



Gas Service Policy & Procedures

July 2019

Policy Manual Section:	Operations - Property Management
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Govan Housing Association can provide this document on request, in different languages and formats, including Braille and audio formats.



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1 Introduction

- 1.1 Govan Housing Association (Govan HA) has a legal responsibility to service and maintain all gas appliances and flues that we have installed in our housing stock and offices. Govan HA now manages over 1560 houses with gas appliances.
- 1.2 This policy and procedure document covers the following areas: -
- Govan HA's Responsibilities
 - Quality control
 - Govan HA's approach to taking access when required

2 Aims and Objectives

The objective of this policy is to ensure that Govan HA complies with the obligations placed upon it by The Gas Safety (Installation and Use) Regulations 1998, subsequently amended in 2018. In summary this requires the Association to:

- ensure gas fittings and flues are maintained in a safe condition;
 - ensure an annual safety check is carried out on each gas appliance/flue;
 - have all installation, maintenance and safety checks carried out by a Gas Safe registered gas installer;
 - keep an electronic record of each safety check for at least two years;
 - Ensure our contractor issues a copy of the latest safety check record to existing tenants within 28 days of the check being completed, or to any new tenant before they move in.
- 2.1 In addition the policy will ensure we manage our services in order to meet the outcomes of the Scottish Government's Scottish Social Housing Charter in particular outcomes 1 Equalities, 4 Quality of Home, 5 Repairs and Maintenance and 13 Value for Money. We will deliver high level services measured against the Scottish Housing Regulator's relevant performance indicators as part of our Annual Return on the Charter.
- 2.2 Govan HA will apply this policy in a manner, which ensures compliance with the legislation while supporting its overall objective of providing tenants with a high quality repairs service.

3 Policy Summary

- 3.1 Govan HA will
- carry out a gas safety check within 12 months of the installation of a new appliance or flue
 - carry out an annual gas safety check on or before the anniversary date of the existing gas safety record.
 - keep a record of safety checks for 2 years
 - issue a copy of the record to each existing tenant within 28 days of the check being completed
 - issue a copy to any new tenants before they move in
 - take reasonable steps to work with tenants so that the service is carried out at a convenient time
 - offer advice to tenants who choose to have their gas supply capped and monitor the reasons for this
 - force access in the event that access is not facilitated by a tenant

4 Equal Opportunities Statement

- 4.1 Govan HA is committed to developing an organisational culture which values people from all sections of the community and the contribution that all individuals can make to that community.
- 4.2 In the application of this policy we will be mindful of the needs of individuals, particularly in the ways we engage to obtain access to people's homes. We will provide information we have available to make our contractor aware of individuals needs and to tailor their service accordingly (eg if a customer needs time to get to their door). We will seek support for customers where necessary (eg if communication is a barrier to access).
- 4.3 Govan HA will review this policy for equal opportunities implications and take the necessary action to address any inequalities that may arise.

5 Legal Responsibilities of Govan HA

- 5.1 Govan HA aims to comply with legislation, guidance and good practice in the repair and maintenance of its homes. Account has been taken of
 - The Gas Safety (Installation and Use) regulations 1998 and subsequent amendments of 2018.
- 5.2 This policy applies only to appliances installed by Govan HA and not tenants own appliances such as cookers or fires. See Section 6 below for tenants own gas appliances.
- 5.3 The Scottish Government's Social Housing Charter establishes standards and outcomes that all social landlords should aim to achieve when performing their housing activities. This policy and procedure will ensure adherence to all aspects of the charter, in particular outcomes, 1 Equalities, 4 & 5 Maintenance and Quality of Home and 13 Value for money.
- 5.4 In order to meet our legal obligations Govan HA is mindful of Gas Safety (Installations and Use) Regulations, Regulation 36 – duties of landlord. This places a strict liability on landlords to carry out a gas safety inspection every 12 months.
- 5.5 Under Regulation 36 Govan HA will be deemed not guilty of an offence under regulation 36 should it be able to show that "*all reasonable steps*" were taken to prevent the offence from taking place, in the event that we need to force entry to undertake the gas safety procedure.
- 5.6 Govan HA requires tenants to allow access for their annual gas service and this is documented in, and is a condition of the tenancy agreement.
6. In 2009 the Scottish Federation of Housing Associations (SFHA) obtained Counsel's opinion on forcing entry. This Counsel's view was that landlords could rely on the contractual terms in the SST to force entry, with recommendations on how to manage their processes, including:
 - they have well-considered, clear and sound procedures for carrying out gas safety checks with sample letters and timescales;
 - regularly and clearly communicate the process to all its tenants in writing;
 - train staff in the procedures and keep this training up-to-date;
 - have procedures available for inspection and consultation by tenants and their advisors;

