



## HOUSING COMPLIANCE (FIRE SAFETY) POLICY

<b>Date of policy</b>	April <del>2021</del> 2024
<b>Date for review</b>	<del>April 2024</del> March 2026
<b>Policy owner</b>	Director of Housing and Operations, Folkestone & Hythe District Council
<b>Approved by</b>	Pending
<b>Risk register rating</b>	High
<b>Associated documents</b>	FHDC Fire Safety procedure

Revision history			
Version	Date	Revision description	Revision author
V1.0	March 2020	Document created	Lee Woods (Pennington Choices)
V2.0	March 2021	Re-branding; update of key roles and responsibilities in line with FHDC reporting structure	John Holman, Assistant Director (Housing); Jonathan Hicks, Performance Specialist
V2.1	September 2021	6.17 Change of wording to reflect circumstances for a safety visit from KFRS (i.e. not in all cases)	Jonathan Hicks, Performance Specialist. Approval received from Director and Portfolio holder 02/09/21

V2.2 (draft)	November 2023	Changes made to reflect Fire Safety Act 2021 and current working practises.	Claire Wickens, Compliance Specialist; Jonathan Hicks, Performance Specialist
V2.3 (draft)	January 2024	3.4 updated to reflect new powers by the Regulator	Jonathan Hicks, Performance Specialist

<b>NEW POLICY / POLICY REVIEW</b>	
New policy	
Early review – change in legislation	
Early review – significant changes in practice	
Review due – significant changes	YES
Review due – cosmetic changes or unchanged	
Other reason	
<b>Reason for new policy / summary of changes</b>	
To ensure the accountability for managing this policy reflects the current working practises of the housing and compliance team, and to comply with new legislation.	

<b>CONSULTATION</b>	
<b>List of people/roles who have been consulted</b>	<b>Date</b>
Keith Deane, Compliance Senior Specialist	Oct/Nov 2023
Claire Wickens, Compliance Specialist	Oct/Nov 2023
Mick Hale, Assets and Development Lead Specialist	Oct/Nov 2023

<b>EQUALITY IMPACT ASSESSMENT</b>	Completed	Date
	Yes	28 April 2021

<b>DISSEMINATION</b>		
Role	Awareness	Essential
Compliance team		YES
All housing staff	YES	

<b>TRAINING</b>		
Role	Trainer	Date completed
Compliance Specialists	Compliance Senior Specialist	

<b>MONITORING AND COMPLIANCE</b>		
Method	Responsibility	Frequency
Internal audit review	EK Audit partnership	Annually or as required

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### Appendix 1 Fire Safety guidance

## 1. Purpose of the Policy

- 1.1 Residents of properties left unprotected against fire have a much higher than average chance of being injured or killed in their home. There were ~~268-275~~ fatalities recorded between May 20~~21~~~~18~~ and June 20~~22~~~~19~~ and the Fire and Rescue Services in England attended ~~154,772~~~~82,491~~ fires in that same period, 751 in purpose-built blocks (Home Office, Fire & Rescue incident statistics, England, year ending June 20~~22~~~~19~~).
- 1.2 In addition to this there have been high profile fires in social housing high-rise blocks (most notably Lakanal House in 2009 and Grenfell Tower in 2017) which resulted in many tenants losing their lives.
- 1.3 Most fires are preventable. Those responsible for buildings to which the public have access can avoid them by taking responsibility for and adopting the right behaviours and procedures. In October 2006, the Regulatory Reform (Fire Safety) Order 2005 (FSO) came into force. This FSO places a duty on persons responsible for buildings to carry out fire risk assessments.
- 1.4 The purpose of this policy, therefore, is to ensure Folkestone and Hythe District Council (hereafter referred to as 'the Council') is aware of its duty to carry out fire risk assessments and implement adequate fire prevention measures to protect tenants in their homes, and to ensure it complies with the latest fire safety legislation-

