



Property Management

Fire Safety

Scope:	This policy applies to Circle 33 Housing Trust, Commercial and Leasehold, EPIC Trust, Mole Valley Housing Association, Old Ford Housing Association, Roddons Housing Association, Russet Homes, South Anglia Housing and Wherry Housing Association
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Signed Off :	Group Policy Forum, 24 th April 2009
Author:	Abi Patience, Policy Officer
Policy Owned by:	Policy Central Asset Management team
KLOE:	Stock Investment and Asset Management
QAF (Supported Housing):	C1.3 Security, Health and Safety
Statute:	Regulatory Reform (Fire Safety) Order 2005 Housing Act 2004 Housing Health and Safety Rating System Regs 2005 Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002 Furniture and Furnishings (Fire Safety) Regulations 1988 Smoke Detectors Act 1991
Regulatory Code:	3.2 and 3.4

Fire Safety

1 Scope

1.1 This policy applies to:

- Circle 33 Housing Trust
- Commercial and Leasehold
- EPIC Trust
- Mole Valley Housing Association
- Old Ford Housing Association
- Roddons Housing Association
- Russet Homes
- South Anglia Housing
- Wherry Housing Association

1.2 It sets out our approach to mitigating the risks associated with fire in domestic properties owned or managed by Circle Anglia, including:

- Supported and sheltered housing properties
- General needs properties
- Communal areas, including any curtilage
- Temporary accommodation
- Intermediate and market rented properties
- Leasehold and shared ownership properties

1.3 Staff health and safety with reference to fire safety is covered by the group Health and Safety policy.

2 Policy Statement

2.1 Circle Anglia is committed to mitigating the risks associated with fire in its properties. We will comply with all relevant legislation, particularly:

- The **Regulatory Reform (Fire Safety) Order 2005** (from now on referred to as the Fire Safety Order) which introduced the current system of people centred risk assessment of properties
- The **Housing Act 2004** which introduced the Housing Health and Safety Rating System (HHSRS) and the **Housing Health and Safety Rating System Regulations 2005** which set out the associated scoring system

2.2 Other relevant legislation includes:

- The **Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002** which regulates the storage and use of flammable materials
- The **Furniture and Furnishings (Fire Safety) Regulations 1988** which set standards of fire resistance for furniture and furnishings provided by a landlord
- The **Smoke Detectors Act 1991** which required all new build properties to include hard wired smoke alarms
- The **Gas Safety (Installation and Use) Regulations 1998** (our compliance with this is set out in our Gas Safety (Heating Installations) policy and procedure)
- The **Electrical Equipment (Safety) Regulations 1994** (our compliance with this is set out in our Electrical Safety policy and procedure)

2.3 We will also comply with Building Regulations 2006 Approved Document B (Fire safety) – Volume 1: Dwellinghouses, and all relevant British Standards. In general if premises have been designed and built in line with modern building regulations (and are being used in line with those regulations), structural fire precautions should be acceptable. However, a fire-risk assessment must still be carried out and all fire precautions and maintenance routines continued, as set out in this policy.

2.4 We will follow the guidance set out in the following publications:

- CLG Guidance for Landlords and Property Related Professionals on the Housing Health and Safety Rating System
- CLG Guidance on fire safety risk assessments in:
 - Sleeping Accommodation
 - Residential Care premises
- CLG Guidance on Means of Escape for Disabled People
- LACoRS Guidance on fire safety provisions for certain types of existing housing

2.5 We will work in partnership with local fire authorities and local housing authorities, including complying with any orders they issue on us.

3 Policy

3.1 Circle Anglia is committed to minimising the risks associated with fire in its properties in line with its duties as a landlord and property owner.

