

## Fire Safety Policy

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## **1. Introduction**

### **1.1. Statement of Objectives**

The Fire Safety Policy aims to ensure that the Association effectively administers compliance with its landlord obligations in relation to fire safety and fire risk assessments in the common areas of flatted domestic premises.

Our objectives include:

- Taking all reasonably practicable steps to ensure fire safety within common areas of flatted domestic premises.
- Maintaining our housing stock in accordance with the relevant and applicable legal requirements placed on us.
- Ensuring that systems are in place to enable compliance with our landlord duties in relation to fire safety and fire risk assessments in the common areas of flatted domestic premises.
- Procuring appropriately qualified contractors to carry out fire risk assessments in line with legislative/ regulatory requirements.
- Maintaining a detailed and up to date register of common areas of flatted domestic premises that require to have fire risk assessments carried out; and
- Collecting and using business intelligence on the fire safety of our stock to make informed financial decisions on maintaining our stock.

### **1.2. Compliance with Regulatory Standards**

In terms of the Scottish Social Housing Charter, the Scottish Housing Regulator has identified a number of key indicators relevant to housing maintenance and estate management by which it will measure landlord performance, including the following:

- Quality of housing - tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.
- Repairs, maintenance and improvements - tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.
- Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes - tenants and others live in well-maintained neighborhoods where they feel safe.
- Value for money - tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

### **1.3. Expected Outcomes**

Key outcomes of operating an effective Fire Safety Policy include:

- Ensuring that properties are well maintained, safe, secure and in line with the SHQS.
- Providing assurance in relation to fire safety and fire risk assessments in the common areas of flatted domestic premises; and
- Delivering value for money.

### **1.4. Informing and Involving Stakeholders**

We will promote our Fire Safety Policy through our newsletter, website and tenancy handbook. Where we plan to make significant changes to the policy, we will consult tenants in line with our Customer Engagement Strategy.

## **1.5. Corporate Fit**

### **1.5.1. Legislation and best practice**

We will comply with all relevant legislation and associated regulations, including:

- The Health and Safety at Work Act 1974.
- The Housing (Scotland) Act 1987, 2001, 2006 and 2010.
- Data Protection Act 2018.
- The General Data Protection Regulation (EU) 2016/679 (the "GDPR").
- Fire (Scotland) Act 2005.
- Fire Safety (Scotland) Regulations 2006.
- Construction (Design and Management) Regulations 2007.
- Control of Asbestos Regulations 2012.
- Building Regulations; and
- The Scottish Social Housing Charter.

There is no general landlord obligation on us under the Fire (Scotland) Act 2012 or associated Fire Safety (Scotland) Regulations 2006, in relation to any properties classed as domestic premises, and this includes any common stair, passage, garden, yard, garage, outhouse, etc. However, by exception there are circumstances, which are summarised below, where a fire risk assessment requires to be carried out by a Scottish landlord.

Landlords must carry out fire risk assessment for premises defined as Houses in Multiple Occupation (HMOs) under the terms of the Housing (Scotland) Act 2012 and in accordance with HMO licensing requirements.

Landlords must also carry out fire risk assessment for those properties where in terms of the relevant Building Regulations we have provided any facilities, such as equipment and devices for the use by or protection of fire fighters including emergency lighting, smoke detectors and smoke actuators. Regulations 23 and 24 of the Fire Safety (Scotland) Regulations 2012 set out the duty to ensure that any equipment, facilities and devices for the use by or protection of fire fighters must be maintained. If we are the owner of the common areas of the premises, or have control of the common areas, then it is our duty to ensure that Regulation 23 is complied with.

Our Fire Safety Policy is consistent with our:

- Corporate Strategy.
- Business Plan.
- Housing Maintenance Policy Guide.
- Estate Management Policy Guide.
- Asset Management Strategy.
- Health and Safety Policy.
- Risk Management Strategy.
- Financial Regulations; and
- Delegated Authority Policy.

### **1.5.2. The Board**

The Investment Director has responsibility for overseeing the implementation of the Fire Safety Policy and the Housing Maintenance Manager is responsible for key aspects of the day to day service delivery with delegation of specific tasks to appropriate staff.

The Board will receive regular updates on the implementation of the Fire Safety Policy so

that they can have assurance that it is operating effectively in practice. The Audit and Risk Committee may also seek assurance in this regard.

## **2. Key Principles**

### **2.1. Context**

Fire is a potential risk for any property and the assessed level of risk and mitigation measures are considered within our risk register. It is obviously important that we comply with any statutory or regulatory requirements in relation to fire safety, including common areas of flatted domestic accommodation, and provide assurance that we have robust processes in place.

CVHA's property database will be routinely updated to ensure that all properties where fire risk assessments are required are clearly identified and managed through our Fire Safety Procedures. The Housing Maintenance Manager will ensure that competent contractors are instructed to carry out fire risk assessments in the common areas of flatted domestic premises and maintain the database.

### **2.2. Funding**

CVHA will allocate sufficient resources from within its housing maintenance budget to manage fire safety and fire risk assessments in the common areas of flatted domestic premises.

### **2.3. Common areas**

If we are the owner of common areas of the domestic premises, or have control of the common areas, then it is our regulatory duty to ensure that we maintain facilities such as equipment and devices for the use by or protection of fire fighters - this includes emergency lighting, smoke detectors, smoke actuators and dry risers.

This requirement only applies to a limited number of our new build flats where such facilities are part of the design in accordance with Building Regulations. These blocks require to be assessed and regular checks carried out. However, there is no requirement to install retrospectively, maintain or carry out fire risk assessments for older housing stock. The Development Manager will pass this information to the Housing Maintenance Manager through the schedule detailed in the Investment Manual, Appendix 7.

In broad terms landlords are responsible for matters within their control and must maintain such systems of apparatus to ensure that they are fully operational and in good working order. Landlords therefore need to provide assurance that their maintenance regime is reasonable and proportionate. Based upon professional advice, set out below is a summary of how we will carry out fire risk assessments in relation to emergency lighting, smoke detectors and smoke actuators.

### **2.4. Emergency lighting**

Annual testing will be carried out to make sure that the batteries are run down for 3 hours and then will accept a recharge. We will also check that all lamps which are deemed to be emergency lighting lamps, are functional. Also, on a six month basis we will activate the emergency lighting and carry out a lamp check.

### **2.5. Smoke detectors**

These will be checked every 6 months to make sure that the system functions properly and is in good working order.

## **2.6. Smoke actuators**

These will be checked every 6 months to make sure that the battery back- ups are holding their charge and that the system functions properly.

## **2.7. Dry risers**

These will be checked every 6 months to make sure that the system functions properly and is in good working order.

## **2.8. Monitor and Review**

We will review the Fire Safety Policy every three years or sooner if required by statutory, regulatory or best practice requirements.

## Policy Change History

<b>Version No:</b>	<b>Substantive Change</b>	<b>Author of Change</b>	<b>Approval</b>	<b>Date</b>	<b>Website</b>
1.0	Formatting sorted; new front cover & version history applied.	A Cavinue		12/07/23	Y