- make plain to tenants that the landlord has a right to forcibly enter as a last resort in the event of non-co-operation, that this right will usually be enforced, and that the tenant may be liable for the costs of so doing;
- a landlord may seek a court order in some circumstances rather than force entry and the tenant would be liable for the costs of so doing;
- keep accurate records of all attempts made to gain access;
- give numerous opportunities for the tenant to co-operate before forcing entry and that those opportunities are at reasonable dates and times;
- opportunities swiftly escalate in terms of urgency and formality and intensity;
- All letters remind the tenant among other things: of the tenant's obligations; the landlord's contractual rights; the regulations, and the dangers of gas installations not being inspected; and
- the final letters should advise the tenant of the proposed action that will be taken in the event of non-compliance and the tenant's liability for costs in that event.

5.7 A procedure is in place to ensure all reasonable steps are taken to carry out a Gas Safety service within the timeframe required and those actions are documented. We will detail at appendix 1 how we plan to demonstrate this as part of our procedure. The decision to take forced access to a property will be authorised by the Head of Property Services or Maintenance Manager and approved by Head of Housing when all of the procedural steps have been evidenced and exhausted.

6.0 Tenants' Own Gas Appliances

6.1 Tenants need to seek the Association's permission to undertake alterations or improvements to their home. The Association's policy is to not unreasonably refuse permission. However where a tenant seeks permission to install an open flued gas appliance this will normally be refused due to:

- the need for additional ventilation which would be required to meet current regulations, usually by drilling a 100mm (4") diameter hole through the wall of the building;
- potential maintenance difficulties for the Association as a result of that ventilation in the medium to long term;
- additional works when the tenant moves out;
- the difficulty in ensuring that the tenant has a gas safety check and service at least once a year by a suitably qualified person.

6.2 Where a tenant has previously installed an open flued gas appliance the Association's permission should have been sought and in most cases would have been approved under the policy relevant at the time of the application. Responsibility for the servicing of that appliance rests with the tenant. However the Association is responsible for ensuring that the flue that is used by the appliance is safe, and also has a responsibility to other residents in the block.

6.3 It is a requirement for any tenant who has installed their own appliance (with or without permission) to have a gas safety check and service carried out at least once a year and to provide the Association with a copy of the gas safety certificate. Where the Association have been notified, then a valid certificate should be provided to the Association within 14 days. When the Association becomes aware itself of a gas installation the tenant will be advised that they require to provide a valid gas safety certification within 14 days. Given the importance of having gas safety checks carried out the Association will carry out the gas safety check and service when we are satisfied the tenant has not done so and the cost will be re-charged to the tenant.

7.0 Management Strategy

- 7.1 The Head of Property Services is responsible for the implementation of this Policy and Procedure.
- 7.2 The Property Services Co-ordinator will have operational responsibility for implementation of the Policy and Procedure. They will liaise with external contractors, monitor the gas servicing programme and ensure that up to date accurate information is recorded.
- 7.3 All engineers working on appliances owned by Govan HA will be registered with Gas Safe, and hold all relevant accredited certificates under the Accredited Certification Scheme (ACS). Records can be accessed via the contractors online portal regarding engineers accreditations.
- 7.4 Govan HA will maintain a database of all properties where gas appliances have been installed which will contain all relevant information required in the management of the gas servicing programme. The Association will make use of the current contractors web based portal to retrieve up to date data on service history and review dates.
- 7.5 Govan HA will ensure the quality of gas servicing is inspected by a suitably qualified external third party contractor. Currently our contractor is bound by Govan HA to have their work and qualified engineers inspected and audited by an external auditor to ensure their standards meet the registration criteria. Currently 10% minimum of stock CP12's are audited.
- 7.6 Govan HA will keep accurate records of all attempts made to gain access in order to evidence the status of the gas safety check and to be able to evidence that we have adhered to this procedure.

