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HEALTH AND SAFETY COMMISSION

FURTHER DEVELOPMENT OF A CONSUMER GAS SAFETY STRATEGY

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Issue

1. Consumer gas safety: next steps.

Timing

2. Routine.

Recommendation

3. For information only.

Background

4. We are working to the agreed plan set out in HSC/05/32 to include gas safety in the next phase of the 'Releasing Capacity, Enabling Others' Programme (formerly 'Invest to Divest'). By encouraging others to assume greater ownership of gas safety issues, we aim to release and redirect HSE resources towards priority work and delivery of our PSA targets. Work will build on the outcomes of the 2000 Fundamental Review of Gas Safety and will more closely align gas safety with HSC's Workplace Health and Safety strategy '*to 2010 and beyond.*'
5. We will explore how increased responsibility for health and safety can be placed with others. We will:
 - Investigate, through contract research work, how we can ensure that consumer gas safety legislation supports the better regulation agenda, including innovative compliance strategies (i.e. fixed penalties);
 - Explore ways in which consumer gas safety can be enhanced, advocating a more holistic approach to regulation so avoiding duplication of process across government departments, e.g. landlords' obligations and working with others, such as the economic regulator, to achieve our policy objectives;
 - Review the current approach of a statutory register of competent gas installers (i.e. the role of CORGI), with a view to:
 - building public confidence in the registration scheme by enhancing the robustness of its governance;
 - focusing on the consumer, including more effective procedures for managing queries and complaints;
 - strengthening stakeholder (including installer) participation.
 - Secure enhanced gas safety promotion through partnerships with industry and other stakeholder groups.

Argument

6. To ensure we get the best outcomes, the work will be informed by a stakeholder forum that will represent a broad range of interests in consumer gas safety. This forum will be a successor for the 'downstream' (i.e. consumer) work of the Advisory Committee on Dangerous Substances (ACDS) Gas Safety Subcommittee and its Working Groups. (Arrangements for parallel stakeholder engagement for 'upstream' gas safety issues are being separately reviewed to ensure that there are continuing means for effective partnership working).
7. The regime for consumer gas safety stems from the Gas Safety Installation and Use Regulations 1998 that deal with installer competence through a statutory register, place duties on landlords and are highly prescriptive on a range of technical issues. Our work will consider the continuing relevance of the current approach to ensure it is fit for purpose and has the support of stakeholders, in particular on the functioning of the register.
8. The target set at the conclusion of the Fundamental Review in 2000 for a 20% reduction in gas related fatalities averaged over 10 years, has already been exceeded. We now need to take stock to determine how best to maintain current performance and how to exploit new ways of working to secure further improvements, mindful of the significant roles that consumer behaviour plays in the incidents that now occur.
8. CORGI has been appointed by HSE to maintain the statutory register. There are pre-registration competence checks and successful registrants are subject to monitoring by CORGI, which also investigates complaints. The work is informed by criteria set down by HSE. CORGI employs some 130 inspectors, whose work is funded mostly by registration fees, resulting in a cost burden on gas consumers of some £12m/annum. This is set to rise to around £17m/annum due to changes made by CORGI involving notification of new installations. Some stakeholders have raised concerns about these changes.
9. CORGI enjoys a high degree of public recognition. CORGI seeks increased certainty in the arrangements for maintaining a register - which can currently be terminated on 12 months notice. It also asks for clarity regarding its role and remit. These are issues that can usefully be explored through a review, alongside mechanisms for strengthening and improving service standards. The review will therefore address:
 - Whether current regulatory arrangement provides appropriate and cost effective means for securing gas safety; and if so,
 - How to ensure that it is 'fit for purpose' in the context of better regulation and commands credibility among all stakeholders
10. It is estimated that a thorough review of this kind will take between a year and 18 months to complete. An outline timetable is at Annex A.

Consultation

12. Consultation has taken place within Policy Group, FOD, CoSAS, PEFD, Enforcement Policy and Communications Directorate. Our proposals for a review have been raised with CORGI and they recognise both the need and the benefits.

Presentation

13. A press release is proposed presently, to 'close out' the 2000 Fundamental Review of Gas Safety and announce the new strategy, including the review of CORGI's functions.

Resources

14. Short-term costs relate to the research contract. The review is likely to cost in the region of £250k. This can be funded from available Programme money.
15. The outcome of this work will release some of HSE's resources for policy maintenance/development and enforcement for consumer gas safety - which are currently

between 15 and 20 staff years. Benefits are difficult to quantify at this stage and turn on the conclusions that will flow from the research.

Environmental and Other Implications

17. None

Action

18. That the Commission notes this paper.

OUTLINE TIMETABLE

Action	By when
Announce review and appoint consultants	By the end of 2005
Establish stakeholder forum	January 2006
Publish Terms of Reference	March 2006
Fieldwork by consultants	March to July 2006
Emerging conclusions/options/recommendations	August – September 2006
Reconvene stakeholder forum to consider emerging options and conclusions	Late September 2006
Final report available	Late Autumn 2006