

Stevenage Borough Council

Fire Safety Policy

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01. Table of Definitions / Glossary

SBC	Stevenage Borough Council
FRA	Fire Risk Assessment
FSO	Regulatory Reform (Fire Safety) Order 2005
HFRS	Hertfordshire Fire & Rescue Service
BAFE	British Approvals for Fire Excellence. Is the independent register of quality fire safety service providers, who are certified to ensure quality and competence to help meet fire safety obligations.
Type 1 FRA Survey	Common parts only (non-intrusive), basic level to satisfy the FSO.
Type 2 FRA Survey	Common parts only (Intrusive), element of destruction on sample basis.
Type 3 FRA Survey	Common parts and flats (non-intrusive), considers means of escape and fire detection within at least a sample of flats.
Type 4 FRA Survey	Common parts and flats (Intrusive).
IFSM	The Institute of Fire Safety Managers.
PAS79	A publicly available specification published by the British Standards Institution which focuses on making sure that all the required information that pertains to both an FRA and its findings are recorded.
PEEP	A personal emergency evacuation plan is 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.
UKAS	The National Accreditation Body for the United Kingdom, appointed by government to assess and accredit organisations that provide services including certification, testing, inspection and calibration.
FDIS Scheme	Fire Door Inspection Scheme

02. Introduction and Objectives

- 2.1 As a landlord, Stevenage Borough Council (SBC) is responsible for carrying out fire risk assessments, and taking action to identify, manage and mitigate risks associated with fire within the common areas of buildings we own and manage.
- 2.2 SBC have a duty to take general fire precaution measures to ensure, as far as is reasonably practicable, the safety of the people on our premises and in the immediate vicinity.
- 2.3 The key objective of this policy is to ensure that our Board, Executive Management Team, employees, partners, and residents are clear on our legal and regulatory fire safety obligations. This policy provides the framework our staff and partners will operate within to meet these obligations.
- 2.4 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

03. Scope

- 3.1 This policy is relevant to all our employees, residents, contractors, stakeholders, and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services.
- 3.2 The Council are committed to protecting all relevant persons from the risk of harm from fire in all the premises we own, manage, or maintain. In this policy, the phrase 'relevant persons' has the meaning assigned to it in the Regulatory Reform (Fire Safety) Order 2005, which is 'any person who is or may be lawfully on the premises, and any person in the immediate vicinity of the premises who is at risk from a fire on the premises.
- 3.3 The policy should be used by all to ensure they understand the obligations placed upon SBC to maintain a safe environment for residents and employees, within the home of each resident, and within all common areas of buildings and other properties we own and manage. Adherence to this policy is mandatory.

04 Roles and Responsibilities

- 4.1 Stevenage Borough Council is the 'Responsible Person' for the purposes of the legislation because they own the homes and buildings we manage where residents and leaseholders live.
- 4.2 The Executive Housing Working Group (EHWG) has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, EHWG will formally approve this policy and review it every two years (or sooner if there is a change in legislation or regulation).
- 4.3 For assurance that this policy is operating effectively in practice, SLT will receive regular updates on its implementation, fire safety performance and non-compliance.
- 4.4 For assurance that this policy is operating effectively in practice, EHWG will receive regular updates on its implementation, fire safety performance and any areas of non-compliance.
- 4.5 The Head of Building Safety has strategic responsibility for the management of fire safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy.
- 4.6 The Fire & Building Safety Manager has overall operational responsibility for the management of fire safety and will be responsible for overseeing the delivery of these programmes.
- 4.7 Housing teams will provide support with securing access to properties where necessary. The Council will use all available powers including legal action to carry out surveys and inspections.

05. Legislation & Guidance

SBC have given regard to the following legislation and guidance in preparing this policy.

- Regulatory Reform (Fire Safety) Order 2005 (FSO)
- Fire Safety Act 2021
- Fire Safety (England) Regulations 2022
- Building Safety Act 2022
- Furniture and Furnishings (Fire) (Safety) Regulations 1988
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Gas Safety (Installation and Use) Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR)
- Housing Act 2004
- Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Building Regulations 2010: Approved Document B Fire Safety
- Homes (Fitness for Human Habitation) Act 2018
- Electrical Equipment (Safety) Regulations 2016
- LACORS 2008 Housing - Fire Safety: Guidance on fire safety provisions for certain types of existing housing (Local Authorities Coordinators of Regulatory Services)
- NFCC - Fire safety in purpose-built blocks of flats.
- NFCC - Fire Safety in Specialised Housing
- Fire Sector Federation – Approved Code of Practice: A National Framework for Fire Risk Assessor Competency (November 2020).
- Fire Sector Federation – A Guide to Choosing a Competent Fire Risk Assessor (Version 3, October 2020).
- Setting the Bar: A new competence regime for building a safer future (October 2020).

