



# Fire Safety Policy

## 2024-2027

### Version Control

Version	Changes	Approval Stage	Date
1	Original Draft	Internal	19/06/2024
2		Tenants/Public Consultation	
3		Head of Service sign off	
4		Cabinet	

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<p><b>Relevant Legislation</b></p>	<ul style="list-style-type: none"> <li>• The Fire Safety Act 2021</li> <li>• The Regulatory Reform -Fire Safety Order 2005</li> <li>• Building Safety Act 2022</li> <li>• Housing Act 2004</li> <li>• Approved Document B of the Building Regulations</li> <li>• Health and Safety at Work Act 1974</li> <li>• PAS79-1: 2020 Fire Risk Management System</li> <li>• BS9999 2017: Code of Practice for Fire Safety in the design, management and Use of Residential Buildings</li> <li>• BS5266-1 2011 Emergency Lighting Code of Practice</li> <li>• BS5839-6:2019 Fire Detection and Fire Alarm Systems for Buildings</li> <li>• BS5306 Code of Practice for Fire Extinguishers</li> <li>• BS5499-10 2006 Safety Signs Including Fire Signage</li> <li>• LGA Fire Safety in Purpose Built Blocks of Flats 2011</li> <li>• LACORS Housing Fire Safety</li> <li>• National Fire Chief Councils – Fire safety in specialised housing guidance DCLG Fire safety risk assessment supplementary guide: 2007 Means of Escape for Disabled People</li> <li>• Social Housing Act 2023</li> <li>• Regulator of Social Housing - Consumer Standards April 2024</li> </ul>
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## **1.0 Purpose of the Policy**

This policy details the Council's approach, for the HRA stock and assets, for the completion of suitable and sufficient Fire Risk Assessments (FRAs) and subsequent fire risk remedial actions and ongoing monitoring.

This policy aims to demonstrate that The Council, for the HRA stock and assets has measures in place to identify, manage, and mitigate risks associated with Fire. It will also demonstrate that the Council is fulfilling its duties under the Regulatory Reform (Fire Safety) Order 2005 (RRFSO), Fire Safety Act 2021 and other relevant codes of practice and good practice guidance.

## **2.0 Scope of Policy**

This policy relates to all HRA stock, assets including buildings where the RRFSO and Fire Safety Act 2021 apply and the Council is the appointed "Responsible Person" for fire safety. This includes commercial buildings such as offices, the common areas of blocks of flats or maisonettes and specialised housing such as Independent Living Schemes.

It does not apply to single family dwellings, which includes the habitable parts of a building such as a flat.

Where buildings and properties are managed by third parties or are let under leases (e.g. The Council office accommodation, commercial property including shops) the management of Fire Safety will fall under the scope of this policy so far as the Council statutory responsibilities detailed in the terms of the management and lease agreements.

### 3.0 Definitions

Regulatory Reform (Fire Safety) Order 2005 (RRFSO) – a statutory instrument applicable in England and Wales. The Order places the responsibility on individuals within an organisation to carry out risk assessments to identify, manage and reduce the risk of fire.

Fire Safety Act 2021 – arose out of the 2017 Grenfell Tower fire and relates to fire safety in buildings in England and Wales with two or more domestic residences and is designed to supplement the RRFSO.

Responsible Person - a person (or organisation) that has control of a building, or a degree of control. In reference to fire, they are who is responsible for ensuring measures are in place to identify, manage, and mitigate risks associated with fire.

Fire Risk Assessment (FRA) - A building assessment that identifies any fire hazards, evaluates the risk of those hazards, and recommends action that should be taken to remove, reduce or manage the risk.

Building safety Policy and Building Safety Act 2022 - An Act to make provision about the safety of people in or about buildings and the standard of buildings, to amend the Architects Act 1997, and to amend provision about complaints made to a housing ombudsman. This Act has 6 Parts, and contains provisions intended to secure the safety of people in or about buildings and to improve the standard of buildings.

### 4.0 Consultation

Consultation has taken place with the following. Their feedback has been considered and the policy update:

- Resident Engagement Focus Group
- Compliance Officer & Compliance team
- Tenancy Service Manager, Chief internal Auditor & Risk Manager, Housing Maintenance Manager
- Senior Leadership Team
- External Consultants

The Equality and Diversity Impact Assessment has been undertaken and shared as part of the consultation process.