## 2. Policy Objectives and Scope

- 2.1 The Council must establish a policy which meets the requirements of the Regulatory Reform (Fire Safety) Order 2005 (FSO), which came into force in October 2006. Furthermore, this policy must also meet the stringent fire requirements set out in:
  - The Fire Safety Act 2021
  - The Fire Safety (England) Regulations 2022
  - The Building Safety Act 2022
  - The Smoke and Carbon Monoxide Alarm (Amendment Regulations 2022)A full list of legislation is listed in section 3 (below).~~In addition to this, the policy must provide assurance to The Council that measures are in place to identify, manage and/or mitigate risks associated with fire.~~
- 2.2 In addition to this, the policy must provide assurance to the Council that measures are in place to identify, manage and/or mitigate risks associated with fire. The Council must also ensure that compliance with fire safety legislation is formally reported to the Council's ~~Cabinet~~Corporate Leadership Team, including the details of any non-compliance.

- 2.3 The policy is relevant to all Council employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, ~~or use its premises, any property within its managed social housing stock, or who may be affected by its activities or services.~~
- 2.4 It should be used by all to ensure they understand the obligations placed upon the Council to maintain a safe environment for tenants and employees within the homes of each tenant, and within all communal areas of tenanted buildings ~~and 'other' properties~~ owned and managed by the Council. ~~(offices, commercial shops, depots, etc.).~~

### 3. Legal/Regulatory Framework

- 3.1 **Regulatory Standards** — the application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH) in April 2012.
- 3.2 **Legislation** — the principal legislation applicable to this policy is the Regulatory Reform (Fire Safety) Order 2005 (FSO), which came into force in October 2006. These regulations place a duty on the Council to take general fire precaution measures to ensure, as far as is reasonably practicable, the safety of the people on their premises and in the immediate vicinity.
- 3.3 Additional duties have been placed on the Council following The Grenfell Review and the introduction of four new pieces of legislation:
- 3.3.1 The Fire Safety Act 2021, which came into force in May 2022. The Act clarifies the parts of a premises that apply to the FSO (see 3.2).
- 3.3.2 The Fire Safety (England) Regulations 2022, which came into force in January 2023. These regulations require the Council to identify any blocks that are over 11 metres, or over 18 metres, in height. These place additional responsibilities regarding the level of information provided to residents on fire safety.
- 3.3.3 The Smoke and Carbon Monoxide Alarms (Amendment) Regulations 2022, which came into force in October 2022. These regulations upgraded the detector responsibilities place upon the social housing sector.
- 3.3.4 The Building Safety Act 2022, which came into force in October 2023. This establishes a new and enhanced regulatory requirement for the structural fire safety of buildings.
- 3.4 The Council is the 'responsible person' for the purposes of the legislation by virtue of the fact that it owns and manages homes and buildings, housing tenants/leaseholders through the tenancy agreement and lease obligations.
- ~~LACORS – Housing – Fire Safety: Guidance on fire safety provisions for certain types of existing housing~~

- ~~Local Government Association: Fire safety in purpose-built blocks of flats~~
- ~~HHSRS Operating Guidance – Housing Act 2004: Guidance about inspections and assessment of hazards given under Section 9~~
- ~~HHSRS Operating Guidance – Housing Act 2004: Addendum for the profile for the hazard of fire and in relation to cladding systems on high-rise residential buildings~~
- ~~Ministry of Housing, Communities & Local Government (MHCLG): Building safety advice for building owners, including fire doors (January 2020)~~
- ~~Ministry of Housing, Communities & Local Government (MHCLG): Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings (January 2020)~~
- ~~National Fire Chief Council's Guidance (NFCC) – Fire Safety in Specialist Housing – May 2017, covers sheltered schemes, supported schemes and extra-care schemes~~
- ~~Practical Fire Safety Guidance for Existing Premises with Sleeping Accommodation 2018 – guidance for those with responsibility for ensuring fire safety in certain premises within sleeping accommodation in Scotland~~
- ~~Building a Safer Future – Independent Review of Building Regulations and Fire Safety: Final Report (May 2018)~~