8.0 Tenant Welfare

- 8.1 Where a tenant has a pre payment meter installed and there is no gas credit on the meter then a gas service cannot be carried out. In all such cases the gas supply will be capped off at the consumer side of the meter. Govan HA will monitor the reasons for and level of capped properties.
- 8.2 The tenant will be offered advice and assistance to facilitate the reconnection of their gas supply. The advice and assistance may include the following actions:
- Referral to the Associations Financial Inclusion Team
 - Referral to G-Heat Services
 - Referral to Home Energy Scotland
- 8.3 Generally gas services will be arranged during Govan HA office hours, however alternative days and times may be provided to the tenant in negotiation with the contractor as required.

9.0 Void Properties

- 9.1 When a property becomes void (empty), a new Gas Safety check will be carried out to ensure that during the time of the previous tenancy there have been no alterations which may impact on the safety status of that property. Such issues may include the outgoing tenant tampering with the Gas boiler or installing a fire or cooker incorrectly. The new Gas Safety Certificate will be issued to the incoming tenant.

10.0 Policy Review

- 10.1 This policy will be reviewed every three years unless changes in legislation or regulation necessitate an earlier review.



Gas Safety Procedure

This procedure details how the Association will undertake the process of Gas Safety Management in accordance with Gas Safety Legislation as set out in our Policy.

This procedure has been written with timelines, in order to demonstrate the timescales required for each stage of the procedure and a complimentary workflow is included at Appendix 1.

Stage 1 – 1st appointment	Timeline
1.1 The first appointment letter (Appendix 2) will be sent out by the Contractor, to tenants approximately 12 weeks before a gas service is due. This will notify the tenant that the service is due and an appointment date is provided within 7 days, this letter will also give the tenant the option of booking a more convenient appointment at this stage.	Week 1
1.2 Tenants should then contact the Contractor to arrange an alternative appointment if the one given does not suit.	
1.3 If this alternative appointment is less than 3 weeks before the expiry of the current certificate then Govan HA will contact the tenant and advise that this appointment does not allow enough time for our gas procedures to be implemented in case of further potential no accesses and bring forward the appointment to a mutually convenient date.	
1.4 If access cannot be gained at the 1 st scheduled appointment on the date and time stated in the letter, the contractor will leave a card at the property advising of the 2 nd scheduled appointment, which will be approximately 1 week later. Govan HA is notified via email and update their records of the 1 st no access.	Week 2
1.5 Govan HA will then send of their first no access letter (Appendix 3) informing the tenant that they must contact the contractor direct to rearrange if the 2 nd scheduled appointment does not suit.	
 Stage 2 – 2nd appointment	
2.1 The Contractor will attend 2 nd scheduled appointment. If no access is gained	Week 3

Govan HA are advised by email that the 2nd service attempt has not been carried out.

- 2.2 Within 7 days property Services will then issue a letter advising tenants that they will begin using a variety of methods to contact them to arrange a service date, copy of letter attached at Appendix 4. **Week 4**
- 2.3 If there is no response within 7 days to this letter, then property services will start the process of obtaining evidence to support a potential forced access. **Week 5**

