



Briefing 13/21 May 2013

Consultation on Safe Installation and Use of Gas Systems and Appliances

To: All contacts

Key issues

Consultation sought on changes to Gas Approved Code of Practice. Important for all responsible for installing, servicing, maintaining or repairing gas appliances and other gas fittings; as well as suppliers and users of gas, including certain landlords.

1. Background

The Health and Safety Executive have issued a consultation document inviting views on the revised Approved Code of Practice (ACOP) L56 - "Safe installation and use of gas systems and appliances". The ACOP provides practical guidance on how to comply with: the Gas Safety (Installation and Use) Regulations 1998 (SI 1998 No 2451) (GSIUR), and sections 2(1), 2(c), 3(1) and 3(2) of the Health and Safety at Work etc Act 1974, with regards to standards of training in safe gas installation.

The audience for the Regulations and the Health and Safety at Work, etc. includes all those installing, servicing, maintaining or repairing gas appliances and other gas fittings; as well as suppliers and users of gas, including certain landlords. The consultation document and draft ACOP can be found [here](#).

2. Consultation

This consultation is undertaken in compliance with Section 16 of the Health and Safety at Work etc Act 1974 which requires HSE to consult on revisions to ACOPs prior to seeking Ministerial consent to approve the revised ACOP.

In addition to revising L56, the Approved Code of Practice COP20 – "Standards of training in safe gas installation" will be withdrawn. Some of the core text from COP20 will be revised into L56.

In November 2011 Professor Löfstedt published his independent review of health and safety legislation 'Reclaiming health and safety for all' which reported that overall a wide range of stakeholders supported the principles of ACOPs and saw them as a vital part of the system, forming a key link between goal setting legislation and guidance, though many also felt there was room for improvement. He recommended that HSE should review all ACOPs.

The initial consultation sought views on the proposal for reviewing this ACOP that L56 is retained and revised to make it clearer what dutyholders can do to comply with legal requirements and to reduce duplication of other more targeted guidance, and that COP20 is withdrawn and any material it contains that is still relevant (paragraphs 13 and 14) incorporated within L56. That consultation received 114 responses with the vast majority supporting the proposal with main comments relating to the withdrawal of COP 20, a definition of competence and ensuring all sources of information provided the same information. The HSE Board

considered the outcome of the initial consultation in December 2012 and agreed that the proposed revision of the ACOP could be taken forward.

3. The draft ACOP

This consultation seeks views on the whole publication, i.e. the advice provided as ACOP and the associated guidance material. The differences in presentation and status of the different contents of the publication are explained in the draft ACOP.

The significant revisions are as follows:

3.1 The introduction of ACOP and guidance on the requirement for all those carrying out gas work to be adequately trained, following the withdrawal of COP20 (standards of training in safe gas installation). See Part B, regulation 3, paragraphs 57-70. An industry-led group will adopt the remaining COP20 text, and ensure that it is kept up-to-date and remains freely available to all.

3.2 The removal of the majority of landlords' guidance from regulation 36, and its replacement with a small amount of ACOP text. Detailed guidance for landlords on how they can meet their duties under regulations 36 can be found on the HSE website (www.hse.gov.uk) and will be updated prior to the withdrawal of this guidance from L56.

3.3 The removal of Appendix 1 technical detail. Subsequent to the first round of consultation, HSE, in conjunction with industry representatives, proposes to remove the L56 Appendix 1 material. This is on the basis that this information is of a technical nature and is more suited to be published separately from the ACOP, preferably as industry-led guidance. An industry-led working group has been established to consider ownership and the best way to make this information available following its removal from L56.

3.4 The minor revisions to the definition of gas fitting and gas work (see regulation 2, paras 16-18 & 30-37 respectively)

3.5 Minor revisions to regulation 27 material to reflect concerns around flues in voids

3.6 Minor changes to update the material in Part C, Meters & Regulators, including some to reflect the introduction of smart meters

3.7 The removal of Appendices 2 (examples of unsafe situations), 3 (summary of legislation), and 4 (appropriate standards, ACOPs, guidance and relevant information sources). Information on unsafe situations is available in the Gas Industry Unsafe Situations procedure and a list of "Appropriate standards etc" is available from Gas Safe register (both on www.gassaferegister.co.uk). A summary of relevant legislation will be available on the gas pages of the HSE website (www.hse.gov.uk). The ACOP will contain references to these alternative sources of information.

4. Impact of changes

In line with the findings of the Löfstedt review the ACOP has been reviewed to make it clearer and more understandable for users and to bring it up to date. The legal duties that apply and the nature of the method of compliance it describes are substantively unchanged other than to update their descriptions to reflect current positions. Dutyholders already complying with the law should not therefore need to change what they are doing. The benefits arising from the revised ACOP will predominantly be realised by new users seeking advice on achieving compliance or those accessing it to refresh their knowledge.

5. Consultation questions

Views are sought on the following questions:

Q 1.1 Is the draft ACOP and associated guidance sufficiently clear for you to be confident about how you can comply with;

- i. the Gas Safety (Installation and Use) Regulations 1998, and
- ii. sections 2(1), 2(2)(c), 3(1) and 3(2) of the Health and Safety at Work etc Act 1974, with regards to standards of training in safe gas installation,(see Part B, paragraphs 57-70 of the revised ACOP)?

Q 1.2 If not, which parts are not clear and why?

Q 2.1 Are there any comments you wish to make on the method(s) of compliance described in the draft publication?

Q 3.1 Are there any impacts from the revision of this ACOP that we should be aware of?

Q 4.1 Do you agree with the proposal to remove the Appendix 1 technical material from L56 (see paragraph 15.c. above)?

Q 4.2 If not, why not?

Q 5.1 Are there any further issues we should consider before withdrawing COP20?

The paper states that this consultation is not seeking views on the regulations with respect to which this ACOP is approved.

14. Response details

If you wish your comments to be included in the APSE response to this consultation paper please send them to Phil Brennan at pbrennan@apse.org.uk. They should reach him by 26 July 2013. Alternatively, consultation responses can be submitted directly by email to: GasACOPconsultation@hse.gsi.gov.uk. The closing date for responses is Tuesday 30 July 2013.

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