~~Interim Guidance – the relevant documents of interim fire safety guidance applicable to this policy are as follows:~~

~~Building a Safer Future – Proposals for reform of the building safety regulatory system: A consultation (June 2019)~~

~~The Regulatory Reform (Fire Safety) Order 2005: Call for Evidence (July 2019)~~

~~Grenfell Tower Inquiry: phase 1 report. Volume 1 – 4 (October 2019)~~

### 3.5 Sanctions

3.5.1 The Council acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and approved codes of practice, and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health and Safety Executive under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; and/or prosecution by the Fire and Rescue Service under the FSO, ~~and via a serious detriment judgement from the Regulator of Social Housing.~~

3.5.2 In addition, the Regulator of Social Housing has powers to proactively intervene where landlords are performing badly on consumer issues (including non-

compliance with building safety measures) and may conduct routine inspections to investigate systematic issues.

**3.67 Tenants** – The Council will use the legal remedies available within the terms of the tenancy agreement should any tenant refuse access to carry out essential fire safety related inspection and remediation works.

**3.78 HRA Commercial Stock** – The Council will use the legal remedies available within the terms of the lease agreement should any leaseholder or shared owner refuse permission and/or access to carry out essential fire safety related inspection and remediation works (as tested in the case Croydon Council v. Leaseholder, 1<sup>st</sup> August 2014).

### **3.89 Additional Legislation**

This policy also operates in the context of the following additional legislation:

- Housing Act 2004
- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- Gas Safety (Installation and Use) Regulations 1998
- The Furniture and Furnishings (Fire Safety) Regulations 1988
- The Health and Safety (Safety Signs and Signals) Regulations 1996
- The Building Regulations 2022~~00~~: Approved Document B Fire Safety
- Electrical Equipment (Safety) Regulations 2016
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Homes (Fitness for Human Habitation) Act 2018

## **4. Responsibility**

4.1 The Council's Cabinet will have overall governance responsibility for ensuring the Housing Compliance (Fire Safety) Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice. The Council's Cabinet will formally approve this policy and review it every two years (or sooner if there is a change in regulation, legislation or codes of practice).

~~4.2 The Council's Cabinet will receive regular updates on the implementation of the Fire Risk Assessment Policy and fire safety performance along with notification of non-compliance.~~



- 4.23 The Council's Director of Housing and Operations has strategic responsibility for the management of fire safety and for ensuring compliance is achieved and maintained. ~~The Director will also oversee the implementation of the Fire Risk Assessment Policy.~~
- 4.34 The Council's ~~Director of Housing and Operations~~Assets and Development Lead Manager will be responsible for overseeing the delivery of the agreed fire risk assessment and re-assessment programmes, and the prioritisation and implementation of any works arising from the fire risk assessments. The ~~Director~~Assets and Development Lead Manager is also responsible for overseeing the delivery of service, maintenance and repair programmes to all fire detection, alarms and fire-fighting equipment within property assets owned or managed by the Council.
- 4.45 The Housing and Corporate Leadership Teams will receive reports in respect of fire safety management performance and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- ~~4.6 The housing teams will provide key support in gaining access into properties where access is proving difficult and use standards methods to do so. They will also facilitate the legal process to gain access as necessary.~~
- 4.57 The Council's ~~Director of Housing and Operations~~Chief Officer for Housing will be responsible for ensuring the policy is reviewed every two years, and will notify the Corporate Leadership Team and relevant operational team(s) responsible for the delivery of the compliance programme, of the upcoming review.