## 5.0 Background and Context

The RRFSO places a duty on the Council to carry out FRAs to all buildings where the RRFSO applies and the Council is the appointed “Responsible Person” for fire safety. This includes commercial buildings such as offices and shops, the common areas of blocks of flats or maisonettes and specialised housing such as independent living schemes. It does not apply to single family dwellings, which includes the habitable parts of a building such as a flat.

There are different “Types” of FRAs that can be undertaken:

- Type 1 – minimum legislative requirement. Considers the common areas only.
- Type 2 – A Type 1 FRA with the addition of a destructive inspection in common areas.
- Type 3 – Common areas with the addition of an inspection of a sample of flats.
- Type 4 - A Type 3 FRA with the addition of a destructive inspection in common areas and flats.

The RRFSO clearly sets out The Council’s obligations as Responsible Person:

*8.—(1) The responsible person must—*

*(a) take such general fire precautions as will ensure, so far as is reasonably practicable, the safety of any of his employees; and*

*(b) in relation to relevant persons who are not his employees, take such general fire precautions as may reasonably be required in the circumstances of the case to ensure that the premises are safe.*

*9.—(1) The responsible person must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions he needs to take to comply with the requirements and prohibitions imposed on him by or under this Order.*

To meet the obligations and duties on the Council the following aims and objectives will be delivered:

- provide a robust fire safety framework which will be implemented to secure the safety and wellbeing of all our employees, tenants, residents and any other relevant person who may use our premises
- ensure that Cannock Chase Council has a fire safety management policy with associated procedures, standards and guidance for all relevant persons
- clarify and communicate the organisations fire safety procedures, including individual responsibilities for fire safety management.
- to generate co-ordination, co-operation and communication in respect of all fire related matters.
- ensure that there is a suitable and sufficient Fire Risk Assessment (FRA) in place and in date for every location that requires one

- ensure that suitable and sufficient arrangements are in place to manage, inspect, test and maintain in accordance with the relevant standards:
  - firefighting systems
  - fire warning and detection systems
  - the means of escape from all premises
  - emergency lighting systems in common parts
- ensure that where Cannock Chase Council does not have control of all parts of a building and/or it is shared with others; then communication and co-operation will take place to share information on the significant risks.

The ultimate objective of this Policy is that Cannock Chase Council shall provide homes and working environments which are safe for our customers, visitors and staff and which achieve high standards of fire safety.

This Policy is the foundation for rigorous and integrated management systems including supporting procedures, safe systems of work and approved processes for fire safety in all our premises.

## **6.0 Policy Detail**

The following section details the actions taken and the measures that are in place to ensure suitable and sufficient FRAs are completed and that subsequent fire risk remedial actions are appropriately managed.

These actions and measures demonstrate The Councils commitment to ensuring a safe environment within which our customers can live and within which our staff can work, as well as satisfying our regulatory obligations.

The Fire Safety Policy will be supported by a Fire Safety Management Plan (FSMP).

### **Fire Risk Assessments (FRAs)**

Each building where the Council HRA has a duty under the RRFSO will routinely have a Type 1 FRA carried out. It will include an assessment of the common areas of the building and also by the autumn of 2025 will have a process which will 'sample' up to 10% of flats per FRA or a minimum of 1 for small blocks wherever possible. This will include the fire door, fire detection and venting arrangements within the flats.

In the event of a Type 3 FRA indicating that there could be fire compartmentation defects within the communal area and/or flats then the Council will investigate further which may include a degree of destructive inspection and/or a Type 4 FRA.

The RRFSO states that FRAs must be reviewed regularly to ensure they remain up to date. There is however no defined review period.

The Council currently complete FRAs every year. The current review period for each building has been determined through consideration to:

- Building configuration,
- Building use/occupancy profile,
- Presence of vulnerable customers,
- Building construction type and materials used,
- Presence of active and passive fire protection measures.

The Council may change the Annual review periods to be in line with that recommended by the risk assessor.

In addition to the regular review an FRA will also be reviewed in the following circumstances:

- Re-categorisation of the scheme/property,
- Agreed revisions to fire risk methodology,
- A significant change to the property, including its structure or any special, technical, and organisational measures,
- A near miss or fire within the property, giving reason to suspect that the FRA is no longer valid,
- Change of use of the property.

## **Fire Hazards**

Each FRA will assess for fire hazards, evaluate the risk of those hazards, and advise on action that should be taken to remove, reduce or manage the risk, to ensure the safety of relevant persons and property.

