

Fire Safety Policy (Landlord Compliance)

Policy Owner	Patricia Carr, Group Health and Safety Manager
This policy is applicable to	All those within Karbon Homes and its subsidiary companies with strategic or operational responsibility for fire safety in the context of Landlord Compliance.
Approved by	KMT
Date approved	27 th January 2022
Frequency of review	Annually
Date of next review	August 2025
Implementation date	27 th January 2022
Key related documents (policy, procedure, customer literature)	All compliance documents.
Sources of best practice or guidance used in developing this policy	See section 2

Version control			
Version number (see note 1)	4	Author of Policy	Kath Heard Principal Surveyor – February 2018
		Reviewed by	Patricia Carr Group Health and Safety Manager
Equality Impact Analysis (see note 2)	Initial/Full	Equality Analysis Date	18 August 2021
Privacy Impact Analysis (see note 2)	Initial/Full	Privacy Analysis Date	18 August 2021

Document change history		
Version	Date	
2	March 2019	Cover, 1.0, 4.0.
3	Aug 2021	Cover, 1.0, 4.0, 5.0, 6.0, And make specific that the Policy also applies to YHA.
4	January 2023	Cover page, 2.0, 4.0, 5.0 and remove inclusion of YHA and include all subsidiary companies.
5	17 th February 2024	Remove reference to YHA and replace with all subsidiary companies. Include new legislation under the Fire Safety Regulations 2021, the Fire Safety (England) Regulations) 2022 and the Building Safety Act 2022
6	23 rd August 2024	Amended to include reference to our Approach to Vulnerability Policy

Consultation	
Consultation Group (if applicable)	Date of Consultation (if applicable)
Staff	Not applicable
Union(s)	Not applicable
Customers	Not Applicable
Human Resources / Organisation Development	Not applicable
Health and Safety Working Group	August 2021
Other stakeholder (please state) KMT	January 2022

Risk policy is designed to control
 To comply with all regulatory and legislative requirements plus ensure the safety of staff and customers.

1.0 Objectives of the Policy

Karbon Homes and its subsidiary companies (hereby known as ‘The Group’) are regulated by the [Regulatory Framework for Social Housing 2015](#), and the statutory responsibility for discharging the landlord obligations surrounding fire safety rests with them. The Group must also undertake a monitoring role to ensure that they can demonstrate a validated landlord compliance position, thereby leading to the Group being overall compliant against Legislative and Statutory requirements

The objectives of this policy are detailed below;

- To ensure that all Group residential properties provide a safe environment within which our customers can live,
- To ensure that all Group commercial premises provide a safe environment within which our colleagues and visitors can work,
- Establish the key principles that the Group will utilise to ensure fire safety across the entire stock portfolio,
- To ensure that all new buildings and refurbishments comply with the Building Regulations 2010 (as amended) (PART B, volumes 1&2) and amendments arising from the Building Safety Regulator either directly or via the Building Safety Alliance or Construction Leadership Council.
- To ensure the safety of all Group colleagues, customers, service providers and third party visitors to all Group assets,
- To provide clear lines of responsibility for the management of fire safety,
- To ensure that we comply in full with the Fire Safety Management plan that supports the delivery of this policy,

- To provide a commitment to customers who are affected by fire safety and communicate and raise awareness regarding the key issues,
- To provide a timetable for the review of the Fire Safety policy and Fire Management Plan,
- To provide clarity of the method used for reviewing and monitoring fire safety compliance.

In order to deliver these objectives the Group will have regard to the duties imposed by the Regulatory Reform (Fire Safety) Order 2005 (RRFSO), by nominating a competent person(s) to undertake suitable and sufficient Fire Risk Assessments in the communal parts of all properties or properties which are places of work in order to;

- Identify the hazards within all owned or managed premises
- Consider who may be especially at risk.
- Evaluate and eliminate or reduce the risk from fire as far as is reasonably practical and provide general fire precautions to deal with any residual risk
- Undertake regular reviews.