Stage 3 – Request for Authorisation of Forced Access Form

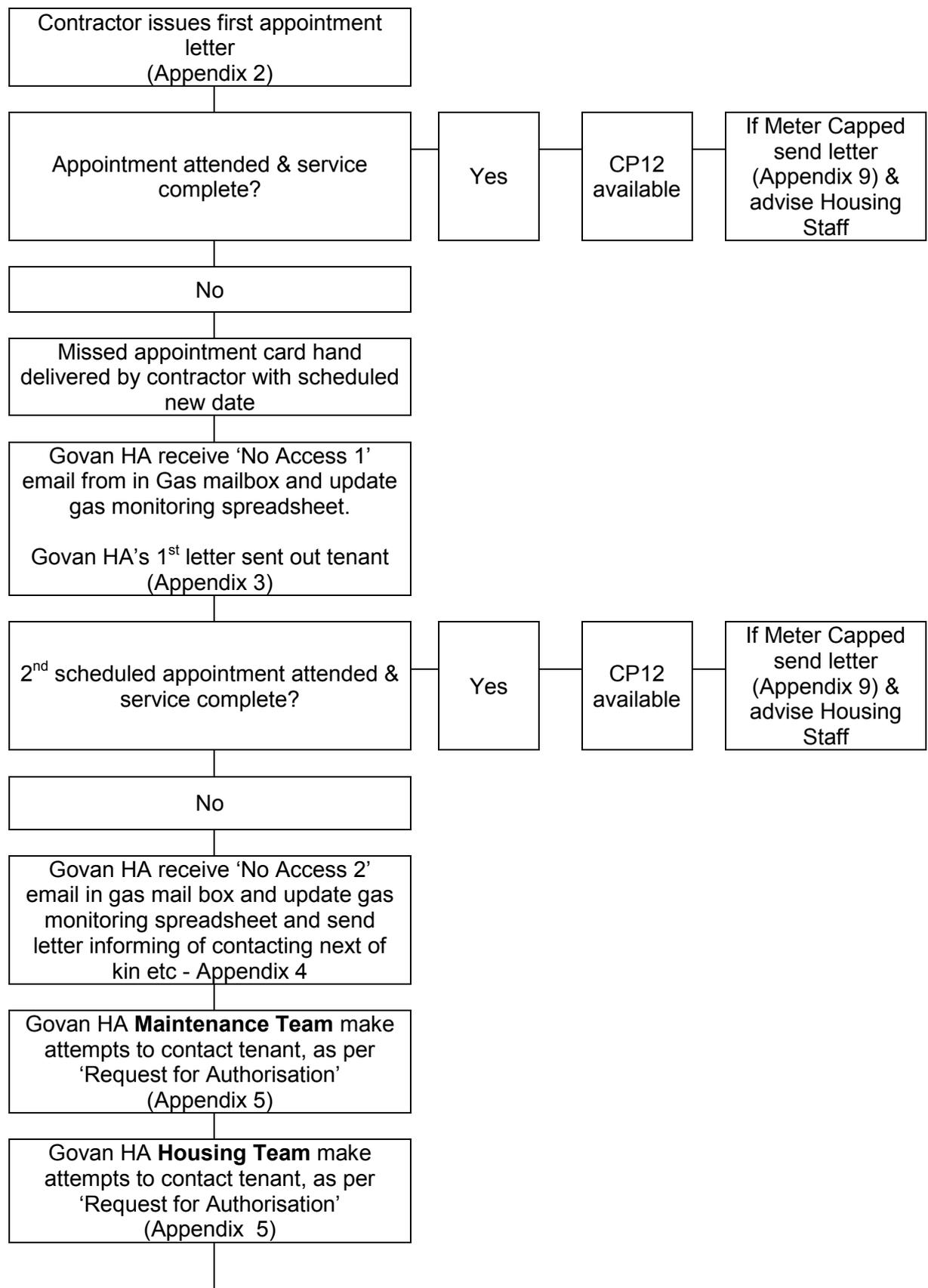
- 3.1 A 'Request for Authorisation for Forced Access Form' is raised by Property Services and during the course of the week several telephone attempts will be made to contact the tenant, this will be recorded on the forced access form. **Week 6**
- 3.2 Property Services will then email Housing Management a link/or copy of the Paperwork for their checks to be undertaken. This involves contacting the tenant by telephone, contacting their next kin, visiting the property and contacting support services if appropriate. All of these methods of communication are recorded for audit purposes on the Maintenance Forced Access Communication Audit form (FACA) Appendix 5. **Week 7**
- 3.3 One week from the date when the addresses have been passed to Housing Management to carry out their relevant checks as per Stage 2 of Appendix 5, and where there has still been no arrangement made for a gas service to be carried out, property services will refer the case to the Head of Property Services or Maintenance Manager who will arrange authorisation with the Head of Housing to proceed in gaining access to the property, this will also include the authorisation for the costs to be recharged to the tenant, as per Appendix 5. **Week 8/9**
- 3.4 Any action will only be taken after consideration has been given to the circumstances surrounding the difficulty in accessing the property concerned, and must be sanctioned by both the Head of Property Services or their delegated authority and the Head of Housing or their delegated authority and signed off at (Appendix 5). **Week 9/10**