#### 4.6 Competent Persons

- 4.6.1 The Council will ensure that the manager with lead responsibility for operational delivery is appropriately qualified and experienced, holding one of the following:
- NEBOSH National Certificate in Fire Safety and Risk Management;
  - Level 4 VRQ Diploma in Asset and Building Management Compliance.
- 4.6.2 ~~The most appropriate qualification will be obtained within 12 months of the approval of this policy, or within 12 months of the start of employment for any new operational leads, where the employee does not already hold it. Where the appropriate qualification has not yet been obtained, the Council will seek assistance from a relevant fire risk assessment consultant, until the Council employee(s) has obtained the qualification(s).~~
- 4.6.3 The Council will ensure that only suitably competent fire risk assessors, certified by BAFE and on a UKAS accredited certification scheme that meets the competency criteria established by the Fire Risk Assessment Competency Council, are procured and appointed to undertake fire risk assessments.
- 4.6.4 The Council will ensure that only suitably competent contractors and engineers, certified by a UKAS accredited certification scheme, are procured and

appointed to undertake works to fire safety equipment, systems and installations.

- 4.6.5 The operational team with responsibility for delivery will check the relevant accreditations for the work that all contractors and engineers are carrying out. These checks will be undertaken as part of the procurement process and/or on an annual basis and evidenced appropriately.

## The Policy

### 5. Obligations

- 5.1 The responsible person must carry out a fire risk assessment (FRA) for the purpose of identifying the general fire precautions and other measures needed to comply with the Regulatory Reform (Fire Safety) Order 2005 (FSO) and other relevant legislation (see section 3 above).
- 5.2 In practice the responsible person will need to take into account the entire premises – including, to some extent, the units of residential accommodation external walls, windows, balconies, flat entrance doors, and the building structure – as part of the Fire Risk Assessment (known as a Type 3 FRA survey).
- 5.3 The responsible person must implement all necessary general fire precautions and any other measures identified by a fire risk assessment.
- 5.4 The responsible person must put in place a suitable system of maintenance and appoint competent persons to implement any procedures that have been adopted.
- 5.5 The responsible person must periodically review fire risk assessments in a timescale appropriate to the premises and/or occupation fire risk level. This timescale is determined by the fire risk assessor carrying out the fire risk assessment.

## 6. Statement of Intent

- 6.1 The Council acknowledges and accepts its responsibilities under the Regulatory Reform (Fire Safety) Order 2005 (FSO).
- 6.2 A ~~stay safe evacuation strategy~~ stay put policy will be adopted across each of the Council's ~~communal tenanted blocks property types~~ unless otherwise stated within the recommendations of the competent fire risk assessor. The Council will also continue to engage with the Kent Fire and Rescue Service to regularly review this ~~evacuation strategy~~ policy.
- 6.3 The Council will hold accurate records against each property it owns or manages setting out the requirements for having a fire risk assessment in place.
- 6.4 FRA inspection and re-inspection dates, FRA surveys and FRA actions will be held electronically within ~~Pyramid~~ the Council's data management system.
- 6.5 The Council will hold accurate records against each property it owns or manages setting out the requirements for servicing, maintenance and repair of fire prevention, detection and fire-fighting equipment. The Council will set out and record a Fire Safety Strategy including specific arrangements for each communal block and the dwellings within it.
- 6.6 These records will include fire alarm systems, emergency lighting, smoke/heat and carbon monoxide detectors, hose reels, dry and wet risers, auto window/door openers, fire extinguishers, fire blankets, sprinkler systems and any other equipment relating to fire safety.
- 6.7 The Council will establish and manage programmes to deliver servicing and maintenance in accordance with all relevant British Standards and manufacturer's recommendations for all fire detection, prevention and fire-fighting systems and equipment within buildings owned or managed by the organisation.
- 6.8 The Council will ensure that each property requiring an FRA has a fire risk assessment in place that is PAS79 compliant (Publicly Available Specification) from the British Standards Institute (BSI) that has been carried out by a competent fire risk assessor.
- 6.9 The Council will ensure that all FRAs are reviewed no later than the review date set within the FRA, and that this review is carried out by a competent fire risk assessor. The Council will identify and record the identity of the assessor and employing company undertaking the FRA.
- 6.10 The Council will ensure that the FRA to a building is reviewed following a fire, change in building use, change in working practices that may affect fire safety, following refurbishment works to the building or if required following an

independent fire safety audit, and that this review is carried out by a competent fire risk assessor.