3.2 In summary we will:

- take [general precautions](#), including carrying out planned programmes of work in all of our properties to install mains wired fire alarm systems over a reasonable period of time
- carry out stock condition surveys on all our properties including an [HHSRS assessment](#) of fire risks, and take action to rectify identified hazards
- comply with the requirements of the [Fire Safety Order](#) 2005, including:
 - carrying out fire risk assessments of all supported and sheltered accommodation as well as communal areas of other tenures, and removing or reducing any risks as far as possible, including ensuring that any flammable or explosive materials are appropriately stored
 - putting together a property specific evacuation plan for supported and sheltered housing properties, considering the particular needs of the residents including any residents with disabilities (where appropriate the plan may be for residents to remain in their properties in the event of a fire)
 - carrying out regular safety checks in supported and sheltered housing and in communal areas of other tenures, and keeping a record of these checks

3.3 We will nominate responsible people to manage and carry out fire safety obligations on behalf of each landlord. All relevant staff will receive appropriate training to carry out the work they are required to do under this policy.

3.4 Any contractors and subcontractors working on our behalf will be appropriately qualified to do the work they are carrying out, and will be required to meet our health and safety standards.

Different tenures

3.5 Circle Anglia is responsible for fire safety in supported and sheltered housing properties, and for communal areas in all tenures. This includes communal areas shared by any one tenure of properties, as well as communal areas shared by a mix of tenures.

3.6 We will publicise the importance of fire safety to all residents, regardless of tenure, but in the main the responsibility for safety in individual properties that are not sheltered or supported housing falls on the individual, rather than on Circle Anglia. Each section below specifies measures taken for different tenures.

- 3.7 In mixed tenure blocks, leaseholders will only be billed for the appropriate proportion of the costs of any works undertaken, as well as any ongoing maintenance costs. In some situations it may be decided that leaseholders may not be billed at all.
- 3.8 Circle Anglia will comply with all requirements of the Commonhold and Leasehold Reform Act 2002, including those around consultation with leaseholders about:
- Major works incurring a charge of over the established threshold
 - Service charge increases over the established threshold
- 3.9 It may be necessary on occasion to carry out emergency works to ensure fire safety, for example in response to a notice service by a Local Housing or Fire Authority. In these instances we may charge leaseholders without completing full consultation.

4 Responsible Persons

- 4.1 The Responsible Person, either on their own or with any other responsible person, must as far as is reasonably practical make sure that everyone on our premises, or nearby, can escape safely if there is a fire.
- 4.2 Responsible Persons are those defined as owing a duty to the occupants of their premises and receiving a rent, not necessarily the owner. At Circle Anglia the responsible person for any one property is the Managing Director of the owning partner. Where we own properties that are not managed within the group we retain responsibility for fire safety – in this case the Managing Director of the owning partner is the responsible person.
- 4.3 The Managing Director may delegate responsibility to a nominated staff member to fulfil the organisation's duties. In addition scheme managers or others with responsibility for supported or sheltered housing, and other staff carrying out estate inspections covering relevant communal areas have delegated responsibility to carry out regular checks as set out in Section 12 and 13 of the procedure.
- 4.4 All staff members with responsibilities for aspects of fire safety in any premises will receive full training to equip them to fulfil their role.
- 4.5 Any person who has control of the premises is also obliged to comply with the duties within the order. Therefore, buildings leased to others, including agency managed supported housing, are to be assessed by the operators of that building. They will be designated as the Responsible Person and will be

responsible for setting and monitoring management plans following a Risk Assessment. The Group will remain prudent to test that these are in place and monitored.

- 4.6 Where Circle Anglia has some properties in a building where (an) other organisation(s) also own(s) or manage(s) properties we will liaise with other owners and managers to ensure that all requirements of relevant legislation are fulfilled. Failure of other organisations to fulfil agreed duties may not exempt Circle Anglia from responsibility in the event of an incident.
- 4.7 Where there are different tenures in a building managed by different departments within Circle Anglia we will liaise effectively to ensure that all requirements of this policy are implemented, without unnecessary duplication.