5.1 Regulatory Standards

The Council must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England. The Social Housing (Regulation) Bill will change the way social housing is regulated and may result in future changes to this policy.

5.2 The Social Housing (Regulation) Act 2023, introduces new standards that the Council must achieve, which include:-

- The Safety and Quality Standard
- The Transparency, Influence and Accountability Standard
- The Neighbourhood and Community Standard
- The Tenancy Standard

The Council will manage all fire safety activity within scope of this policy, with these new standards at the forefront of delivery.

5.3 Sanctions

Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution by the Hertfordshire Fire & Rescue Service under the FSO; and via a regulatory notice from the Regulator of Social Housing.

06. Supporting Documents & Policies

- Stevenage Borough Council Fire Safety Management Plan

- Stevenage Borough Council – Tenancy Agreement

07. Obligations

7.1 Regulatory Reform (Fire Safety) Order 2005 (The FSO)

Working on behalf of the responsible person (Stevenage Borough Council), SBC must:

- Carry out a periodic Fire Risk Assessment (FSA) in all workplaces, commercial buildings and non-domestic parts of multi-occupied residential buildings.
- The FRA should identify general fire precautions and other measures needed to comply with the FSO. Although under the FSO this requirement only applies to common parts of premises, in practice the responsible person will need to consider the entire premises, including units of residential accommodation.
- Consider who may be especially at risk.
- Implement all necessary general fire precautions and any other necessary measures identified by an FRA to remove or reduce any risks.
- Implement a suitable system of maintenance and appoint competent persons to carry out any procedures that have been adopted.
- Periodically review FRAs 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 FRA in conjunction with the Responsible Person.

7.2 Fire Safety Act 2021

The Act amends the FSO by clarifying that in buildings with two or more sets of domestic premises, the FSO applies to:

- The structure and external walls of the building, including cladding, balconies, and windows; and
- All doors between the domestic premises and the common parts, for example, entrance doors to individual flats which open on to common parts.

SBC must ensure that FRAs comply with the criteria outlined above by appointing a competent person to review them (if the FRAs do not already comply). See Section 11 for competency requirements.

7.3 **Fire Safety (England) Regulations 2022**

SBC is required to carry out the following for buildings with two or more domestic premises:

- **Buildings between 11 – 18 metres in height** - Undertake quarterly checks of communal fire doors and annual checks of flat entrance doors.

In addition to SBC responsibilities for above height buildings, SBC must

- **Buildings over 18 metres in height** - provide the fire and rescue service with building plans and other relevant information, install, and maintain premises information boxes. Install wayfinding signage. Undertake monthly checks on lifts for use by firefighters and other key pieces of firefighting and fire safety equipment.

7.4 **Building Safety Act 2022**

The Building Safety Act amends the FSO and is applicable to all buildings where the FSO applies. It requires SBC to:

- Record FRAs in full and record fire safety arrangements.
- Appoint a competent person to undertake/review FRAs and record their identity.
- Ascertain whether other RPs have duties in respect of the premises and share relevant information with them.
- Provide relevant fire safety information to residents (for buildings with two or more domestic premises).
- For higher-risk buildings (as defined in within the Act), ascertain if the premises has an Accountable Person and co-operate with them to enable them to carry out their duties under the Act.

