

# Fire Risk Assessment Policy



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## 1.0 Introduction

- 1.1 Residents of properties left unprotected against fire have a higher than average chance of being injured or killed in their home.
- 1.2 In addition to this there have been high profile fires in social housing high-rise blocks (most notably Lakanal House in 2009 and Grenfell Tower in 2017) which resulted in residents losing their lives.
- 1.3 Most fires are preventable. It is the responsibility of the building owner to ensure the right procedures are in place.

## 2.0 Scope

- 2.1 This policy meets the requirements of the Regulatory Reform (Fire Safety) Order 2005 (RRO 2005), the Fire Safety Act 2021 and the Building Safety Act 2022.
- 2.2 The policy is relevant to all TDC employees, tenants, leaseholders, 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.

## 3.0 Regulatory Standards, Legislation and Codes of Practice

- 3.1 **Regulatory Standards** - this policy will ensure compliance with the Regulator for Social Housing's regulatory framework.
- 3.2 **Legislation** - the principal legislation applicable to this policy is the Regulatory Reform (Fire Safety) Order 2005 (RRO 2005). This places a duty on TDC 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. The Fire Safety Act 2021 amends the Regulatory Form Fire Safety 2005 making it clearer where responsibility for fire safety lies in buildings containing more than one home.
- 3.3 The Building Safety Act 2022 re-examines building safety regulations, introduces new duties relating to fire and structural safety and brings in a number of measures intended to make buildings and residents safer. The Act also strengthens the Regulatory Reform (Fire Safety) 2005 with amendments which affect buildings over 11 metres.
- 3.4 **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)
- **Building a Safer Future** - Independent Review of Building Regulations and Fire Safety: Final Report (May 2018)
- PAS 79-2 2020 - Fire Risk Assessment Part 2. Housing Code of Practice.

3.5 **Sanctions** - TDC 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 RRO and via a serious detriment judgement from the Regulator of Social Housing.

3.6 **Tenants and leaseholders**- TDC will use the legal remedies available should any resident refuse access to carry out essential fire safety related inspection and remediation works.

## 4.0 Additional Legislation

4.1 This fire safety policy also operates in the context of the following additional legislation:

4.1.1 Housing Act 2004

4.1.2 Health and Safety at Work etc Act 1974

4.1.3 The Management of Health and Safety at Work Regulations 1999

4.1.4 Management of Houses in Multiple Occupation (England) Regulations 2006

4.1.5 Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006

4.1.6 Gas Safety (Installation and Use) Regulations 1998

4.1.7 The Furniture and Furnishings (Fire Safety) Regulations 1988

4.1.8 The Health and Safety (Safety Signs and Signals) Regulations 1996

4.1.9 The Building Regulations 2000: Approved Document B Fire Safety

4.1.10 Electrical Equipment (Safety) Regulations 2016

4.1.11 Construction (Design and Management) Regulations 2015

4.1.12 Data Protection Act 2018

4.1.13 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013

4.1.14 Homes (Fitness for Human Habitation) Act 2018

## 5.0 Obligations

- 5.1 TDC will carry out a fire risk assessment (FRA) for the purpose of identifying the general fire precautions and other measures needed to comply with the RRO 2005
- 5.2 TDC will undertake a Type 1 FRA survey and will take direction from the independent Fire Risk Assessor if a more intrusive survey is required. TDC will implement all necessary fire precautions measures identified by a FRA.
- 5.3 TDC will put in place a suitable system of maintenance and appoint competent persons to do this
- 5.4 TDC will periodically review FRA's in a timescale appropriate to the premises and/or occupation fire risk level. High rise and converted blocks will be reviewed on an annual basis and all other blocks will be reviewed 3 Yearly, unless determined sooner by the fire risk assessor carrying out the fire risk assessment.
- 5.5 TDC will engage with the Kent Fire and Rescue Service to regularly review the evacuation strategies
- 5.6 TDC will ensure that the FRA to a building is reviewed following a fire, change in building use, change in working practices 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.
- 5.7 TDC will ensure that robust processes are in place to record and action any 'near miss' reports with regard to fire safety.
- 5.8 TDC will test all smoke alarms/CO alarms as part of the annual gas safety check visit (or at void stage) and replace them where necessary.
- 5.9 Where TDC has been notified that a resident within a building requiring a fire risk assessment is storing oxygen in their home , it will ensure that they have a Personal Emergency Evacuation Plan (PEEP) in place that is reviewed annually by a competent person.
- 5.10 TDC is committed to working with Kent Fire and Rescue Services to create safer places to live and work. Joint working will include sharing information, the fire service reviewing risk assessments and providing training to TDC staff.
- 5.11 TDC will report any defect on fire fighting equipment that will be out of action for more than 24hrs on its high rise buildings to kent fire and rescue, using their online reporting tool and will also update when the equipment has been fully repaired.
- 5.12 TDC considers good communication essential in the safe delivery of fire safety and will therefore ensure that information about fire safety and fire prevention measures is available to residents and building users.
- 5.13 TDC will ensure there is a relevant resident engagement strategy in place for High Risk High Rise blocks
- 5.14 TDC will ensure that a redacted version of the fire risk assessment will be made available to tenants upon request.
- 5.15 TDC has a zero tolerance to goods stored in the communal area to ensure fire safety. in theTDC will not permit the storage of scooters within the communal areas of their properties.
- 5.16 TDC will have a robust process in place to manage properties with tenants that have hoarding issues .