Each hazard identified will be categorised by the risk assessors. The currently used categories in FRA based on 2023/24 inspection programme are:

- *Significant Finding* – these are findings the assessor has identified as being a breach of current legislation and action is required to ensure legislative compliance.
- *Recommendation* – these are findings the assessor has identified as not being a breach of legislation but issues they recommend we undertake to reduce the risk.
- *Comment* – these are findings that the assessor wants to bring to our attention for consideration.

Each Significant Finding, Recommendation and Comment is then assigned a Risk Rating, which is currently one of the following:

- Risk A Major Priority
- Risk B High Priority
- Risk C Medium Priority
- Risk D Low priority
- Risk R Recommendation

The Risk Rating is determined by the risk assessor considering the likelihood of the hazard causing an outbreak of fire and the potential for that outbreak to cause harm to persons, property, and business continuity.

The risk assessor may provide details of the action they believe needs to be taken to address the hazard, i.e., the action needed to address the Significant Finding, Recommendation or Comment. In some instances, however they will suggest further investigation or that advice is sought from a fire engineer.

Upon completion of an FRA the assessor will consider collectively all identified hazards and evaluated risks and determine an overall Risk Rating (i.e., Low Risk, Normal Risk or High Risk,) for the building, in terms of both risk to life and risk to property.

Definitions:

**Low Risk:** Workplaces or parts of a workplace of low fire risk are those where there is hardly any risk to life safety because there are few combustible materials, no highly flammable substances and virtually no sources of heat which can cause a fire.

**Normal Risk:** Most workplaces will be of normal fire risk. They will generally contain quantities of combustible materials and sufficient sources of heat to take them out of the low-risk category. In such workplaces any outbreak of fire is likely to remain confined or is likely to spread only slowly, thereby allowing people time to escape to a place of safety.

**High Risk:** High risk workplaces or parts of the workplace are those where there may be a serious risk to safety. These include those workplaces that have a serious shortfall in Protective Measures and/or have substantial quantities of readily combustible materials or any highly inflammable substances. As a consequence, there may be a greater likelihood of fire occurring and fire, heat or smoke spreading rapidly.

If the overall risk to life is deemed to be High or any individual hazard is deemed to be High, then the Council will be informed immediately. The Council will then take appropriate urgent action to reduce the risk to Normal or Low Risk or where this is not immediately possible ensure interim measures are put in place to manage the risk. The Council's approach to agreeing and implementing interim measures will be detailed in FSMP.



## Action to address fire hazards

Upon receipt of an FRA steps will be taken to ensure necessary and appropriate action is taken to address Significant Findings. The timescale for the completion of Significant Findings will be based on the Risk Rating:

<b>Significant Finding Classification</b>	<b>Time to Action</b>
Major Priority	Immediate action undertaken - resolved, or work commenced within 24 hours
High Priority	resolved, or work commenced within 7 days
Medium Priority	resolved, or work commenced within 3 months
Low Priority	resolved, or work commenced within a fixed time scale
Recommendation	Items that are not mandatory but are recommended to reduce risk

Full details of the processes and procedures in place to ensure necessary, appropriate, and timely action is taken to address Significant Findings and major priority actions will be detailed in the FSMP.

Where action is required to be completed by a contractor the Council will ensure only those competent to do so are appointed. For example, fire doors must only be installed by FIRAS or BM Trada accredited installers.

Where completion of an action requires access to an individual customers' home, the Council will put in place a FRA Access Procedure, supported by the Housing Management Teams as required.

Where the FRA recommends an assessment of the buildings cladding and/or balconies, this will be managed by the Assistant Manager Compliance and The Compliance Team in line with the Building Safety Policy.

All Significant Findings and the actions recommended by the risk assessor will be evaluated. The Council will ensure, that as far as reasonably practicable, appropriate, and proportionate actions are undertaken to ensure the safety of customers and staff. In doing so the Council will consider:

- The extent to which the risk can be eliminated, mitigated, or managed,
- The effectiveness of any controls that can reduce the risk,
- The cost-effectiveness of maintaining the control measures against the reduction in risk or the consequential benefit.

Any decision made to not fully execute the recommendation of the risk assessor or to execute a different course of action will be fully documented, including justification/reason. If deemed necessary advice/sign off may also be sought from Staffordshire Fire and Rescue Service as a key Partner in fire safety management and sign off by the Head of Housing & Corporate Assets and the Deputy Chief Executive, Place having sought necessary authority if this has already in the scheme of delegations.

The Council will work towards ensuring that all FRA “Recommendations” and “Comments” are also reviewed and considered, with the decision on the course of action fully documented.