- 6.11 The Council will ensure that robust processes are in place to implement all mandatory fire precaution measures identified by FRAs.
- 6.12 The Council will ensure that robust processes are in place to record and action any 'near-miss' reports with regard to fire safety. A 'near-miss' is an unplanned event which does not result in an injury but had the potential to do so.
- 6.13 The Council will test all smoke alarms/CO alarms as part of the annual gas safety check visit (or at void stage) and replace them where necessary. Furthermore, smoke, CO and heat detectors will be replaced as part of the EICR programme
- 6.14 The Council will ensure that all disabled residents and/or employees within buildings requiring a fire risk assessment (i.e. sheltered housing schemes), will have ~~a Personal Emergency Evacuation Plan (PEEP) and that this PEEP will be reviewed annually by a competent person.~~Person-Centred Fire Risk Assessment (PCFRA) and a Personal Emergency Evacuation Plan (PEEP) which will be reviewed annually by a competent person. This will be kept in the Fire Safety Log held securely on site and made available to the fire service in the event of an evacuation.
- 6.15 Where the Council has been notified that a resident within a building requiring a fire risk assessment is storing oxygen in their home for medical use the ~~organisation-Council~~ will ensure that they have a Person-Centred Fire Risk Assessment (PCFRA) and a Personal Emergency Evacuation Plan (PEEP) which will be reviewed annually by a competent person.~~Personal Emergency Evacuation Plan (PEEP) in place and that this PEEP will be reviewed annually by a competent person.~~
- 6.16 The Council will have robust processes and controls in place to ensure that consideration is made when letting properties to the suitability of the accommodation for the prospective tenant with regards to fire safety.
- 6.17 The Council may refer new tenancies and other tenants to the Kent Fire and Rescue Service for a free home safety check (also known as 'Safe and well visits') where the tenant is particularly vulnerable, or where we feel there is sufficient risk.
- 6.18 The Council will ensure that only suitably competent fire risk assessors and fire safety engineers appropriately certified under BAFE and UKAS accredited certification schemes undertake fire safety assessments or works for the organisation.

- 6.19 The Council will have a robust process in place to gain access to properties should any tenant or leaseholder refuse access to carry out essential fire safety related inspection and remediation works. This will be through a documented 'Controlled Access Procedure'.
- 6.20 ~~The Council will attempt to gain timely access to any property in order to be compliant with this policy and safeguard the wellbeing of the tenant. However, where there are particular concerns around a tenant's vulnerability, every effort will be explored to gain access with the tenant's consent, before any action to undertake a 'controlled entry' is considered, and that this as a last resort. The Council will have a robust process in place to gain access to properties where tenant vulnerability issues are known or identified, whilst ensuring the organisation can gain timely access to any property in order to be compliant with this policy and safeguard the wellbeing of the tenant.~~
- 6.21 The Council is committed to working with relevant Fire Services to create safer places to live and work. Joint working will include sharing information, the fire service reviewing risk assessments and providing training to Council staff.
- 6.22 The Council will establish and maintain a plan of all continuous improvement activity undertaken with regards to fire safety.
- 6.23 The Council considers good communication essential in the safe delivery of fire safety and will therefore ensure that information about fire safety ~~and fire prevention measures is available to residents and building users via information within welcome packs at the start of a tenancy and through routine communication with tenants in regards to fire safety.~~ fire prevention measures, procedures, and the importance of fire-doors, is available to residents in the welcome pack at the start of each tenancy, and re-issued to existing residents where necessary. Fire Safety instructions will be displayed clearly, in a conspicuous part of the communal space of the building (e.g. hallway/entrance/notice board).
- 6.24 The Council will ensure that a full version of the fire risk assessment will be made available to tenants upon request.
- 6.25 The Council will ensure that all contractors' employee and public liability insurances are up to date on an annual basis.
- 6.26 The Council will ensure contracts/service level agreements are in place with the contractors responsible for delivering the compliance service.
- 6.27 The Council will ensure there are effective contract management arrangements in place, in the form of client-led meetings taking place regularly, with standard agendas and minutes produced, key performance indicators analysed and programmes and performance scrutinised.

