

## FIRE SAFETY POLICY

Version Control					
Version	Date drafted	Date approved	Approved by	Next review date	Owner
Final	05/01/2023	23/01/2023	Board	23/01/2025	Head of Property & Assets

### Introduction

Residents of properties left unprotected against fire have a much higher than average chance of being injured or killed in their home. Between April 2013 and March 2014, 97 people died and 1,900 people were injured in domestic fires affecting properties where no smoke alarm was present.

In addition to this there have been high profile fires in Social Housing high-rise blocks (Lakanal House in 2009 and Grenfell Tower in 2017) which resulted in many tenants losing their lives.

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 risk assessments and implement adequate fire prevention measures to their buildings.

### Scope

WSHL must establish a policy which meets the requirements of the Regulatory Reform (Fire Safety) Order 2005 (FSO), which came into force in October 2006. In addition to this, the Policy must provide assurance to WSHL that measures are in place to identify, manage and/or mitigate risks associated with fire.

WSHL must also ensure compliance with fire safety legislation is formally reported at executive level and Board level, including the details of any non-compliance and planned corrective actions.

The policy is relevant to all WSHL employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.



It should be used by all to ensure they understand the obligations placed upon WSHL to maintain a safe environment for tenants and employees within the home of each tenant and within all communal areas of buildings.

The policy is also relevant for maintaining a safe environment for all tenants and employees within all WSHL non-domestic properties, where WSHL has an obligation to do so.

## **Regulatory Standards, Legislation and Codes of Practice**

### **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 Homes & Communities Agency (now Regulator of Social Housing) in April 2012.

### **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 WSHL to take general fire precautions to ensure, as far as is reasonably practicable, the safety of the people on their premises and in the immediate vicinity. WSHL is the 'responsible person' for the purposes of the legislation by virtue of the fact that they own and manage homes and buildings housing tenants/leaseholders through the tenancy agreement and lease obligations.

### **Code of Practice**

The principal codes of practice applicable to this policy are:

LACORS - Housing - Fire Safety: Guidance on fire safety provisions for certain types of existing housing.

HHSRS Operating Guidance - Housing Act 2004: Guidance about inspections and assessment of hazards given under Section 9 of the Housing Act 2004.

Department for Communities and Local Government (DCLG) - Update on Interim Mitigation Measures Requiring Pending Remediation of Cladding (29.09.2017).

Chief Fire Officers Association (CFOA) - Fire Safety in Specialist Housing – April 2017, covers sheltered schemes, supported schemes and extra care schemes.

### **Tenants**

WSHL will use the legal remedies available to it should any tenant refuse access to carry out essential fire safety related inspection and remedial works.

Private Landlord/Superior Landlord /Care Provider (PL/SL/CP)



At WSHL discretion, if a PL/SL/CP has any obligation under the terms of their lease:

to allow access for WSHL in order to carry out essential fire safety related inspections and/or remedial works We will take legal action as appropriate to enforce that obligation where the is in breach.

### **Additional Legislation**

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

1. Housing Act 2004
2. Health and Safety at Work Act 1974
3. The Management of Health and Safety at Work Regulations 1999
4. Management of Houses in Multiple Occupation (England) Regulations 2006
5. Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
6. Gas Safety (Installation and Use) Regulations 1998 and (Amendment) Regulations 2018
7. The Furniture and Furnishings (Fire Safety) Regulations 1988
8. The Health and Safety (Safety Signs and Signals) Regulations 1996
9. The Building Regulations 2000: Approved Document B Fire Safety
10. Electrical Equipment (Safety) Regulations RIDDOR 2013 4.1.14 Homes (Fitness for Human Habitation) Act 2018

### **Obligations**

The responsible person (WSHL) must carry out a fire risk assessment for the purpose of identifying the general fire precautions and other measures needed to comply with the Regulatory Reform (Fire Safety) Order 2005 (FSO). Although under the FSO this requirement only applies to the common parts of premises (Type 1), in practice the responsible person will need to take into account the entire premises - including, to some extent, the units of residential accommodation (Type 3).