08. Statement of Intent

- 8.1 SBC acknowledge and accept our responsibilities under the FSO (as amended by the Fire Safety Act 2021), the Fire Safety (England) Regulations and The Building Safety Act as outlined in Section 5. Where legislation has not yet come into force, we will monitor this regularly and update this policy accordingly.
- 8.2 All FRAs will be reviewed by a competent person to ensure they meet the requirements set out in the Fire Safety Act 2021.
- 8.3 SBC will meet the requirements of the Fire Safety (England) Regulations by providing residents with the relevant information, undertaking fire door checks, and complying with the requirements for buildings above 18 metres in height.
- 8.4 Each property requiring an FRA will have one in place which has been carried out by a competent fire risk assessor, and which is compliant with the British Standards Institution's PAS 79-1:2020 and PAS 79-2:2020 specifications for non-residential and residential buildings respectively.
- 8.5 All FRAs will be reviewed no later than the review date set within the most recent FRA and in the event of:
 - A fire, fire safety incident or near miss
 - Change in building use
 - Change in working practices that may affect fire safety
 - Following refurbishment works
 - Change in applicable legislation
 - If required following an independent fire safety audit
- 8.6 SBC will operate robust processes to implement all fire precaution measures and Fire Risk Assessment Remedial Actions identified in FRAs.
- 8.7 Fire evacuation strategies will be determined on a building-by-building basis, in accordance with the recommendations of the competent fire risk assessor and with any guidance from Hertfordshire Fire & Rescue Service.
- 8.8 To comply with the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, which came into force on 1 October 2022, SBC will install, test, and replace (as required) battery operated and/or hard-wired smoke alarms and carbon monoxide alarms as part of the annual gas safety check or other servicing visit as required and / or at void stage.
- 8.9 If or as SBC are made aware that a resident has an issue with mobility or a cognitive impairment, a person-centred fire risk assessment (PCFRA) will be completed following a review of the NFCC appropriate checklist.
- 8.10 Personal Emergency Evacuation Plans (PEEPs) will be carried out by a competent person, reviewed periodically, and made available to the Fire and Rescue Service to support any future evacuation requirement, as follows:
 - For any resident, where we have completed a PCFRA and this informs that a resident could have issues with their ability to self-evacuate.

- 8.11 When letting properties, SBC will consider the suitability of the accommodation for the prospective resident in respect of fire safety.
- 8.12 SBC are committed to working with the Hertfordshire Fire & Rescue Service to create safer places to live and work. This joint working may include sharing information, having FRAs reviewed and staff training.
- 8.13 We will advise all new tenants of the opportunity to request a free home fire safety check, provided by Hertfordshire Fire & Rescue Service.
- 8.14 We will operate robust processes to gain access should any resident or leaseholder refuse access to carry out essential fire safety inspection and remediation works.
- 8.15 We will operate robust processes to gain access to properties where resident vulnerability issues are known or identified (including hoarding), whilst ensuring we safeguard the wellbeing of the resident.
- 8.16 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including; ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee public liability and professional indemnity insurances are up to date on an annual basis.
- 8.17 We will operate a robust process to manage immediately dangerous situations identified during fire safety programmes.
- 8.18 We will adopt a sterile environment approach in all internal common areas, requiring residents to remove combustible materials from corridors and fire escape routes. This is in accordance with our Clear and Safe Communal Space Policy.
- 8.19 We will not permit the storage of mobility scooters within internal communal areas. Residents must not store or charge e-scooters or any other lithium battery operated vehicles in your home or in any part of our buildings unless agreed in writing.
- 8.20 We will establish and maintain a risk assessment for fire safety management and operations, setting out our key fire safety risks and appropriate mitigations.
- 8.21 To comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement and refurbishment works.
- 8.22 To comply with the requirements of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002, we will consider the safety of our workplaces and plant/boiler rooms of our residential blocks.
- 8.23 We will operate robust processes to record and action any property fires and fire safety related near misses. A near miss is an unplanned event which does not result in an injury but had the potential to do so.
- 8.24 We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to fire safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

09. Programmes of Work

Fire Risk Assessment Programme

- 9.1 SBC will deliver a FRA Survey Programme to all blocks of flats and shared premises, that it owns and manage, where they fall within the scope of the Fire Safety Order. Buildings that are found (following survey) to fall outside of the scope of the Fire Safety Order, will be removed from the programme, once an exemption report has been supplied by our Fire Risk Assessors, confirming why the Fire Safety Order does not apply to those premises.
- 9.2 Thereafter, SBC will maintain a programme of FRA reviews, in a timescale appropriate to the premises and/or occupation fire risk level. This timescale will be determined by the fire risk assessor carrying out the FRA (between one and three years). All complex buildings, including high-rise blocks, Independent Living Schemes and Intensive Living, will be on an annual programme.
- 9.3 SBC will develop and implement an FRA Programme, based on carrying out Type 1 surveys of all common parts. Where it is determined appropriate, SBC may instruct a Type 2, Type 3 or Type 4 survey. Type 4 Surveys will usually be commissioned at the time of a void.
- 9.4 SBC will ensure that a pre-occupation FRA is carried out on all new build schemes or new acquisitions where we have an obligation to do so, followed by a post-occupation FRA, a maximum of three months after the first tenant moves in.