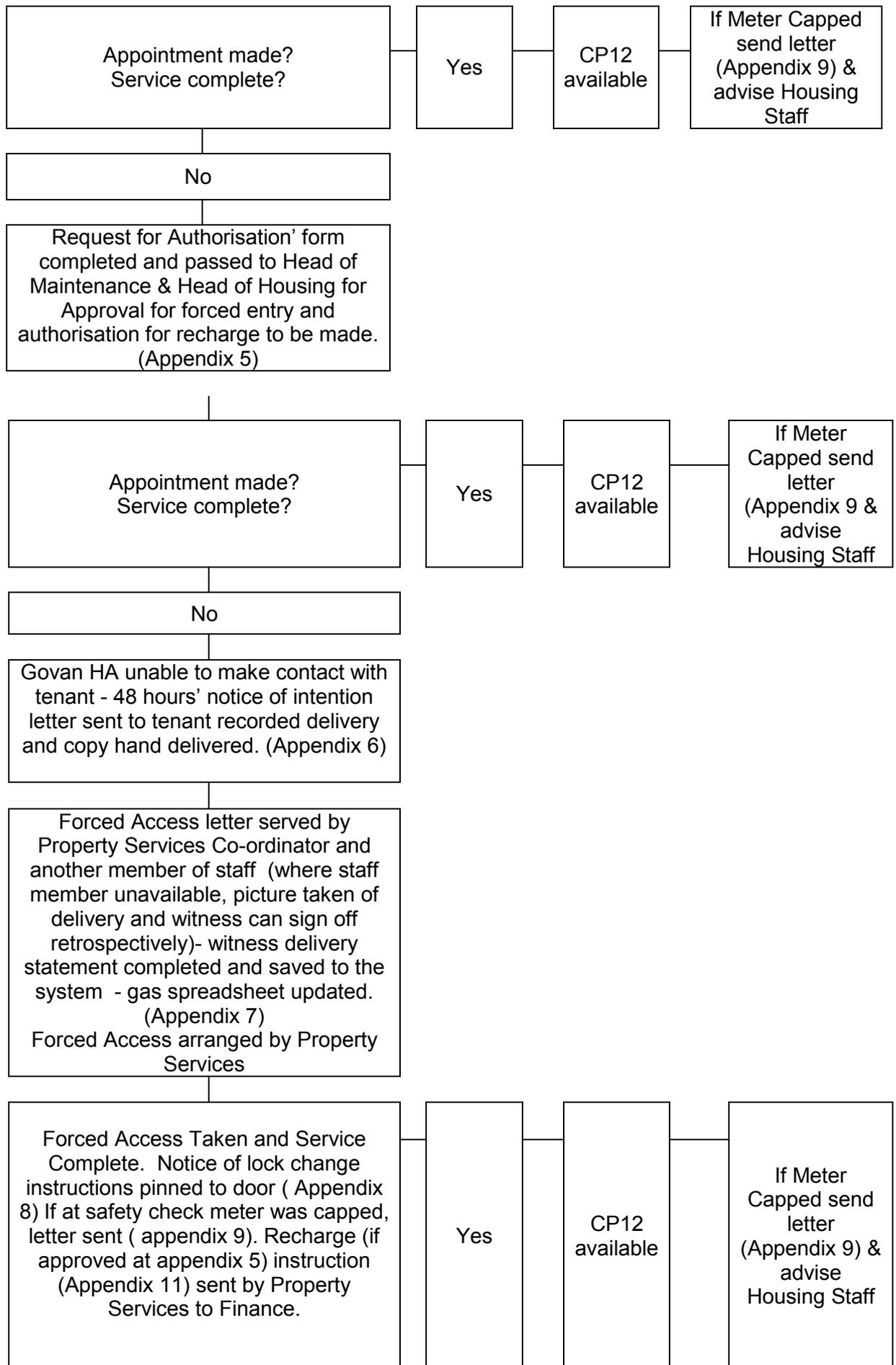
Stage 4 – Forced Access

- 4.1 **Forced entry** - Access will be taken with the provisions available within the tenancy agreement. A letter will be sent Recorded/Tracked Delivery giving 48 hours' notice of our intention to force access. (Appendix 6). **Week 11**
- 4.2 Where we receive no contact a letter specifying date and time of the forced entry will be hand delivered to the property by a staff member and a picture will be taken of the delivery of the letter and the witness statement signed retrospectively based on the evidence of the picture. This will be undertaken by the Property Services Co-ordinator or their delegate (Officer level only) and where possible another member of staff. (Appendix 10) **Week 11/12**
- 4.3 If no contact is made by the tenant then we will proceed with the forced access and lock change. Property services will organise for a joiner to be in attendance. This forced access will be attended by the joiner, gas engineer and Housing Officer. **Week 12**
- 4.4 Where access has been taken, and it has been necessary to change the door locks, then a "Notice of Lock Change" (Appendix 8) will be pinned to **Week 12**

the outside face of the door advising the tenant of how to access the new keys.

- 4.5 Property Services will then complete a recharge instruction for the Finance Department to issue an invoice within 7 days (Appendix 11) .. **Week 12**
- 4.6 If the tenant is not present when forced entry is required due to the gas safety check being overdue, the gas appliances will either:- **Week 12**
- be serviced and a safety certificate issued or
 - be made safe by disconnecting the gas supply to the Association's gas appliances, usually by capping the supply. Where a supply has been capped Appendix 9 'Capping of Gas Supply' letter will be issued.
- 4.7 If the gas appliance is isolated or capped Contractor to respond to Out Of Hours call from tenant or "in hours" call from GHA seeking restoration of heating. Contractor to respond as part of contract – treat as "Urgent" call. Appliance(s) to be serviced and heating/ hot water to be restored.