5 General Precautions

- 5.1 All dwellings owned by the group (this doesn't include leasehold and shared ownership properties) will have mains operated fire detection systems installed as part of tailored planned improvement programmes, void improvement works or cyclical maintenance contracts such as electrical testing. Maintenance of such systems will be carried out annually.
- 5.2 We will consider additional needs of residents who tell us they have a relevant disability such as a hearing impairment, and install appropriate equipment to ensure they are alerted in the event of a fire.
- 5.3 Common areas serving only two units are not covered by the Fire Safety Order. They will be equipped with a mains wired or battery smoke detector as part of a relevant planned improvements programme. Batteries used will be lithium with a five year life, replaced on a four year programme (or in some cases ten year life replaced on a six-year programme). Mains wired detectors in common areas serving only two units will be maintained annually in line with all other mains wired detectors.
- 5.4 We will ensure that all shared and supported housing properties and communal areas of other tenures are appropriately equipped with fire protection equipment and emergency lighting, fire doors, and safety signs, as advised by a Fire Risk Assessment.
- 5.5 In addition, all dwellings will receive:
- an annual gas safety check, thereby reducing the risk of fire from gas faults (see Gas Safety (Heating Installations) policy and procedure)

- a ten yearly electrical safety test, thereby reducing the risk of fire from faulty electrical systems (see Electrical Safety policy and procedure)
- 5.6 In all properties where portable electrical appliances are provided regular checks and testing will be carried out in line with the PAT Testing policy and procedure, located in the group Electrical Safety policy and procedure.
- 5.7 In all properties where furniture is provided, whether in common areas or as part of a furnished tenancy, furniture will be fire retardant in compliance with the Furniture and Furnishings (Fire Safety) Regulations 1988.

Building Regulations and British Standards

- 5.8 All properties built by Circle Anglia or undergoing substantial refurbishment will fully comply with all relevant Building Regulations (mainly Approved Document B part 1), including:
- Means of warning and escape
 - Internal fire spread (both linings and structure)
 - External fire spread
 - Access and facilities for the Fire and Rescue Service
- 5.9 The requirements of BS 9999 Fire safety in the design, management and use of buildings, and BS EN 13501 Fire classification of construction products and building elements are considered to be good practice.
- 5.10 All fire detection, alarm and protection equipment will fully comply with all relevant British Standards.

Item	British Standard
Fire alarm and fire detection systems for buildings	BS 5839 and BS 5446
Emergency lighting	BS 5266
Portable fire extinguishers, fire fighting hoses, reels	BS 5306, BS EN 671 and BS EN 3-9
Fire Blankets	BS 7944
Non-automatic fire-fighting systems in buildings e.g. Dry Risers	BS 9990
Sprinklers	BS 9251
Safety Signs	BS 5499

- 5.11 Products will be sourced from companies registered under the appropriate scheme number with the British Approvals for Fire Equipment (BAFE)
- 5.12 In line with the requirements of the British Standards, and the Fire Safety Order, regular tests will be carried out on all fire protection equipment. This is set out in more detail in Section 15 of the procedure. The frequency of tests will be dictated by the installer or manufacturer recommendations and the risk assessment findings. In general the following are guidelines:
- Tests on fire alarm systems in supported or sheltered housing and communal areas to be carried out weekly and quarterly.
 - Tests on emergency lighting systems in supported or sheltered housing and communal areas of other tenures to be carried out monthly and annually (in some group partners the tests may be carried out six-monthly instead).
 - Tests on fire extinguishers, hosereels and dry risers in supported or sheltered housing and communal areas of other tenures to be carried out annually.

These tests are usually carried out as part of a servicing contract.

Resident responsibilities

- 5.13 The actions of residents may affect the fire safety of a building. In general residents of individual general needs, market and intermediate rent and leasehold properties are responsible for their own fire safety, including carrying out regular tests of their individual fire detection system.
- 5.14 To minimise the effect on the rest of a building that a resident's behaviour in this area might cause, all doors of individual properties which open into internal communal areas will be fire doors designed to prevent the escape of fire for at least 30 minutes (in some areas a 1hr specification may be used). Where this is not currently the case Registered Providers will carry out planned improvement programmes to replace doors with fire doors of the correct specification. Residents should not change these doors without consulting with their landlord, and in all cases replacement doors must comply with these requirements.
- 5.15 Some residents will have stored oxygen in their properties for medical reasons. As oxygen aids combustion sources of heat or open flames in the vicinity should be minimised. Where a resident has not already done so, we will notify the relevant Fire Authority of the presence of stored oxygen in the property. Where appropriate stickers or signs posting a warning against smoking or other high risk activities in the area can be used.

