

Fire Safety Policy

Housing Assets

April 2022

Document Title	Fire Safety Policy for Housing Assets
Owner	Joint Chief Executives
Consultation EMT Date	23 June 2022
Consultation Members Date (if applicable)	N/A
Consultation Residents Date (if applicable)	N/A
Equality Impact Assessment	N/A
Confidentiality	Low
Revision No.	v2.0
Previous Review Date	April 2022
Review Date	April 2025
Release Date	April 2025
Next Review Date	April 2028
Document Type	Agreed Policy
Approval	Extended Management Team
Approval Date	April 2025

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1 Introduction

- 1.1 Fire is a known risk in every home. Residents of properties left unprotected against fire have a much higher than average chance of being injured or killed in their home.
- 1.2 There have been high profile fires in social housing high-rise blocks (most notably Grenfell Tower in 2017) which resulted in 72 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 risk assessments and implement adequate fire prevention measures to their buildings. Then in April 2021 the Fire Safety Act came into force which bridges gaps found in the FSO.

2 Scope

- 2.1 Canterbury City Council (hereafter referred to as CCC) has established a policy which meets the requirements of the Regulatory Reform (Fire Safety) Order 2005 (FSO), the Fire Safety Act 2021 and Fire Safety (England) Regulations 2022.
- 2.2 CCC will ensure that compliance with fire safety legislation is formally reported to the Director of Corporate Services, Director for People and Place and Director for Strategy and Improvement (these directors make up the Corporate Leadership Team) and Extended Management Team, including the details of any non-compliance and planned corrective actions, on a regular basis.
- 2.3 The policy is relevant to all CCC 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. The primary aim is to mitigate risk to life or reduce risk to as low a level as reasonably practicable. Measures will be put in place for risks to remain tolerable or below. Any risks rated higher than tolerable will be actioned in a timely manner and reduced to a risk rated tolerable or below.
- 2.4 This policy will be used by all to ensure understanding of the obligations placed upon CCC to maintain a safe environment for tenants and employees within the homes of each tenant, and within all communal areas of buildings and 'other' properties owned and managed (offices, commercial shops, depots, etc.).
- 2.5 CCC has a diverse housing asset portfolio which consists of sheltered schemes, hostels and general needs blocks. There are also a small number of previously non-housing related buildings which have been converted into housing.

- 2.6 The objective of the policy is to set our strategic direction for how CCC will manage fire safety. The detail on how this will be done is set out in the Procedure for Fire Safety, which is a separate document.

3 Legislation, Approved Codes of Practice and Industry Guidance

- 3.1 It is CCC's policy to comply with all relevant legislation, Approved Codes of Practice and Industry Guidance on fire safety, where applicable. This includes:
- 3.2 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.
- 3.3 Legislation – there are three principal pieces of legislation applicable to this policy. They are, the Regulatory Reform (Fire Safety) Order 2005 (FSO), which came into force in October 2006 and Fire Safety Act 2021, which came into force in April 2021 and the Fire Safety (England) Regulations 2022. These regulations place a duty on CCC 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. CCC is the 'duty holder' 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. Furthermore, the recent Building Safety Act 2022 also places strict and robust arrangements on duty holders to manage fire safety within their buildings.
- 3.3.1 Guidance – the relevant guidance documents applicable to this policy are:
- 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)
- 3.3.2 Interim Guidance – the relevant documents of interim fire safety guidance applicable to this policy are as follows, although these documents are subject to change and should be reviewed regularly:
- Building a Safer Future - Proposals for reform of the building safety regulatory system: A consultation (June 2019)
 - Grenfell Tower Inquiry: phase 1 report. Volume 1 – 4 (October 2019)
- 3.3.3 Sanctions – CCC 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 etc Act 1974, prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007, prosecution by the Fire and Rescue Service under the FSO or Fire Safety Act 2021 and via a serious detriment judgement from the Regulator of Social Housing.
- 3.3.4 Tenants – CCC 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.
- 3.3.5 HRA Commercial Stock – CCC 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 1st August 2014).

4 Obligations

- 4.1 CCC 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) the Fire Safety Act 2021 and the Fire Safety (England) Regulations 2022.
- 4.2 CCC must implement all necessary general fire precautions and any other measures identified by a fire risk assessment.
- 4.3 CCC must put in place a suitable system of maintenance and appoint

competent persons/duty holders to implement any procedures that have been adopted.

- 4.4 CCC 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.

5 Statement of Intent

- 5.1 CCC acknowledges and accepts its responsibilities under the Regulatory Reform (Fire Safety) Order 2005 (FSO) the Fire Safety Act 2021 and Fire Safety (England) 2022.
- 5.2 An evacuation strategy will be adopted across each of the CCC property types unless otherwise stated within the recommendations of the competent fire risk assessor. CCC will also continue to engage with the Kent Fire and Rescue Service to regularly review these evacuation strategies. Following discussions with key stakeholders, including Kent Fire & Rescue Service (KFRS), the following evacuation plans are now in place:
- General Needs - Stay Put
 - Converted Properties - Full Evacuation
 - Sheltered Schemes - Stay Put but full evacuation from those in communal areas at time of alarm sounding
- 5.3 CCC will ensure each property FRA is adequately recorded and stored electronically.
- 5.4 FRA inspection and re-inspection dates, FRA surveys and FRA actions will be held electronically within a database.
- 5.5 CCC will ensure that all supplies and services (including fire protection equipment) are inspected and maintained within legislative requirements.
- 5.6 CCC 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.
- 5.7 CCC will ensure that each property requiring an FRA has, as standard, a Type 1 fire risk assessment in place and that it has been carried out by a competent fire risk assessor.
- 5.8 CCC will ensure that all FRAs are reviewed regularly in line with recommended review frequencies detailed within CCC's Fire Safety Procedure, and that this review is carried out by a competent fire risk assessor.
- 5.10 CCC will ensure that the FRA to a building is reviewed following a fire,

change in building use, change in working practises 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.