- 4.8 Serve Abandonment Notice - An abandonment notice may be served on the property should the circumstances indicate such a situation has occurred.





If property shows signs of being abandoned, then HM will issue the appropriate abandonment procedure.





Date: GHA/GS1

Our Ref.: GOV-009720

Dear (insert)

GAS SAFETY (INSTALLATION AND USE) REGULATIONS 1998

The above regulations require the Association to carry out a service on all its appliances at least once a year (e.g. central heating boiler; gas fire). We must do this even if you do not use your gas.

Your heating system is now due for the annual service and as the required work affects the safety of those occupying the flat it is imperative that access is gained to carry out the service as soon as possible. Failure to provide access may result in the Association forcing access into your home.

Therefore, I have arranged for an engineer to visit your property on

****Relevant Date****

If this date is not suitable please contact Gas Sure direct **01294 468113**, select option 1 and ask to make an alternative appointment.

Yours sincerely

John Sweeney
Maintenance Co-Ordinator
Govan Housing

Ref

Date

Title Name Surname
00 Street Name
City
Postcode

Dear Name Surname,

Annual Gas Safety Check – Missed Appointment

Our Contractor called recently to carry out the annual gas safety check at your home.

You had been advised of the appointment but no one was home when they arrived.

Govan Housing Association has a legal requirement, under the Gas Safety (Installation and Use) Regulations to ensure that an annual safety check is carried out on each appliance and/or flue provided in your home and that pipework, appliances and flues are in a safe condition.

This work is necessary to prevent injury to you, your family and neighbours from carbon monoxide poisoning, fire and explosion.

Our contractor will automatically re-attend one week after your missed appointment.
If this does not suit or you are unsure of when they plan to next attend, please contact them directly to arrange an alternative date.

Failure to allow us into your home to carry out the gas service is a breach of your Tenancy Agreement.