- 6.28 The Council will implement a robust process to deal with all changes to stock, including new property acquisitions, disposals and stock transfers, in order to ensure that properties are not omitted from the compliance programme, and to ensure the programme remains up-to-date.
- 6.29 The Council will ensure that there is a robust process in place for the management of immediately dangerous situations identified during the fire safety programme.
- 6.30 The Council will adopt a sterile approach to fire safety in the communal areas of its properties and will have a managed approach to the removal of tenants' goods from these communal areas.
- 6.31 The Council will not permit the storage of scooters within the communal areas of its properties.
- 6.32 The Council will have a robust process in place to manage properties with known hoarding issues, as well as new hoarding issues which arise.

## **7. Compliance Risk Assessment/Inspection Programmes**

- 7.1 **Risk assessment** – The Council will establish and maintain a risk assessment for fire safety management and operations. This risk assessment will set out the organisation's key fire safety risks together with appropriate mitigations.
- 7.2 **CDM** – to comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be completed for all repair work to void and tenanted properties (at the start of the contract and annually thereafter), component replacement and refurbishment works where applicable.
- 7.3 **Fire risk assessments (non-domestic and other)** – The Council will complete a programme of fire risk assessments to all non-domestic (communal blocks) and ~~'other' properties (offices, commercial shops, depots etc.)~~ in its management and ownership. All future fire risk assessments will be Type 3 surveys as a minimum.
- 7.4 Thereafter, the Council will carry out a programme of fire risk assessment reviews, ensuring that all fire risk assessments are reviewed no later than the review date set by the fire risk assessment and that this review is carried out by a competent fire risk assessor (the review period will be two yearly for all stock, unless otherwise specified by the fire risk assessor).
- 7.5 **Commercial Stock Assigned to the HRA** – The Council will ensure it has records of a valid FRA where properties it owns or manages are managed by

people or organisations other than the Council (i.e. are managed by managing agents).

- 7.6 These properties will be included on the Council's Fire Safety programme, so a new FRA can be requested from the managing agent prior to the existing one expiring. If the managing agent fails to carry out the FRA, the Council will step in and carry out the FRA and re-charge the managing agent for the cost of this work.
- 7.7 ~~The Council will adopt a pro-active approach to fire door auditing, and will regularly review the approach to ensure that it remains in line with all changes in legislation.~~ The Council will adopt a pro-active approach to fire door auditing on blocks under 11 metres in height. On blocks over 11 metres in height, entrance doors will be surveyed at least every 12 months, and all communal fire doors at least every 3 months. The Council will regularly review this approach to ensure that it remains in line with current legislation.
- 7.8 The Council will ensure that each property requiring a fire risk assessment has a fire risk assessment in place that is PAS79 compliant (Publicly Available Specification) from the British Standards Institute (BSI) and that it has been carried out by a competent fire risk assessor.
- 7.9 The Council will carry out a programme of servicing and maintenance, in accordance with all relevant British Standards and manufacturers' recommendations, to all fire detection, prevention and firefighting systems and equipment within buildings owned or managed by the organisation.
- 7.10 The Council will carry out a programme of regular property inspections to all properties with a fire risk assessment in place to audit that all required management actions are taking place. These inspections will be undertaken at regular intervals by caretakers and housing advisors and inspections records will be kept.
- 7.11 **New Build Properties** – The Council will ensure that a pre-occupation fire risk assessment is carried out on all new build properties where required, and that a post-occupation FRA is also commissioned within three months of the first tenant moving in.