- 5.11 CCC will ensure that robust processes are in place to implement all mandatory fire precaution measures identified by FRAs.
- 5.12 CCC 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 has the potential to do so. This will include mitigating actions taken (where advised by CCC's competent officers / KFRS) whilst works to correct substantial or intolerable FRA actions are carried out.
- 5.13 CCC will ensure that only suitably competent fire risk assessors and fire safety engineers appropriately certified under BAFE and/or UKAS accredited certification schemes undertake fire safety assessments or works for the organisation.
- 5.14 CCC is committed to working with relevant Fire Services to create safer places to live and work. Joint working will include joint site inspections, sharing information, the fire service reviewing risk assessments and providing training to CCC staff, where necessary.
- 5.15 CCC will establish and maintain a plan of all continuous improvement activity undertaken with regards to fire safety.
- 5.16 CCC has a robust process in place for the management of immediately dangerous situations identified during the fire safety programme, mitigating action to be carried out immediately (within 24hrs of notification)
- 5.17 CCC will adopt a zero tolerance to fire safety in the communal areas of their properties and will have a managed approach to the removal of tenant's goods from these communal areas. This is noted in more detail within the CCC Disposal of Items within Communal Areas Policy.

6 Key Roles and Responsibilities

- 6.1 Overall responsibility for health and safety and the policy within Canterbury City Council lies with the Joint Chief Executives with support from the Service Director, People and Service Director, Placet. These five officers make up the Corporate Leadership Team
- 6.2 Responsibility for ensuring this policy is being carried out lies with the Extended Management Team for all areas under their direct control. The Extended Management Team will ensure an appropriate system of communication is in place whereby all significant accidents, incidents, audits, reviews or other documents relating to the management of the organisation are brought to the attention of the Director of Corporate

Services at the earliest opportunity.

- 6.3 CCC's Head of Facilities Management as part of the Extended Management Team will have overall governance responsibility for ensuring the Fire Safety Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice.
- 6.4 CCC's Head of Facilities Management as part of the Extended Management Team will receive regular updates on the implementation of the Fire Safety Policy and fire safety performance along with notification of any non-compliance issue which is identified. This is so they have assurance that the policy is operating effectively in practice.
- 6.5 CCC's Head of Facilities Management will ensure that this policy is saved on the organisations' shared drive/site for corporate health and safety and distributed to all relevant members of staff.
- 6.6 CCC's Lead Compliance and Building Safety Manager has strategic responsibility for the management of fire safety and for ensuring compliance is achieved and maintained. They will also oversee the implementation of the Fire Safety Policy and review it every three years (or sooner if there is a change in regulation, legislation or codes of practice or for other reasons specified with legislation). They will notify the Head of Facilities Management and relevant operational team(s) responsible for the delivery of the compliance programme, of the upcoming review.
- 6.7 A combined group will be responsible for overseeing the operational delivery of the agreed fire safety programme, and the prioritisation and implementation of any works arising from the fire safety risk assessments. This group will include Contract Managers, Compliance Officers, Technical Locality Officers, Locality Team Leaders, Case Officers and Case Team Leaders.
- 6.8 Various departments under the Joint Chief Executives provide key support in gaining access into properties where access is proving difficult and use standard methods to do so. They will also support in facilitating the legal process to gain access as necessary.

7 Additional Legislation and Industry Standards

- 7.1 This fire safety policy also operates in the context of the following additional legislation:
 - 7.1.1 Housing Act 2004
 - 7.1.2 Health and Safety at Work etc Act 1974
 - 7.1.3 The Management of Health and Safety at Work Regulations 1999
 - 7.1.4 Management of Houses in Multiple Occupation (England) Regulations 2006
 - 7.1.5 Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
 - 7.1.6 Gas Safety (Installation and Use) Regulations 1998
 - 7.1.7 The Furniture and Furnishings (Fire Safety) Regulations 1988
 - 7.1.8 The Health and Safety (Safety Signs and Signals) Regulations 1996
 - 7.1.9 The Building Regulations 2000: Approved Document B Fire Safety
 - 7.1.10 Electrical Equipment (Safety) Regulations 2016
 - 7.1.11 Construction (Design and Management) Regulations 2015
 - 7.1.12 Data Protection Act 2018
 - 7.1.13 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
 - 7.1.14 Homes (Fitness for Human Habitation) Act 2018

8 Approval

- 8.1 Signature

- 8.2 Name Marie Royle
- 8.3 Position Service Director
- 8.4 Date Signed 23rd April 2025

9 Glossary

- 9.1 This glossary defines the key terms used throughout this FRA policy:
- 9.2 FRA: Fire Risk Assessment – an assessment involving the systematic evaluation of the factors that determine the hazard from fire, the likelihood that there will be a fire and the consequences if one were to occur.
- 9.3 PEEP: Personal Emergency Evacuation Plan - a bespoke 'escape plan' for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in the event of any emergency.
- 9.4 PAS792020 Parts 1 & 2: is a Publicly Available Approved Code of Practice published by the British Standards Institution which focuses on making sure that all the required information that pertains to both a fire risk assessment and the findings are recorded.

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