Properties managed by others.

- 9.5 SBC will carry out a Fire Risk Assessment on all properties, that we own or manage, where there is another organisation, such as an Agency Scheme that occupy the property, SBC will obtain a copy of their Fire Risk Assessment and provide a copy of ours. Under Article 22 of the Fire Safety Order, both organisations, will meet to "Co-ordinate & Co-operate" in the findings and actions identified across the Fire Risk Assessments for the building.

Fire Door Inspection Programme

- 9.6 To comply with the Fire Safety (England) Regulations, SBC will undertake quarterly checks of communal fire doors and annual checks of flat entrance doors (including those of leaseholders) to all buildings over 11 meters in height.

These inspections will be carried out by an accredited member of the FDIS Scheme.

Upon completion of these inspections, our contractor will provide a report on the condition of each door inspected along with details of any remedial works required to ensure that the fire door at lease meets a "Notional" status.

- 9.7 For all other communal blocks and other properties with common areas, we will undertake a six-monthly check of all communal fire doors, and an annual check of 25 percent sample of flat entrance doors and any other doors that appear to be of a different design. This sample will increase if issues are found on the initial sample.

Fire Safety Assets – Servicing and Inspection Programme

9.8 We will carry out a programme of servicing, maintenance, and testing, in accordance with all relevant legislation, British Standards and manufacturer’s recommendations, to all fire detection, prevention and other fire safety assets and equipment within buildings we own and manage.

Block Inspection Programme

9.9 SBC will carry out a programme of quarterly inspections to all blocks that fall within the scope of the Fire Safety Order and require a periodic Fire Risk Assessment, to audit that all required management actions are taking place.

10. Remedial Actions

10.1 SBC will develop a series of programmes to ensure that all identified risks and associated remedial actions are carried out in line with the timescales indicated below.

Risk Rating	Response Time
Intolerable Risk	Within 24 Hours
High Risk	Within one month
Medium Risk	Within six months
Low Risk	Within 12 months, or delivered as part of a planned programme within twelve months

Any “Intolerable” risk identified during an assessment will be reported from site by the assessor. SBC will undertake to resolve or remove any issues causing the Intolerable action within 24 hours.

10.2 SBC will use the date the FRA is received from our Fire Risk Assessors, to ensure that it has been through a BAFE SP205 validation process, as our timeframe to start completing FRA Remedial Actions.

10.3 Before any and all FRA Remedial Actions are completed, a detailed record of all evidence to support the closure of that record will be stored and reviewed by a suitable qualified SBC manager.

10.4 SBC will ensure there is a robust process in place to manage follow-up works arising from fire door audits, and servicing and maintenance checks to fire systems and equipment.

11. Quality Assurance

- 11.1 SBC will ensure there is a programme of external third-party quality assurance audits of Fire Risk Assessments (Field and Desktop), on a ten percent sample basis of each individual Fire Risk Assessor.
- 11.2 SBC will appoint a suitable qualified and competent consultant, to undertake third party technical quality assurance audits on a percentage of remedial works carried out by appointed contractors.
- 11.3 SBC will commission an independent audit of fire safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify any non-compliance issues. An action plan will be developed for any issues identified during the audit, with appropriate timescales agreed for corrective actions to be carried out.

12. Data and Records

- 12.1 SBC will maintain a core asset register of all properties we own or manage, setting out which properties require an FRA. We will also set out which properties require fire safety servicing and maintenance regimes (for example, fire alarms, emergency lighting and smoke/heat detection).
- 12.2 For all buildings over 18 metres and that fall within the scope of the Building Safety Act, SBC will store relevant information including floors plans, list of vulnerable residents and other key information within Secure Information Boxes on site. These will only be accessible to SBC authorised staff and Hertfordshire Fire & Rescue Service.
- 12.4 SBC will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from fire safety programmes and the programme remains up to date.
- 12.5 SBC will hold fire safety inspection dates in the Housing Management system and FRAs, FRA actions, and fire safety servicing records on the central server.
- 12.6 SBC will keep fire safety logbooks electronically (or securely on site where practical), for all properties on the FRA programme.
- 12.7 SBC will keep all records and data in line with our document retention policy and will have robust processes and controls in place to maintain appropriate levels of security for all fire safety related data.