2.0 Compliance with Regulatory Standards and Legal Obligations

This policy operates within the context of regulatory legal frameworks, guidance sources and British Standards as follows;

- The Fire Safety Act 2021
- The Fire Safety (England) Regulations 2022
- The Building Safety Act 2022
- Smoke and Carbon Monoxide Alarm (England) Regulations 2022
- Regulatory Reform (Fire Safety) Order 2005
- Guidance information published by Department for Communities and Local Government (CLG), (Local Authorities Coordinators of Regulatory Services) (LACORS) and the Local Government Association (LGA)
- The Health and Safety at Work etc. Act (1974).
- Management of Health and Safety at Work Regulations 1999
- Housing Act 2004
- Housing Health and Safety Rating System Regulations 2005
- Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002
- Furniture and Furnishings (Fire Safety) Regulations 1988
- Smoke Detectors Act 1991
- IET Wiring Regulations (18th Edition) – BS7671
- Gas Safety (Installation and Use) Regulations 1998
- Electrical Equipment (Safety) Regulations 1994
- Landlord and Tenant Act 1985
- Equality Act 2010

- Building Regulations 2010 (as amended) Approved Document B (Fire safety) – Volume 1: Dwelling houses, and all relevant British Standards.
- Building Regulations 2010 (as amended) Approved Document B (Fire Safety) – Volume 2: Buildings other than dwelling houses
- The Health and Safety (Safety Signs and Signals) Regulations 1996
- Communities and Local Government Fire Safety Guides
<https://www.gov.uk/government/collections/fire-safety-guidance>
- Offices and shops Fire Safety Guide
- Sleeping accommodation Fire Safety Guide
- The National Fire Chiefs Council guidance on Fire Safety in Specialised Housing 2017
- The Regulatory Framework for Social Housing 2015
- BS 5839 – Fire detection and alarm systems
- BS 5266 – Emergency lighting provision
- BS 8214 – Fire doors
- BS 5306 – Fire extinguishers
- BS 5499 – Fire safety signs
- BS 9990:2015 – Dry risers
- BS/EN 16550:2010 – Fire dampers
- BS/EN 12101 – Smoke vent systems
- BS 9251:2014 – Sprinkler systems for domestic and residential occupancies.

Classification of Buildings

The RRFSO applies to the common parts of all properties providing accommodation in the form of flats or maisonettes for general needs, older persons and supported housing and the requirements for managing fire safety varies depending upon the height of the properties, which essentially fall into three categories:

All multi-occupied dwellings

All buildings over 11 metres in height

All buildings over 18 metres in height.

Tenants whose accommodation does not include any common part, i.e. houses, bungalows and flats with their own front door, will be protected by the level of structural fire precautions implemented during the construction of the building, together with any supplementary fire safety equipment retrofitted by the Group.

It is essential we ensure our customers, residents, employees, contractors and visitors remain safe in our premises (both individual homes and offices), failure to properly discharge our legal responsibilities may result in;

- Prosecution by the Health and Safety Executive under Health and Safety at Work etc. Act 1974,
- Prosecution by the Health and Safety Executive under the Fire Safety Act 2021,
- Prosecution by the Fire and Rescue Service under the Fire Safety (England) Regulations 2022

- Prosecution by the Fire and Rescue Service under the Regulatory Reform Fire Safety Order 2005,
- Prosecution by the Local Authority under the Housing Act 2004,
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007,
- A judgement of serious detriment by the regulator of social housing,
- Reputational damage,
- Loss of confidence by stakeholders in the organisation.

3.0 Scope

This policy relates to all property owned or managed by the Group where fire safety legislation applies, including properties managed by the Group on behalf of a third party.

Where properties are managed on behalf of a third party, the Group will accept responsibility for all regulatory compliance unless such responsibility is explicitly excluded under the terms of the management agreement.

This policy is applicable to all non-domestic properties that fall within the remit of the RRFSO which includes offices, supported and sheltered accommodation; the common parts of other tenures will be included in the Fire Risk Assessment (FRA) programme.

4.0 Policy Detail

This policy must always be read in conjunction with the Fire Safety Management Plan.

The Group will work with occupiers to ensure that all properties within its control (whether owned or managed) have a robust FRA in place.