## 6.0 Compliance Risk Assessment/Inspection Programmes

- 6.1 **CDM** - to comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM).
- 6.2 TDC will carry out a programme of FRA reviews, ensuring they are reviewed no later than the review date set by the fire risk assessor.
- 6.3 TDC will carry out a programme of regular inspections to all blocks with a FRA in place. These inspections will be undertaken at regular intervals by housing response officers and will keep a record of the inspection.
- 6.4 **New Build Properties** - TDC will ensure that a pre-occupation fire risk assessment is carried out on all new build properties where required.
- 6.5 TDC will carry out quarterly communal fire door inspections and yearly flat entrance door inspections to all buildings that are above 11 metres in height.
- 6.6 TDC will carry out additional monthly visual checks to the dry risers, sprinklers, lifts and AOV's within its 6 high rise buildings and report any defects to its contractor for repair.

## 7.0 Compliance Follow up Work

- 7.1 TDC will ensure that robust processes are in place to implement all mandatory fire precaution measures identified by FRA's. This will be done as soon as reasonably practicable and in the following priority order:
  - Intolerable actions
  - Substantial actions
  - Moderate actions
  - Tolerable actions
  - Trivial actions
- 7.2 TDC will ensure that robust processes are in place to implement all fire precaution measures identified by the regular block inspections carried out by HRO's.
- 7.3 TDC will ensure there is a robust process in place for the management of any follow-up works required following the completion of servicing and maintenance checks to fire detection, prevention and fire-fighting systems and equipment.

## 8.0 Record Keeping

- 8.1 TDC will maintain a core asset register of the communal blocks and 'other' properties that require a FRA. This register will also identify all fire safety equipment, systems and installations within each building.
- 8.2 The register shows the date of the current FRA and the due date of the next FRA. The register will also be used to record and track the progress of all fire safety actions required, as identified from the FRA.
- 8.3 TDC maintains a register against each property asset of any smoke/heat detection equipment contained within domestic dwellings

- 8.4 TDC maintains an appropriate Fire Safety Box and keeps it securely on site, for all high risk buildings requiring a fire risk assessment. High risk schemes include all high rise buildings and any building with a personalised evacuation strategy.
- 8.5 TDC will maintain the Fire Risk Assessment Prioritisation tool.
- 8.6 TDC will maintain the Building Safety Cases.
- 8.7 TDC will establish and maintain records of all fire safety related training undertaken by staff.

## 9.0 Key Roles and Responsibilities

- 9.1 TDC's Cabinet has overall governance responsibility for ensuring the Fire Safety Policy is complied with. The Cabinet will formally review this policy every two years (or sooner if there is a change in regulation, legislation or codes of practice).
- 9.2 As per the Regulatory Reform (fire safety) Order 2005, the following role is appointed:
  - Responsible Person is Thanet District Council
- 9.3 TDC's Cabinet will receive regular updates on fire safety performance along with notification of any non-compliance issue which is identified. The Director of Place has strategic responsibility for the management of fire safety and for ensuring compliance is achieved and maintained. TDC's Compliance Manager will be responsible for overseeing the delivery of the fire risk assessment programme and the prioritisation and implementation of any works arising from the FRAs.
- 9.4 TDC's Compliance Manager is responsible for overseeing the delivery of service, maintenance and repair programmes to all fire detection, alarms and fire-fighting equipment within property assets owned or managed by TDC.
- 9.5 TDC's Building Safety and Compliance Manager will ensure the Building Safety Cases for the 6 high buildings are kept up to date and the building safety case report is submitted annually to the Health and Safety executive .
- 9.6 Under the Building Safety Act 2022, the following roles are appointed as:
  - Accountable Person - Thanet District Council
  - Principal Accountable Person - Director of Place
- 9.7 TDC's CMT will receive reports in respect of fire safety management performance and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.

## 10.0 Competent Persons

- 10.1 TDC will ensure that the manager with lead responsibility for operational delivery holds a suitable qualification. TDC will fund training as necessary so they gain this qualification and membership.
- 10.2 TDC will ensure that only suitably competent fire risk assessors are procured and appointed to undertake fire risk assessments.

## 11.0 Performance Reporting

11.1 KPI measures will be produced and provided at service level on a monthly basis and to TDC's CMT and elected members on a quarterly basis. As a minimum, these KPI measures will include reporting on:

**Data - the total number of:**

- Properties - split by communal blocks and 'other' properties;
- Properties on the FRA programme;
- Properties with a valid 'in date' FRA. This is the level of compliance expressed as a number and a %;
- Properties which are due for a new FRA within the next 90 days. This is the early warning system;
- Follow-up works - number of actions (by priority) and of these how many are in date and how many are overdue, number raised in the period and number completed in the period.

**Narrative - an explanation of the:**

- Current position;
- Corrective action required;
- Anticipated impact of corrective action;
- Progress with completion of follow up works.

**In addition:**

- Compliance with the fire safety equipment, systems and installations servicing and maintenance programme;
- Recording and reporting on property fires to identify trends and target awareness campaigns.

## 12.0 Quality Assurance

12.1 Internal audit will test the compliance of fire safety every 5 years or more frequently if necessary.

12.2 TDC will carry out independent third party quality assurance audits of fire risk assessments, fire equipment servicing and follow-up actions. This will be a 20% check of fire safety works carried out on high rise properties and a 5% sample of the total fire safety works carried out on the remaining stock.

## 13.0 Glossary

13.1 This glossary defines the key terms used throughout this FRA policy:

13.1.1 **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.

13.1.2 **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.



13.1.3 PAS79-2; 2020 is a Publicly Available Specification 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.

## 14.0 Document control

Date	Version	Action	Amendments
March 2020	1	New policy	
May 2023	2	Full review and approval by Cabinet	
May 2025		New review date	