13. Resident Engagement

- 13.1 SBC consider good communication essential in the effective delivery of fire safety programmes, therefore we will implement a resident engagement strategy and communication programme. This will support residents in their understanding of fire safety, advise them of how they can keep themselves and other residents safe, and encourage them to report any fire safety concerns.
- 13.2 The Building Safety Act, introduced specific responsibilities around resident engagement for those residents, both tenants and leaseholders in buildings that are over 18m in height. The Council has developed a specific resident engagement strategy for these properties.

- 13.3 We also aim to successfully engage with vulnerable and hard to reach residents. We will share information clearly and transparently and will ensure that information is available to residents via regular publications and information on our website.
- 13.4 We will provide residents with online access to a resident friendly version of the FRA for their property. A full version of the FRA will also be made available upon request.

14. Competent Persons

- 14.1 The responsible officer will hold the NEBOSH National Certificate in Fire Safety and Risk Management (or equivalent). If they do not have this already, they will obtain it within 12 months of the approval of this policy.

Responsible Officer – Fire & Building Safety Manager

- 14.2 Only suitably competent contractors, fire risk assessors and fire engineers will undertake FRAs or works to fire safety equipment, systems, and installations. These must be certified by BAFE and/or an IFSM member and be in line with the Fire Sector Federation's guidance on choosing a competent Fire Risk Assessor.
- 14.3 Only suitably competent fire safety consultants and contractors will provide third party technical quality assurance checks.
- 14.4 SBC will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately, along with details of contractors' employers liability, public liability and professional indemnity insurances are up to date on an annual basis.

15. Training

- 15.1 SBC will deliver training on this policy and the procedures that support it, including team briefings; basic fire safety awareness training; and on the job training for those delivering the programme of FRAs and other fire safety programmes, planned maintenance and repairs works as part of their daily job. All training undertaken by staff will be formally recorded.

16. Performance Reporting

- 16.1 We will report robust key performance indicator (KPI) measures for fire safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came in to force April 2023. Performance must be reported to the Regulator on an annual basis, however we will report internally on a monthly basis to SLT. We will also report monthly to our residents.

The relevant TSM for Fire Safety is defined as follows:

BS02 – Fire Safety Checks: Proportion of dwellings for which all required fire risk assessments have been carried out.

16.2 Reporting Lines & Frequency

Performance reports will be presented to the following colleagues and internal committees as below.

From	To	Frequency
Compliance Workstream Manager	Head of Building Safety	Monthly
Head of Building Safety	Assistant Director, Building Safety & Housing Property Services	Monthly
Assistant Director, Building Safety & Housing Property Services	Senior Leadership Team	Quarterly
Head of Building Safety	Exec Housing Working Group	Quarterly

16.3 We will also report the following:

Data – The total number of:

- Properties – Communal Blocks and other properties
- Properties on the FRA Programme
- Properties with a valid and in date FRA
- Properties without a valid and in date FRA
- Properties due a new FRA within the next 30 days
- Completed in time and overdue follow-up works / actions (Split by priority)

In addition:

- Compliance with the Fire Safety equipment, systems, installations, servicing and maintenance.
- Details of any Formal Notices received from Hertfordshire Fire & Rescue Service or other enforcement bodies
- Recording and reporting on property fires to identify trends and target awareness campaigns.
- The number of RIDDOR notifications to the HSE with regard to fire safety, in domestic properties.

17. Significant Non-Compliance and Escalation

- 17.1 The Council definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety. All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred or becoming aware of it.
- 17.2 Any non-compliance issue identified at an operational level will be formally reported to the Head of Building Safety in the first instance, who will agree an appropriate course of corrective action with the Assistant Director – Building Safety & Housing Property Services and report details of the same to the SLT.
- 17.4 In cases of serious non-compliance, SLT will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive.

18. Policy Review Frequency

- 18.1 This policy will be reviewed every two years, or following updates in relevant legislation, regulation or guidance.