FRA's will be renewed on a one, two or three year cycle depending upon the assessment of risk to the property with annual internal review. FRA's will be undertaken in accordance with the RRFSO.

The Group will ensure, so far as reasonably practicable, that any equipment provided in connection with assuring fire safety (including fire alarms, smoke alarms, emergency lighting, fire precautions and fire-fighting equipment) is maintained in an effective working order and repaired, maintained and serviced to British standards and in accordance with the manufacturer's recommendations. The procedures are detailed in the Fire Safety Management Plan.

Fire Risk Assessment (FRA)

Fire risk assessments shall be undertaken in accordance with the Fire Safety Management Plan which will identify the relevant property types/tenure and frequency of inspections.

Fire Safety Commitments

The Group will work within the following commitments;

- We will ensure compliance with the requirements of all applicable fire safety legislation including the Regulatory Reform (Fire Safety) Order 2005 (RRFSO) and undertake FRA's of all relevant accommodation we own, manage or occupy in accordance with the frequencies set out in the Fire Safety Management Plan. Risks will be identified and appropriate measures will be introduced to minimise the risk to life and property from fire,
- Positive relationships will be maintained with local fire authorities and local authorities and we will nominate key persons within the Group to meet with the local fire authority when required,
- We will undertake a fire investigation following all fires and hold a register of all fires to understand trends and introduce improvements where fire risks can be reduced,
- Evacuation plans will be tested by carrying out a practiced evacuation twice annually in offices and annually in sheltered and supported schemes (more frequently if necessary), which will consider the particular needs of residents including those with disabilities,
- We will provide alternative accommodation should customers be required to temporarily vacate their property following a fire,
- All activities will be subject to compliance with the General Data Protection Regulations 2018.

Property Classification

- All Group properties subject to the requirements of the RRFSO and/or where a FRA is required to be completed will be categorised as such within the asset database, Capita Open Housing (COH).
- All properties not included under the RRFSO will be subject to an internal monthly review to determine whether an FRA should be required, as set out in Section 4.2 of the Fire Safety Management Plan.

Record Keeping

- All records relating to this service shall be kept for a minimum of 6 years.
- FRA's and any associated paperwork will be held within the SharePoint electronic document management system and shall be made available to customer(s) where required.
- A bespoke compliance software solution will be utilised to retrieve and hold details of the rectification works identified in each FRA at property level. This will enable the creation of reports and workflows which will be used to manage the delivery of rectification works.
- A Complex Building Matrix will be developed and used to determine the fire safety risk associated with each multiple-occupancy building and assigned a risk rating, so far as reasonably practicable.
- When a property status is changed or is new to the asset database (COH), each property will be assessed to determine whether or not an FRA is required. This requirement will include;

- New Property Acquisitions,
- New Build,
- Refurbishment/remodelling schemes,
- Alterations to tenure, significant change of use or changes in the occupancy, e.g. supported housing blocks created within domestic properties.

5.0 Monitoring

The **Karbon Homes Board** will act as **Duty Holder** and will receive regular reports on the performance of this policy and be accountable for ensuring its implementation.

Karbon Homes will act as the Accountable Person under the Building Safety Act 2022.

Both Karbon Homes and its subsidiary companies' **Boards** will receive regular summary reports of the performance in relation to the implementation of this policy and be responsible for ensuring the Group undertakes any necessary remedial action to comply with the policy.

Karbon Homes Group Audit and Risk Committee will be responsible for receiving quarterly reports and ensuring regulatory landlord compliance.

Karbon Homes Chief Executive Officer will retain the overall responsibility for the monitoring and consistent implementation of this policy and is the '**Responsible Person**' under the RRFSO.

Assistant Director of Asset & Regeneration (Karbon Homes) and Heads of Asset Management and Maintenance (subsidiary companies) - The performance of the Responsible Person duties is delegated to the Assistant Director of Asset & Regeneration (Karbon Homes) and Heads of Asset Management and Maintenance (subsidiary companies) who are responsible for ensuring that sufficient competent resources are in place to ensure their capability to comply with this policy. The duties are detailed in the Fire Safety Management Plan.