## 8. Compliance Follow-up Work

- 8.1 The Council will ensure that robust processes are in place to implement all mandatory fire precaution measures identified by fire risk assessments (FRA). This will be done on the following timescales:

~~• Intolerable actions – will be implemented within 1 week;~~

- ~~Substantial actions~~ — will be implemented within 1 month;
- ~~Moderate actions~~ — will be implemented within 3 months;
- ~~Tolerable actions~~ — will be implemented within 6 months; and
- Trivial actions — will be implemented within 9 months. Priority 1 - High: 4-6 weeks from FRA
- Priority 2 – Medium: 3-6 months from FRA
- Priority 3 – Low: timescale set by Fire Risk Assessor

*NB: In instances where these timescales cannot be achieved, after appropriate and recorded risk assessment with the FRA assessor, new timescales may be agreed.*

- 8.2 The Council will ensure that robust processes are in place to implement all fire precaution measures identified by the regular property inspections carried out by caretakers and housing officers.
- 8.3 The Council will ensure there is a robust process in place for the management of any follow-up works required following the completion of servicing and maintenance checks to fire detection, prevention and fire-fighting systems and equipment.

## **Key controls and reporting**

### **9. Record Keeping**

- 9.1 The Council will establish and maintain a core asset register of the communal blocks and 'other' properties that require a fire safety risk assessment. This register should also identify all fire safety equipment, systems and installations within each building.
- 9.2 The register must show the date of the previous and current fire risk assessment (where applicable), along with the due date of the next fire risk assessment. The register will also be used to record and track the progress of all fire safety actions required, as identified from the fire risk assessments.
- 9.3 FRA inspection and re-inspection dates, FRA surveys and FRA actions will be electronically stored within Pyramid.the Council's data management system.
- 9.4 The Council will establish and maintain a register against each property asset of any smoke/heat/carbon monoxide detection equipment contained within domestic dwellings.
- 9.5 The Council will establish and maintain accurate records of all completed fire risk assessments, fire risk assessment reviews and associated completed



remedial works from these reports and keep these as per the Council's Data Retention Policy.

- 9.6 The Council will establish and maintain accurate records of all completed servicing and maintenance checks on fire safety equipment, systems and installations and details of associated completed remedial works and keep these as per the organisation's Data Retention Policy.
- 9.7 The Council will maintain an appropriate Fire Safety Logbook and keep this securely on site, where practical, for all high-risk schemes requiring a fire risk assessment. High risk schemes include all sheltered schemes and any building with a personalised evacuation strategy.
- 9.8 The Council will establish and maintain records of all fire safety related training undertaken by staff.
- 9.9 The Council will ensure robust processes and controls are in place to provide and maintain appropriate levels of security for all fire safety related data.

## 10. Performance Reporting

- 10.1 Performance indicator measures will be established and maintained to ensure the Council is able to report on performance in relation to fire safety.
- 10.2 Performance measures will be produced and provided to Corporate Leadership Team ~~as required~~, and to the Council's Cabinet, as required, as part of the performance reporting cycle. As a minimum, these measures will include reporting on:

### 10.2.1 ~~Data – the total number of:~~

#### ~~Properties on the FRA programme;~~

- Properties with a valid 'in date' FRA. This is the level of compliance expressed as a number and /or as a percentage;
- Properties where the FRA has expired and is 'out of date'. This is the level of non-compliance expressed as a number and /or as a percentage;
- ~~The number of follow up works/actions arising from any FRAs, and the numbers 'completed', 'in time' and 'overdue'.~~

### 10.2.2 ~~Narrative – an explanation of the:~~ In addition, performance reporting may include (where necessary):

- The number of follow up works/actions arising from any FRAs, and the numbers 'completed', 'in time' and 'overdue'.
- Written narrative on the current position, corrective action applied, and/or progress on follow-up works.