If we do not hear from you in the next 7 days we will consider taking action against you and you will be charged for any costs incurred.

If you have made an alternative appointment in the last few days, please ignore this letter.

Yours sincerely



John Sweeney
Property Services Co-ordinator

Ref

Date

Title Name Surname

00 Street Name

City

Postcode

Dear Name Surname,

Annual Gas Safety Check – 2nd Missed Appointment

Our Contractor has called on 2 separate occasions recently to carry out the annual gas safety check at your home.

You had been advised of the appointments but no one was home when they arrived.

Govan Housing Association has a legal requirement, under the Gas Safety (Installation and Use) Regulations to ensure that an annual safety check is carried out on each appliance and/or flue provided in your home and that pipework, appliances and flues are in a safe condition.

This work is necessary to prevent injury to you, your family and neighbours from carbon monoxide poisoning, fire and explosion.

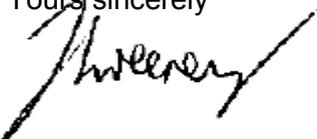
As part of your tenancy agreement and as per the current legislation permissions governing personal information, we will now use the information you supplied to us in relation to NEXT of KIN details to try to make contact with you in order to undertake the gas safety check. We will also contact the police and local hospitals to determine if you are unable to contact us. This procedure is in line with our Gas Safety Policy and Procedures and adheres to the terms of your Scottish Secure Tenancy Agreement.

Failure to allow us into your home to carry out the gas service is a breach of your Tenancy Agreement.

If we do not hear from you in the next 7 days we will consider taking further action against you which may involve forced access, you will be charged for any costs incurred if this process is undertaken.

If you have made an alternative appointment in the last few days, please ignore this letter.

Yours sincerely



John Sweeney
Property Services Co-ordinator

Appendix 5

Request for Authorisation to take access

Patch:		Property Code:	
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The following Tenant has failed to give us access to their home to allow us to carry out a gas service and safety check (CP12). Authorisation is sought to force entry to the property to carry out these gas works. The information provided below details our attempts to inform the tenant of our requirements to access their home.

Tenant's Name:				Address:		
Tel. No. 1:		Tel. No. 2:		Tel. No. 3:		
Stage 1						
Contact Attempts made by Maintenance Team:						
Stage 2						
Details passed back to Housing Services for Tenancy Checks:						
Tenancy Checks carried out						
Next of Kin:						
Hospital/Prison:						
Neighbours:						
Property Visited:						
Contact attempts:						
Housing Officer satisfied with Tenancy Checks:						
Stage 3			Signed		Date	
Authorisation to take access						
Head of Maintenance:						
Head of Housing:						
Authorisation to recharge costs to tenant: Head of Housing			Yes/No			
Stage 4						
Date & Time proposed for forced access:						
Date Police informed:						
Letter hand delivered:						

NA Gas Safety

Date

Title Name Surname

00 Street Name

City

Postcode

Dear Title Name Surname

Gas Safety (Installation and Use) Regulations 1998

The above regulations require the Association to carry out a service on all its appliances at least once a year (e.g. central heating boiler; gas fire).

You have to date received 3 letters of communication in regards to gas safety access and our gas contractor has called to your property on two occasions to carry out this service. On both occasions you failed to provide access or call to arrange a mutually suitable alternative time to carry this out.

This service **must** be carried out to ensure the safety of you, other household members and your neighbours. Under Clause 5.12 of your Scottish Secure Tenancy Agreement with Govan Housing Association, the Association has the right to force entry in cases such as this. **You will be charged for the cost of forcing entry to your property which will be subject to VAT.**

If you do not want us to proceed with forcing entry to your home you must contact this office either in person or by telephone (0141 440 0988) **within the next 48 hours**.

If you fail to contact us within 48 hours we will assume that you do not intend to let us in to carry out this necessary work. We will then arrange to force access to carry out minimal works to meet our legal obligations to ensure your home is safe.