### **Fire Evacuation Strategy**

As part of the FRA the risk assessor will review and confirm the appropriate fire evacuation strategy for each building, which in most cases will either be Stay Put, Full/Simultaneous Evacuation or Progressive Horizontal Evacuation. The Council will ensure that:

Within each building a Fire Action Notice is displayed which details to residents what to do in the event of fire, should one occur in either their property or within the communal area.

- Every resident has been informed of the evacuation strategy for their building and had the opportunity to make the Council aware should they not understand the strategy or feel they would be unable to follow the guidance should a fire occur.
- All new residents are informed of the evacuation strategy upon start of tenancy.
- All residents are appropriately informed should there be a permanent or temporary change to the evacuation strategy.

### **Customer Friendly FRA**

The Council are committed to being open and transparent with its residents and to support them in gaining a fuller understanding of the issues surrounding fire safety. On request the Council will provide residents with a “Customer Friendly FRA”, which will summarise in an easy-to understand document the FRA, the risks identified, and the subsequent action undertaken.

## **Certification & Documentation**

The Council shall keep appropriate and up to date records and certification relating to the completion of FRAs and associated fire risk remedial actions.

The records that are to be kept shall include (but are not limited to).

- An up-to-date list of properties and buildings that require an FRA including previous completion dates and next due dates.
- FRA.
- All fire hazards identified in the FRA including the category and risk rating along with the fire risk assessors recommended action and the timescale for completion.
- The action taken to address hazards- including completion date, details of who the action was completed by the action taken and photographic evidence.
- Relevant certification to evidence the work undertaken, e.g., fire door installation certificates, fire alarm, emergency lighting and automatic opening vents (AOV) commissioning certificates, electrical installation/minor works certificates.
- Written justification/reason for any decision to not fully execute the recommendation of the risk assessor or to execute a different course of action.
- Fire Action Plans and Evacuation strategies.

All FRAs and any relevant certification to evidence the work undertaken documentation will be saved against the property/building within the NEC Housing Management System when fully operational and TIO data base/logbook system in the interim period.

## **Asset Data & Reconciliation**

The Council will ensure an accurate record of the completion date, review period and due date of all FRAs, with processes in place to ensure FRA requests are issued to the risk assessors to allow sufficient time for completion before their due date.

Any new build developments that fall under the RRFSSO will be subject to a pre-occupancy assessment followed by a full FRA upon occupation.

A reconciliation will be carried out at least every 6 months to ensure that all property divestments, acquisitions (including new builds) and any changes to management agreement responsibility are appropriately reflected in the FRA schedule.

There may be instances where the responsibility under the RRFSSO for the completion of the FRA and/or subsequent remedial actions does not sit with the Council however the Council retains some Landlord obligations, e.g., the Council office accommodation, commercial property including shops). In these instances, the Council will ensure processes and procedures are in place to ensure the third party is fully aware of their responsibilities under the RRFSSO e.g., under the lease or management agreement, and the action they are required to take in relation to these responsibilities e.g., completion of an FRA, or the completion of remedial actions relating to an FRA carried out by The Council.

## **Contractor Competence, Quality Control and Performance**

The Council must be able to satisfy themselves that all those contractors involved in undertaking FRA's are competent to do so.

To ensure competency, all contractors involved in undertaking FRA's should:

- Be appointed in line with the Competency Council guidance issued in 2014.
- Be BAFE SP205 and Fire Risk Management accredited.
- Have individual assessors who have attained individual 3<sup>rd</sup> party accreditation (i.e., Institution of Fire Engineers, Institute of Fire Safety Managers, or Fire Protection Association) to demonstrate individual competence and that also have experience in the completion of FRAs in social housing environments.

There should also be processes in place to ensure the competency of the contractors carrying out fire risk remedial actions. The competency requirements will depend on the type of work being carried out, however as an example works relating to compartmentation and fire stopping should only be completed by competent third-party accredited contractors, e.g., FIRAS or BM Trada accredited contractors.

The contractors will be required to evidence that all risk assessors/operatives working on the Council properties are appropriately qualified and competent. The Compliance Team will maintain a record of all risk assessors/operatives and their qualification details.

The performance of the contractors will be managed by the Compliance Team, supported by a suite of internal measures and KPI as set out in the works contract. In accordance with the contract, Operational Meetings are held with the contractor within which performance is discussed and documented, with procedures in place to take more formal action to address performance issues if required.

The Council will implement a quality assurance audit on a % of complete FRAs. In addition, The Council will also undertake a desk top accuracy and completeness assessment on all completed FRAs with any issues being referred to the FRA Assessors for review and resubmission.