- ~~• Current position;~~
- ~~• Corrective action required;~~
- ~~• Anticipated impact of corrective action;~~
- ~~• Progress with completion of follow-up works.~~

#### ~~10.3 In addition:~~

- ~~• Compliance with the fire safety equipment, systems and installations servicing and maintenance programme;~~
- ~~• Recording and reporting on property fires to identify trends and target awareness campaigns.~~

## **11. Quality Assurance**

- 11.1 The Council will carry out an independent audit of fire safety at least once every two years. This audit will specifically test for compliance with the regulation, legislation and approved codes of practice and identify any non-compliance issues for correction.
- 11.2 The Council will carry out independent third-party quality assurance audits of fire risk assessments, fire equipment servicing and follow-up actions. This will be a 10 per cent sample of the total fire safety works carried out.
- 11.3 The Council will implement a programme of regular property inspections to all properties with a fire risk assessment in place to audit that all required management actions are taking place.
- 11.4 These inspections will be carried out by caretakers and housing advisors and be undertaken at regular intervals, with inspection records evidenced and kept against each property. In addition to this the Council will ensure regular testing of all fire alarms and emergency lighting systems.

## **12. Non-Compliance/ Escalation Process**

- 12.1 The definition of non-compliance in relation to this policy refers to any incident which results in a potential breach of legislation or regulatory standard, or which causes or has the potential to cause a significant risk to health or safety.
- 12.2 Any non-compliance issue identified at an operational level will be formally reported to the Council's Director of Housing and Operations.
- 12.3 The Council's Director of Housing and Operations will agree an appropriate course of corrective action with the relevant operational team(s) in order to address the non-compliance issue.

12.4 The Council's Corporate Leadership Team (CLT) will ensure the appropriate Cabinet Member ~~(s) for Housing, Transport and Special Projects~~ is made aware of any non-compliance issue so they can consider the implications and take action as appropriate.

12.5 In cases of a serious non-compliance issue the Council's CLT ~~and Monitoring Officer~~ will consider whether it is necessary to disclose the issue to the Regulator of Social Housing in the spirit of co-regulation, or any other relevant organisation such as the HSE, as part of the Regulatory Framework.

### **13. Training**

13.1 The Council will ensure that all operatives working for, or on behalf of, the organisation have the relevant training required for their role. This will be managed via periodic assessments of training needs and resulting programmes of internal and/or external training.

### **14 Equality and Diversity**

14.1 An Equality Impact Assessment has been carried out to determine whether the policy would have an impact on any member of staff, tenants or contractor workforce, which unfairly discriminates or disadvantages them in the context of the Equality Act 2010. Adherence to the policy provides the same level of protection for all building users and no impacts have been identified that would adversely affect one group more than any other.

14.2 Where a tenant has or may have a protected characteristic under the Equality Act 2010, in particular, where the tenant may be disabled, have mental health issues, language or learning difficulties, the Council will make reasonable adjustments to its procedures when gaining access to properties.

## **Appendix 1: Fire Safety guidance**

- **LACORS – Housing – Fire Safety**: Guidance on fire safety provisions for certain types of existing housing
- **Local Government Association**: Fire safety in purpose-built blocks of flats
- **HHSRS Operating Guidance – Housing Act 2004**: Guidance about inspections and assessment of hazards given under Section 9
- **HHSRS Operating Guidance – Housing Act 2004**: Addendum for the profile for the hazard of fire and in relation to cladding systems on high-rise residential buildings
- **Ministry of Housing, Communities & Local Government (MHCLG)**: Building safety advice for building owners, including fire doors (January 2020)
- **Ministry of Housing, Communities & Local Government (MHCLG)**: Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings (January 2020)
- **National Fire Chief Council’s Guidance (NFCC) – Fire Safety in Specialist Housing** – May 2017, covers sheltered schemes, supported schemes and extra-care schemes
- **Practical Fire Safety Guidance for Existing Premises with Sleeping Accommodation 2018** – guidance for those with responsibility for ensuring fire safety in certain premises within sleeping accommodation in Scotland
- **Building a Safer Future** – Independent Review of Building Regulations and Fire Safety: Final Report (May 2018)

## **Latest Fire Safety links:**

- [Check your fire safety responsibilities under Section 156 of the Building Safety Act 2022](#)
- [Check your fire safety responsibilities under the Fire Safety \(England\) Regulations 2022](#)
- [Fire Safety \(England\) Regulations 2022: fire doors](#)
- [Fire safety risk assessment: 5-step checklist](#)
- [Making your small block of flats safe from fire](#)