- 5.16 Resident's goods left in communal areas can be a source of ignition or combustible material, as well as potentially blocking escape routes. For this reason most tenancy agreements include a clause prohibiting the storage of goods in communal areas.
- 5.17 In particular, bicycles, motorbikes and mobility scooters can present a hazard by blocking important access and escape routes. The storage of bicycles, motorbikes and other resident goods will not be permitted in communal areas, except for in designated storage areas.
- 5.18 In the case of mobility scooters, wherever possible sufficient storage space will be provided on site. Where schemes do not have this facility scooters may be stored in communal areas at scheme manager's discretion, for example under the stairs, but it is crucial that they in no way block access or escape routes.
- 5.19 Where residents are storing goods in communal areas if the owner is known we will contact them to request removal. To deal with a general problem a range of creative approaches will be considered, including for example putting up signs, or carrying out a mailshot to all residents. Where residents persistently store goods in communal areas it may be possible to serve notices to remove the goods under the Torts (Interference of Goods) Act 1977, or to take action as a breach of tenancy. Advice in these cases should be sought from the policy team.

6 Housing Health and Safety Rating System (HHSRS)

- 6.1 The Housing Act 2004 brought in a new system of regulation for fire safety in existing residential premises by way of the Housing Health and Safety Rating System (HHSRS). The HHSRS is the principal tool for assessing fire safety risk and regulating standards in all types and tenures of residential accommodation – this covers all Circle Anglia properties. Twenty nine categories of potential hazard are considered, one of which is fire.
- 6.2 Circle Anglia is carrying out a programme of HHSRS assessments on all the properties that it owns and manages as part of stock condition surveys. This includes:
- General needs properties
 - Sheltered and Supported housing properties
 - Temporary accommodation, intermediate rent and market rent
 - Relevant communal areas

- 6.3 Any severe hazards identified which result in a failure of the assessment (Severe Hazards Bands A and B), including those around fire safety are referred to the relevant Registered Provider for immediate action. These hazards are determined according to the likelihood of a fire starting, and the severity of the outcome if it should start.
- 6.4 Usually required works will be carried out under responsive repairs, but it may be appropriate for them to form part of an imminent planned programme, for example, where several properties are affected. Sometimes the problem may not be solved by repair work, in which case alternative solutions such as a management move will be considered.
- 6.5 The hazards that are identified as Moderate hazards (Bands C and D) will be re-inspected during the next round of inspections, normally 5 years after the original survey.
- 6.6 Any particular fire hazards identified may be notified to the Local Fire Authority.

Enforcement

- 6.7 The enforcing authority for the HHSRS is the Local Housing Authority. The Housing Act 2004 gave powers to intervene where housing conditions are considered to be unacceptable. This could be in the form of an improvement notice, a prohibition order or a hazard awareness notice. Where there is an imminent risk of harm Local Housing Authorities can also take emergency remedial action themselves and recover reasonable expenses.
- 6.8 We will comply with all notices received from the Local Housing Authority and refer works for immediate action under responsive repairs, or to form part of an imminent planned programme.

7 Regulatory Reform (Fire Safety) Order 2005

- 7.1 The Regulatory Reform (Fire Safety) Order 2005 (hereafter Fire Safety Order) replaces all previous legislation about fire safety. It requires any person who has some level of control of premises to take reasonable steps to reduce the risk from fire and to make sure people can safely escape if there is a fire.
- 7.2 The Fire Safety Order applies to all non-domestic premises in England and Wales, including the common parts of blocks of flats and houses in multiple occupation (HMOs). The order applies to virtually all premises and covers

nearly every type of building, structure and open space. One exception is communal areas which only serve two units.

- 7.3 Of Circle Anglia's properties the Order covers accommodation where care is provided, as well as the shared areas of properties several households live in. It does not apply to private homes in other tenures, including individual flats in a block or house, though in practice we recognise that a risk assessment of common areas may need to take into account individual dwellings opening into that area. In certain circumstances where directed by a Fire Risk Assessment we will carry out works in individual properties of these tenures.