Yours sincerely

John Sweeney
Property Services Coordinator

Ref:

Date

Title Name Surname

00 Street Name

City

Postcode

Please Do Not Ignore This Letter

Dear Title Name Surname

**Serious Breach Of Tenancy Agreement:
Failure To Allow Access To Inspect Gas Installations**

Intention To Force Entry Notification

You have failed on three notified occasions to allow our contractors access to your property to carry out the annual gas installation inspection and service. The Association must, under the Gas Safety (Installation and Use) Regulations 1998, inspect and service any gas installations in **all** its properties at least once a year. We must do this even if you do not use your gas.

Clause 5.12 of your tenancy agreement states that "We have the right to come into your house to inspect it and its fixtures and fittings or carry out repairs to it.... If you refuse us entry we will have the right to make forcible entry, provided we have given you every reasonable opportunity to let us in voluntarily".

We are now giving notice to you that on **RELEVANT ACCESS DATE** we will require access to carry out the required inspection and service. **If you do not provide access we will exercise our right to force entry and make the gas safe by capping the gas meter.**

You will have to contact us or our emergency gas contractor to get your gas supply turned on again. You will be liable for the cost of forcing entry, reinstating any necessary damage and replacement of the locks.

It is in your interest to be at home on the above date to allow access to your property. We can then carry out the gas safety check.

If we force entry the locks will be changed. You will need to come to our office to get the new keys for your flat.

Keys will only be available during office hours. Keys will only be given to the legal tenant of the property following an interview with a member of the Housing management team.

Please note that the office opening times are:

Monday, Tuesday and Thursday: 8.30am to 5.00pm

Wednesday: 8.30am to 12.30pm

Friday: 8.30am to 4.30pm

Yours sincerely

Tom McLeod
Head of Property Services
Repairs Phone Line – 0141 440 0308



Govan Housing Association previously notified you that access was urgently needed to your house to ensure the safety of the gas appliances. The Association has now exercised its right to force entry to this property and the locks have been changed.

The tenant of this property must come to our office at 35 McKechnie Street, Govan, to get the new keys for the flat.

No arrangements can be made for the keys to be handed over without the tenant of this property having an interview with one of our staff, or outwith the office opening times below.

Keys will not be given to anyone other than the tenant of the property. Proof of identity must be provided.

If you have a prepayment meter and have no credit the gas supply has been capped to ensure the safety of residents. Your gas appliances will not therefore work.

You chose not to give us access despite repeated requests. As a result, Govan Housing Association cannot be held responsible for any inconvenience which you experience as a result of this lock change

Please note that the office opening times are:

Monday	9.00 am – 5.00 pm
Tuesday	9.00 am – 5.00 pm
Wednesday	9.00 am – 12.30 pm
Thursday	9.00 am – 5.00 pm
Friday	9.00 am – 4.30 pm

Capped Gas Supply

Date

Title Name Surname
00 Street Name
City
Postcode

Dear Name Surname

Your Annual Gas Safety Check

Further to your recent gas safety check I understand that you currently have no credit in your prepayment meter(s).

Under gas safety legislation, Govan Housing Association, as your Landlord, has a responsibility to ensure that all gas appliances within your home are safe.

As we cannot carry out a gas safety check, we have disconnected the gas supply at the consumer side of the meter until such times as you wish your gas supply re-instated.

Please contact us as soon as possible to re connect your supply and we will arrange this as a matter of priority. We will also carry out a gas safety check to all appliances installed by us at that time.

If you are experiencing financial difficulty and are unable to top up your gas meter or there is historical debt on your meter we can refer you to Home Energy Scotland who can assist with getting the debt on your meter cleared enabling you to have your gas meter uncapped.

Yours sincerely,

John Sweeney
Property Services Coordinator

Appendix 10

WITNESS DELIVERY STATEMENT

This is to certify that Notice of Forced access for Gas Safety Check was delivered to:

1. **Tenant 1 Name**
2. **Tenant 2 Name**
3. -
4. -
5. -

On the 13 November 2019

Delivered by: _____

Print Name: **STAFF NAME**

Designation: **STAFF GRADE**

Witnessed by: _____

Print Name: **STAFF NAME 2**

Designation: **STAFF GRADE 2**