Group Health and Safety Manager – Responsible Person duties for monitoring and review of this Policy are delegated to the Group Health and Safety Manager.

The fire safety attributes held within the asset database (COH) will be reconciled with the FRA register on a monthly basis in order to identify the KPI. Any new additions to the asset database will be reviewed on a weekly basis to ensure that those requiring inclusion in the FRA programme are marked with the fire safety attribute.

Monthly reports will be generated for designated senior managers direct from the Capita databases to ensure compliance can be monitored against minimum agreed Performance Indicators, these will be detailed in the Management Plan.

The Group Customer Committee will receive high level KPIs as follows on a quarterly basis:

- % of Fire Risk Assessments completed
- % of Fire Risk Assessment reviews completed
- % of fire safety remedial works outstanding per building (Priority 1&2)
- Progress with Fire Alarm Servicing
- Progress with Emergency Lighting Servicing

Commentary will be provided for any properties overdue or out of date including proposed actions to bring them back into a compliant situation.

Regular fire safety meetings will be held and will include the relevant Managers to ensure that the Buildings and Customer Safety Working Group is involved in all projects with fire safety implications, and that relevant issues are identified at an early stage.

This service area will be included within the annual Internal Audit programme which will review in particular adherence to process, data and record keeping.

In addition, the Group will regularly inspect, monitor and report on the technical performance and quality of this business critical service area.

The Group will be notified of any corrective actions that are required and records shall be maintained electronically.

Fire safety is a high risk area and this policy will be reviewed on an annual basis. If as a result of either the findings of the internal audit process or the 3rd Party Independent Quality Assurances, the service is not performing to the desired level, then this will trigger an earlier external strategic review.

6.0 Glossary of Terms

- **RRFSO** is the Regulatory Reform (Fire Safety) Order 2005 which consolidates and rationalises most of the previous fire safety legislation, that was scattered across a large number of statutes and secondary legislation, into one order.
- **FRA - Fire Risk Assessment** - This will identify what the Group needs to do to prevent fire and keep people safe.
- **Regulator for Social Housing** – has the responsibility for the regulation of social housing providers in England.
- **Health and Safety Executive (HSE)** –Non-departmental public body in the United Kingdom responsible for the encouragement, regulation and enforcement of workplace health, safety and welfare, and for research into occupational risks in England and Wales and Scotland.
- **Capita**, Housing Management System, KARBON HOMES' electronic housing management system
- **Business Continuity Plan (BCP)** – Plan that deals with Karbon Homes response in managing an emergency situation that affects the function of the organisation.

- **Competent Person** - A competent person is someone who has sufficient training and experience or knowledge and other qualities that allow them to assist an organisation meet the requirements of health and safety law.

7.0 Equality and Diversity

This policy is implemented in line with the Group's Equality and Diversity Policy and associated legislation. Consideration will be given to all protected characteristics under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations.

This policy and associated documents are available in different languages and alternative formats where necessary.

8.0 Data Protection and Privacy

We have a clear policy on data protection and sharing data with other partners/third parties under the requirements of the UK General Data Protection Regulation. This is clearly set out in the Data Protection Policy for the Karbon Homes Group which in association with the Data Protection Procedures must be followed throughout the operation of this policy.

9.0 Approach To Vulnerability Policy

This policy is applied in line with Our Approach To Vulnerability Policy. Everyone matters.

We want people to be treated fairly, have equality of opportunities, freedom, respect, and access to our services. We will offer support, reasonable adjustments, and adaptations to remove barriers. We will discuss with our customers what is reasonable and appropriate.

In delivering this service we may need to escalate a particular case – if we do then customer vulnerabilities will be considered as part of the decision-making process.

We will support people with vulnerabilities to deliver this service. We will work alongside external agencies such as social services, the police and fire services and other appropriate agencies to help and support people with vulnerabilities in the delivery of our services but also to ensure we meet our statutory and regulatory requirements as a social landlord.

Details are provided in the appropriate areas in this policy.

All our customer policies are available on the website.