Requirements

- 7.4 In line with the Fire Safety Order we will:
- carry out a fire-risk assessment, identifying any possible dangers and risks, and consider who may be especially at risk;
 - get rid of or reduce the risk from fire as far as is reasonably possible;
 - create a plan to deal with any emergency; and
 - keep a record of our findings and review our findings when necessary.
- 7.5 Circle Anglia will carry out a risk assessment on all supported and sheltered housing properties and communal areas in all tenures. Some properties within the group's portfolio have a greater risk than others, and the risk assessment programme will take this into account.
- 7.6 In line with the Fire Safety Order the risk assessment will focus on the safety in case of fire of all "relevant persons", and pay special attention to those at particular risk, for example because of age or disability.
- 7.7 The risk assessment will also address the requirements of the Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR) with regards to the presence and storage of flammable and explosive substances are met. Additional safety measures recommended will be complied with in premises where such substances are stored.
- 7.8 We will keep written records of the risk assessment and any actions taken, and review it as required. Where particular hazards are noted we will report them to the Local Fire Authority as appropriate, and carry out responsive repairs or planned maintenance where necessary to rectify the problem. Any costs to leaseholders will be recharged where possible, including any

consultation necessary in line with the Commonhold and Leasehold Reform Act 2002.

- 7.9 The risk assessments incorporate an action plan to remove or reduce any risks highlighted. In supported and sheltered housing schemes regular checks will be carried out, as described in the procedure. Regular checks of communal areas of other tenures will be carried out during estate inspections.
- 7.10 In line with the Order we will put together a property specific evacuation plan for supported and sheltered housing properties, considering the particular needs of the residents including any disabled residents, and carry out practice evacuations regularly. According to the needs of the residents and the structural fire safety of the building (e.g. compartmentalization) this may in fact state that residents should not evacuate the building in the first instance but should remain in their properties.

Enforcement

- 7.11 The Local Fire Authority can issue three types of notice on us to ensure we are complying with the requirements of the Order:
- Enforcement Notice identifying action to be taken
 - Alterations Notice identifying action required following a change of use or significant alterations
 - Prohibition Notice prohibiting or restricting the use of a premise.
- 7.12 These Notices can be applied across the group's entire stock within the Local Fire Authority area based on one premise assessment. Failure to comply can result in a fine of £5,000 in the Magistrates Court or an unlimited fine and imprisonment if the matter is referred to Crown Court.
- 7.13 We will comply with all notices served on us by the Local Fire Authority and refer works for immediate action under responsive repairs, or to form part of an imminent planned programme. Each Registered Provider will have a nominated person to deal with such notices.

8 Service Standards

- 8.1 Responsive repairs will be carried out in line with the day-to-day repairs service standards.
- 8.2 Planned works will be carried out in line with agreed works standards (usually the Circle Anglia standard).

8.3 All contractors will adhere to our contractors' Code of Conduct, our health and safety standards and our equality and diversity requirements.

9 Monitoring

9.1 We will monitor the following:

- Percentage of properties with a risk assessment
- Percentage of properties with evacuation plans and practice evacuations
- The implementation of management plans
- Percentage of properties that have been HHSRS surveyed

9.2 Full records of all relevant information will be kept by the property team at each Registered Provider.

9.3 An external competent organisation will be appointed by the central asset management team to undertake an audit of management processes and the quality of works every two years. The audit will highlight any shortcomings and recommend appropriate measures for Circle Anglia to adopt.

9.4 In addition the central asset management team will work with partner providers to ensure compliance with this policy and procedure. Regular reports will be made to the group wide safety audit committee by the Responsible Person.

Contractors

9.5 We will monitor our contractors in line with the Contract Management policy and the Contractor Health and Safety procedure.

9.6 Quality of works is generally assessed in three ways:

- Assessment of a percentage of works by a suitably experienced and qualified officer at the relevant provider or its nominated consultant
- Self assessment and quality assurance by the contractor
- Resident feedback and satisfaction surveys

10 Equality and Diversity

10.1 It is essential to recognise that customers of all races, ages, religions, gender, sexual orientation, literacy levels and disability should be treated equally and fairly.