The responsible person (WSHL) must implement all necessary general fire precautions and any other measures identified by a fire risk assessment.

The responsible person (WSHL) must put in place a suitable system of maintenance and appoint competent persons to implement any procedures that have been adopted.

The responsible person (WSHL) 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.

## Statement of Intent

WSHL acknowledge and accept its responsibilities under the Regulatory Reform (Fire Safety) Order 2005 (FSO).

WSHL will hold accurate records against each property it owns or manages setting out the requirements for having a fire risk assessment in place.

WSHL 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 firefighting equipment. These include fire alarm systems, emergency lighting, smoke/heat 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.

WSHL 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 firefighting systems and equipment within buildings owned or managed by the organisation.

WSHL will annually undertake an asset data review to ensure adequate assurance is provided that fire safety data held against the organisations' property assets is accurate and up to date.

WSHL 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 has been carried out by a competent fire risk assessor.

WSHL will ensure that all fire risk assessments are undertaken every 12 monthly / 24 monthly / 36 monthly dependent on the level of risk set out in the NFCC Specialist Housing Guidance.

WSHL will ensure that the fire risk assessment to a building is reviewed annually or 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.

WSHL will ensure that robust processes are in place to implement all mandatory fire precaution measures identified by fire risk assessments. Actions will be classified as high, medium or low. These recommendations will be reflected in an annual programme of works to be completed within a reasonable time scale (High risk 0-3 months, Medium risk 0-6 months and Low risk 0-12 months). WSHL will also give due consideration to all non-mandatory recommendations.

WSHL 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. These inspections will be undertaken at regular intervals and inspection records will be kept

against each property. Housing Officers will check that the on-site Care Provider has PEEPs in place, and that they are completing regular fire safety checks such as the fire alarm and emergency lighting.

WSHL will ensure that robust processes are in place to record and action any 'near miss' reports with regards to fire safety. A 'near miss' is an unplanned event which does not result in an injury but had the potential to do so.

WSHL will test and replace as necessary hard wired smoke alarms in domestic dwellings on a periodic basis (minimum annually) in line with recommendations and onsite Care Provider to carry out weekly checks.

WSHL will ensure that systems are in place that will enable the monitoring of all domestic properties to ensure any potential fire safety risks are identified and actioned, taking advantage of visits being made to properties as part of routine service delivery and planned servicing programmes, such as gas servicing, electrical inspections and testing, stock condition surveys, and general visits by staff to tenant's homes. Processes will exist that allow the reporting of such concerns to the relevant teams for any appropriate actions to be taken.

WSHL will ensure that all disabled residents and/or employees or oxygen use within buildings requiring a fire risk assessment, where there is a member of staff in residence (i.e. Care Provider), will have a Personal Emergency Evacuation Plan (PEEP) and that this PEEP will be reviewed annually, or when personal circumstances change, by a competent person and any recommendations will be undertaken or referred to the appropriate agencies. 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 by the Care Provider.

WSHL 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.

WSHL will ensure that only suitably competent fire risk assessors and fire safety engineers appropriately certified under BAFE and UKAS (NEBOSH) accredited certification schemes undertake fire safety assessments or works for WSHL.

WSHL will have a robust process in place to gain access should any tenant or Care Provider refuse to allow access to carry out essential fire safety related inspection and remedial works.

WSHL are 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 WSHL staff.

WSHL will establish and maintain a plan of all continuous improvement activity undertaken with regards to fire safety.

Compliance Risk Assessment/Inspection Programmes

### **Risk Assessment**

WSHL will establish and maintain a risk assessment for fire safety management and operations. This risk assessment will set out WSHL'S key fire safety risks together with appropriate mitigations.

