to the tenant to pay if the open flue has been opened without written permission. The repairs will need to be completed by an accredited person prior to Saffron accepting the system as safe to use.

3.2 It is possible that the repair costs (whether payable by the tenant or by Saffron) are considered prohibitive by Saffron. In these cases, Saffron will need to and agree a way forward with the tenant.

**During the interim period between identification and verification Saffron will recommend that the appliance is not used.**

Once Saffron has obtained the necessary assurances that the open flue appliance is fit for purpose and safe for use, we will then request that the maintenance agreement is signed and returned within 21 days.

3.3 If the resident is not prepared to accept responsibility of the costs in making the system compliant Saffron will take the necessary steps to close off the flue under Health and Safety grounds.

3.4 Upon acceptance of a certificated appliance/system, Saffron will make the resident aware of the need to adhere/ commit to the following.

- Annual regime of maintenance certificated by an accredited company.
- Commitment to installation and testing regime of a CO alarm and, if not already installed, a free-flowing combustion vent. Saffron will cover the costs of installation and maintenance of these items.
- Provision of annual maintenance and service reports for Saffron's records (Irrespective of frequency of use)
- Accept that it may be a factor when reporting damp or mould issues due to under heating, likelihood that the open flue appliance maybe only be heating one room.
- Accept that Saffron will contact the tenant in the 10th month from the date of the last certification. This is to ensure that no certificate is more than 12 months old.
- Understanding that these changes form a variation of their original tenancy

agreement.

- Accept to using the correct fuel for the appliance and storing it in the correct manner.

#### **4 Policy Aims and Objectives**

This policy aims to ensure that Saffron appropriately manages the known risks and records, and monitors, any alterations, or improvements within our housing stock in accordance with legislation and good practice guidelines.

The Key objectives of this policy include:

- Saffron will require that the tenants comply with the conditions of their tenancy agreement along with any statutory or regulatory requirements.
- Ensuring that systems are in place with regards to primary appliance maintenance.
- To ensure that any works and all maintenance of systems are carried out by a competent contractor and supply Saffron with copies of relevant safety certification to be kept for record.

#### **5 Risks Associated with this Policy**

It is also worth noting the negatives to both Saffron and its tenants regarding duty of care, and the risks associated with making a case for a change of policy in this area.

- Risk that residents will not use the correct fuels (CO poisoning/chimney fires)
- Risk that they will not adhere to a maintenance regime (CO/chimney fire).
- Lowering the SAP rating of the property
- That by using a single room appliance the rest of the house may be at increased risk of condensation and mould.

#### **6 Implementation of the Policy**

##### **Property.**

Ensure that the policy is adhered to with regards to NO NEW open flues as a 'Tenants Own Improvement' and initial sign up as a commitment to the maintenance agreement for those that are accepted as a 'tenant own improvement'.

##### **Contracting.**

Ensure that the commitment of annual certification and maintenance is compliant and administered correctly.

##### **Housing Management.**

To work with Contracting when the agreement is breached, or certification is not made readily available. If annual certification is not provided this may ultimately result in enforcement action being considered on the grounds of Health & Safety to close off the flue.

## **7 Permissions, Refusal and Withdrawal of Permission**

All permissions for alteration must be obtained as detailed within the Tenancy agreement and comply with the Tenants own improvements and alterations policy (which includes for the refusal of any new or re-opening of existing open flue appliances)

## **8 Rechargeable Repairs and Maintenance**

Will be dealt with as per the Tenants own improvements and alterations policy.

## **9 Rights to Compensation for Tenants Own Improvements**

Will be dealt with as per the Tenants own improvements and alterations policy.

## **10 Voids and Mutual Exchanges**

Will be dealt with as per the Tenants own improvements and alterations policy and empty property policy document

## **11 POLICY MONITORING AND REVIEW**

11.1 Performance monitoring will be undertaken in the following areas to assess the impact of the procedure:

11.1.1 Key Performance Indicators

11.1.2 Audits

11.2 This policy will be reviewed every 24 months or in line with substantive changes in legislation, regulation, internal system review or best practise.

11.3 Monitoring results will be used by Saffron Housing Trust to inform future procedure reviews in this area. All reviews will consider whether the:

11.3.1 Policy adheres to legislative and regulatory requirements and reflects best practise.

11.3.2 Aims and objectives are being met.

11.3.3 Policy outcomes meet the needs and aspirations of our customer base

11.3.4 Service offers value for money

11.4 Overall monitoring of the policy will be undertaken by:

11.4.1 Senior Management Team

11.4.2 Executive Team

## **12 RESPONSIBILITY**

12.1 The Chief Operating Officer is responsible for ensuring the implementation and that adequate resources are made available to enable the objectives of this policy to be met.

12.2 The Director of Sustainability is responsible for the operational delivery of this policy and the associated procedures. This includes responsibility for monitoring and review, staff awareness and training, policy development and communication to customers.

12.3 The Director for Housing Management is responsible for resolving all tenancy issues relating to Gas Management access issues. This includes the initiation and execution of all relevant legal proceedings resulting from non-access properties.

## **13 REVIEW**

13.1 The policy will be monitored in accordance with the Saffron Housing Trust's performance framework.

13.2 It will be reviewed on a biannual basis; or

13.3 Whenever there is a fundamental change of legislative or regulatory provisions.

13.4 A change in the use of the building.

13.5 Following an incident that required an investigation relating to Gas Work.

13.6 Following recommendations from an audit or external authority recommendation

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