- 10.2 In accordance with the requirements of the Fire Safety Order we will consider the needs of building occupants when carrying out a risk assessment, and when creating an evacuation plan.
- 10.3 We will install equipment suitable for the end user, taking into consideration disabilities including hearing impairments.
- 10.4 Contractors must comply with our Equality and Diversity requirements.
- 10.5 All customers will have access to this document upon request or from our website www.circleanglia.org/customers
- 10.6 This document and accompanying leaflet can be translated or provided in alternative formats (e.g. Braille, large print, audio) upon request.
- 10.7 Equality and Diversity training is mandatory for all staff.

11 Publicising the Policy

- 11.1 Circle Anglia publicises its policies and procedures on Fire Safety to residents and staff in a number of ways:
 - Resident Handbook
 - Leaflets
 - Resident Newsletter
 - Resident Website
 - CIRANO
 - Policy Briefings and
 - Training
- 11.2 We will issue a leaflet on Fire Safety to all current residents in relevant premises. Future tenancies will have the leaflet included as part of the sign up pack.
- 11.3 All relevant staff will receive cascaded training on general fire safety awareness covering the main risks and their responsibilities.
- 11.4 All staff with premise management responsibility will receive detailed and specific fire safety awareness training including evacuation principles and fire fighting techniques.
- 11.5 All staff will receive annual refresher training.

Glossary

Term	Definition
CLG	Communities and Local Government is the government department that sets policy on local government, housing, urban regeneration, planning and fire and rescue.
LACoRS	LACORS (the Local Authorities Coordinators of Regulatory Services) is the local government central body responsible for overseeing local authority regulatory and related services in the UK.
HHSRS	The Housing Health and Safety Rating System (HHSRS) is the risk assessment procedure for residential properties.
Dry risers	A dry riser is a main vertical pipe intended to distribute water to multiple levels of a building or structure as a component of the fire suppression systems. The pipe is maintained empty of water. The dry riser is related to a wet riser or wet standpipe system where the pipes are kept full of water for automatic operation.
British Approvals for Fire Equipment (BAFE)	BAFE is a non-profit making organization dedicated to improving standards in fire protection. BAFE adopts third party Certification schemes developed by independent certifications bodies and where there are not relevant schemes in place, develops its own.
Houses in Multiple Occupation (HMOs)	The Housing Act 2004 sets out in detail what constitutes an HMO. An HMO is any building or part of a building which is occupied by more than one household and in which more than one household shares an amenity.

Related Documents

Document	Link
Connected Policies:	Health and Safety Contractor Health and Safety Contract Management Gas Safety (Heating Installations) Electrical Safety Estate Management
Forms and Letters:	
Leaflets:	Fire Safety (Firekills.gov.uk)
Other:	N/A

Version history

Version no.	1	Date effective:	February 2008
Full / partial review?	n/a		
Brief summary of changes:	n/a		
Staff consultation (teams):	Heads of Departments, Benchmarking group, Service Excellence Team, Group Health and Safety Committee, Corporate Project Group, Senior Manager Policy Review Group, Group Policy Forum		
Resident consultation:	None		
Signed off by:	Group Policy Forum, 8 th February 2008		
Author:	Antony Silk, Group Contracts Manager		

Version no.	2	Date effective:	February 2009
Full / partial review?	Full		
Brief summary of changes:	Inclusion of Fire Protection Equipment and Emergency Lighting procedure, details about general precautions, the Fire Safety Order and the HHSRS, procedure setting out requirements for risk assessments, management plans and evacuation plans.		
Staff consultation (teams):	Property teams at all partners Neighbourhood teams at all partners Continuous Improvement leads EPIC Trust including Specialist Housing Management Development Commercial and Leasehold Central Asset Management team		
Resident consultation:	Mole Valley Russet		
Signed off by:	Group Policy Forum, 24 th May 2009		
Author:	Abi Patience, Policy Officer		

Version no.	3	Date effective:	
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Staff consultation (teams):			
Resident consultation:			
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Author:			