### **CDM**

To comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be completed for all void properties, component replacement and refurbishment works. This plan will detail any fire safety installations and/or other fire prevention measures that may be affected by the works and detail all necessary work required to make safe and reinstate fire safety prevention installations and measures including any requirement for review of the fire risk assessment.

### **Fire Risk Assessments**

WSHL will complete a rolling programme of 12, 24, 36 monthly fire risk assessments to all non-domestic (communal blocks) in its management and ownership.

WSHL 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 and inspections records will be kept on site by Care Providers where appropriate and checked by WSHL.

WSHL will carry out a programme of servicing and maintenance, in accordance with all relevant British Standards and manufacturer's recommendations, to all fire detection, prevention and firefighting systems and equipment within buildings owned or managed by the organisation.

WSHL will carry out a programme of annual inspection and testing of smoke alarms where they are fitted within domestic properties.

### **Compliance Follow up Works**

WSHL will ensure that robust processes are in place to implement all mandatory fire precaution remedial measures identified by fire risk assessments.

WSHL will ensure that robust processes are in place to implement all fire precaution measures identified by monthly property inspections.

WSHL 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.

WSHL 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 for a period of not less than 10 years. All fire risk assessments will be stored on the organisation's QL system and document management system as appropriate.

WSHL 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 for a period of not less than 5 years.

### **Key Roles and Responsibilities**

WSHL Board will have overall governance responsibility for ensuring the fire safety policy is fully implemented to ensure full compliance with the regulatory standards, legislation and codes of practice. As such the Board 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).

The executive and Board 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.

The Head of Property & Assets (HoP&A) has strategic responsibility for the management of fire safety and ensuring compliance is achieved and maintained. The HoP&A will oversee the implementation of the fire safety policy with operational support from the Deputy.

The HoP&A supported by the Deputy 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. They are also responsible for overseeing the delivery of service, maintenance and repair programmes to all fire detection, alarms and firefighting equipment within property assets owned or managed by WSHL.

The Director of Housing will provide key support in gaining access into properties where access is proving difficult and use standard methods to do so. They will also facilitate the legal process to gain access as necessary.

Property Surveyor to undertake fire risk assessments and produce reports.

Housing Officers to follow up actions relating to day-to-day management (i.e., Care Provider actions)

### **Competent Persons**

WSHL will ensure that the Head of Service, Compliance Manager and Property Surveyor will be appropriately qualified, holding a recognised fire safety management qualification (e.g., NEBOSH National Certificate in Fire Safety and Risk Management).

WSHL will ensure that only suitably competent Fire Risk Assessors are procured and appointed to undertake fire risk assessments.

The operational team with responsibility for delivery will check the relevant accreditations for the work that they are carrying out. These checks will be undertaken on an annual basis and evidenced appropriately.

WSHL 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. The operational team with responsibility for delivery will check the relevant accreditations for the work that they are carrying out. These checks will be undertaken on an annual basis and evidenced appropriately.

### **Performance Reporting**

Robust key performance indicator (KPI) measures will be established and maintained to ensure WSHL is able to report on performance in relation to fire safety.

KPI measures will be produced and provided at EMT level monthly and Board level quarterly. As a minimum, these KPI measures will include reporting on:

1. The number (and percentage) of properties with a valid in date fire risk assessment (FRA) in place for all buildings owned or managed by WSHL that require one.
2. The number of High, Medium and Low-level actions outstanding (in time or overdue) from FRAs.

### **Non-Compliance**

Any non-compliance issue identified at an operational level will be formally reported to the Head of Property & Assets in the first instance.





The Head of Property & Assets will agree an appropriate course of corrective action with the operational team in order to address the non-compliance issue and report details of the same to the executive and Board.

The executive team will ensure the Board are made aware of any non-compliance issue so they can consider the implications and take action as appropriate.

In cases of a serious non-compliance issue the EMT and Board will consider whether it is necessary to disclose the issue to the Regulator of Social Housing (RSH) in the spirit of co-regulation as part of the Regulatory Framework.