## 7.0 Responsibility under this Policy

The roles and responsibilities for key stakeholders across the Council is detailed below.

Note - these are the roles and responsibilities in specific relation to the delivery of this policy only. The FSMP will provide further details on the roles and responsibilities of all staff with day-to-day responsibility for fire safety.

- **Chief Executive** has overall responsibility for ensuring the Council's Housing Stock is safely managed. They are considered the "Duty Holder/ Responsible Person" for fire safety and therefore have ultimate accountability for the proper implementation of this policy and the Fire Safety Management Plan, however, may discharge their responsibilities to the Deputy Chief Executive, Place and Head of Housing & Corporate Assets however the Chief Executive will retain an oversight on progress/performance.
- **Housing Board Members** will review reports and/or performance indicators and provide progress updates to the Council's Cabinet to ensure that the Council measures detailed in the policy and FSMP are being followed, thus ensuring that the Council is meeting its regulatory requirements.
- **Deputy Chief Executive, Place and Head of Housing & Corporate Assets** will be responsible and accountable for the overall implementation and regular reviews of this policy ensuring its objectives are achieved. They will ensure adherence to the regulatory obligations ensuring timely action is taken and services are being delivered. They may also be required to sign off on decision made to not fully execute the recommendation of an FRA or to execute a different course of action. They will ensure that any compliance and/or Health & Safety related issues are brought to the attention of the Council's Cabinet and provide regular updates on service delivery against budget to the Housing Board, and the Chief Executive.
- **Housing Property Services Manager** will work closely with the Assistant Manager Compliance to ensure that regulatory obligations and policy measures are being adhered to and services delivered in line with budget. They will carry out quarterly strategic performance reviews of contractors to ensure compliance with their contractual obligations.
- **Assistant Manager Compliance** will be responsible for delivering the overall implementation, and undertaking regular review of this policy and ensuring its objectives are achieved. They are also responsible for compliance performance reporting to the Housing Property Services Manager. They will manage the Compliance Officers and team members responsible for the day-to-day operational delivery in terms of the completion of FRAs and remedial actions.

Assistant Manager Compliance will lead on The Councils the Building Safety Policy and have an oversight of all open FRA actions for buildings covered by that Policy any buildings identified through that policy, ensuring they are assured that appropriate and timely action is being taken. They will also lead on the completion of any External Wall Assessments.

- **Tenancy Service Manager** will ensure Housing Management staff's adherence to the access procedure, ensuring appropriate and timely action is taken to secure access to properties, ultimately maximising the number of properties accessed ahead of the LGSR expiry date. They will ensure that the Estates Management Team have robust measures in place to keep exit routes clear within the Councils blocks of flats. Ensuring that any obstacles of any nature are removed appropriately. They will ensure that Independent Living Officers carry out routine fire safety checks associated within the buildings they are allocated, for example weekly fire alarm tests, tumble dryer filters are cleaned and exit routes are clear at all times.
- **Compliance Officers as appropriately** will be responsible for the day-to-day operational delivery of all Fire Safety related risk assessments, associated actions, remedial works and statutory routine monitoring. They will effectively manage the performance of the service delivery contractors, including their ongoing competence, and proactively monitor service delivery against targets. They will be responsible for monitoring the quality of work undertaken by the contractor and ensuring all servicing certification is received and verified. They will act as the organisations technical lead for Fire safety, ensuring that the Council continue to work in line with the most up to date regulations and industry guidance.

## 8.0 Risk Management

The risks of not following this policy are that the Council will not comply with the requirements of the RRFSo, Fire Safety Act 2021 and other relevant codes of practice and good practice guidance, leading to a potentially detrimental impact on the safety of customers and staff. This may result in:

- Prosecution by the Health and Safety Executive under Health and Safety at Work Act 1974.
- Prosecution by the Fire and Rescue Service under the RRFSo and/or Fire Safety Act 2021.
- 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.

## 9.0 Performance and Management of this Policy

The completion of FRAs in line with their due date forms part of the KPIs measure and reported on a monthly basis to the Head of Housing and Corporate Assets.

Progress on the completion of FRA actions is monitored at a team level by the Compliance Team. A monthly update is provided to the Assistant Manager Compliance for upward reporting. The reports will include the number of FRA actions that have gone past their policy timescale for completion. A quarterly update is to be developed and provided to Head of Housing & Corporate Assets and Housing & Property Services Manager as part of the KPI performance information.

## 10.0 Approval

Strategic Lead:

Sign/Date

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## 11.0 Contact

To find out more about this policy please contact:

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