

Fire Safety Policy

DESIGN HEADER TO INCLUDE POLICY NAME AND DATE RANGE

INFORMATION

Policy Name	Fire Safety Policy
Effective Date(s)	26th May 2022
Approved By	R&C, CSC, Group Board
Approval Date	26th May 2022
Policy Owner/Dept	Kate Meredith/Compliance
Policy Author	Kate Meredith – Head of Compliance
Review Date	May 2024
Version Number	4

Version Control

Version	Date	Changes	Approver
1	Dec-16	Changes to incident management system Datix.	I Hardman
2	Oct-20	Addition of the NFCC Fire Safety in Specialised Housing Guidance.	N Robinson
3	Feb-21	Minor changes to reflect working practices.	Risk & Compliance

Your Housing Group Strategic Priorities			
Safe	<input checked="" type="checkbox"/>	Viability	<input type="checkbox"/>
Landlord	<input checked="" type="checkbox"/>	Growth	<input type="checkbox"/>
People	<input type="checkbox"/>	Technology	<input type="checkbox"/>

Relevant National Standards or Regulation	<ul style="list-style-type: none"> • Home Standard. • Tenancy Standard. • Neighbourhood and Community Standard. • Tenant Involvement and Empowerment Standard.
--	--

Relevant Legislation & Guidance	<ul style="list-style-type: none"> • The Management of Health and Safety at Work Regulations 2006. • Health and Safety at Work Act 1974. • Housing Act 2004. • Regulatory Reform (Fire Safety) Order 2005. • Fire Safety Act 2021. • Building Safety Bill.
--	--

1. Purpose of the Policy

This policy details YHG’s approach to the completion of suitable and sufficient Fire Risk Assessments (FRAs) and subsequent fire risk remedial actions.

This policy aims to demonstrate that YHG has measures in place to identify, manage, and mitigate risks associated with Fire. It will also demonstrate that YHG 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. Scope of the Policy

This policy relates to all buildings where the RRFSO and Fire Safety Act 2021 applies and YHG is the appointed “Responsible Person” for fire safety. This includes commercial buildings such as offices, houses of multiple occupation, the common areas of blocks of flats or maisonettes and specialised housing such as sheltered, retirement living, extra care and supported housing.

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

Where properties are managed by third parties (e.g., Agency Managed Supported Schemes, PFI Schemes) the management of Fire Safety will fall under the scope of this policy so far as the YHG responsibilities detailed in the terms of the management agreement.

3. 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.

4. Consultation

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

- Engagement Focus Group,
- Equality Impact Assessors Group,
- Customer Connect Panel,
- Director of Asset & Building Safety,
- Head of Building Safety,
- Fire Safety Manager,
- Director of Housing & Customer Service,
- Primary Authority Partners at Greater Manchester Fire Rescue Service.

5. Background and Context

The RRFSO places a duty on YHG to carry out FRAs to all buildings where the RRFSO applies and YHG is the appointed “Responsible Person” for fire safety. This includes commercial buildings such as offices, houses of multiple occupation, the common areas of blocks of flats or maisonettes and specialised housing such as sheltered, retirement living, extra care and supported housing. 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 YHG’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.

The duties on YHG to meet these obligations can broadly be considered to be:

- Those undertaking FRAs should be able to demonstrate that they are “competent” to do so, being able to evidence they have the appropriate skills, knowledge, and experience.
- Each FRA should assess for fire hazards, evaluate the risk of those hazards, and advise on action(s) that should be taken to remove, reduce or manage the risk, to ensure the safety of person and property.
- The hazards identified and the evaluated risk should be considered by the assessor in the context of the physical building, the manner of habitation, activities that occur during occupation and the likelihood of a fire-starting and causing harm to those in and around the premises.
- All identified hazards should assign some form of risk rating by the assessor. This should be determined 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.
- YHG should refer to risk rating when considering the timeframe in which action is taken and consider any mitigation measures which may be required until the risk is addressed.
- YHG should have processes and procedures in place to ensure that appropriate and timely action is taken to address the recommendations within FRAs.
- Upon completion of an FRA the assessor should consider all identified hazards and evaluated risks and determine an overall risk rating for the building, in terms of both risk to life and risk to property.
- For each completed FRA the assessor should advise on their recommended review date for the FRA, this is likely to be between 1-4 years. In recommending the review period the assessor should consider the overall risk in the current FRA, the size and building type and the nature of the residents/occupiers. For example, the risk assessor is likely to recommend a shorter review period for a high-rise block or those for over 55s than it would to low rise general needs blocks.

6. 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 YHG's 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 YHG has a duty under the RRFSO will routinely have a Type 3 FRA carried out. This goes beyond the minimum legislative requirements. It will include an assessment of the common areas of the building but also a 'sample' of 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 YHG 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.

YHG currently complete FRAs every 1, 2, 3 or 4. 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.

YHG will however work towards bringing the 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 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:

- Tolerable
- Moderate
- Substantial
- Intolerable

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 on overall Risk Rating (i.e., Tolerable, Moderate, Substantial, or Intolerable) for the building, in terms of both risk to life and risk to property.

If the overall risk to life is deemed to be Substantial or Intolerable or any individual hazard is deemed to be Intolerable, then YHG will be informed immediately. YHG will then take appropriate urgent action to reduce the risk to Moderate or Tolerable or where this is not immediately possible ensure interim measures are put in place to manage the risk. YHG’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:

Significant Finding Classification	Time to Action
Intolerable	Immediate action undertaken - either mitigation or full resolution.
Substantial	1-4 months – full resolution
Moderate	4-12 months – full resolution
Tolerable	12-18 months – full resolution

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

Where action is required to be completed by a contractor YHG 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, this will be carried out in line with YHG's 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 Building Safety Team and in line with the External Wall Assessment Policy.

All Significant Findings and the actions recommended by the risk assessor will be evaluated. YHG 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 YHG 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 Greater Manchester Fire & Rescue Service (GMFRS) as part of the Primary Authority Partnership Agreement and sign off by the Head of Compliance and/or Head of Building Safety and the Director of Asset and Building Safety.

YHG 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 the building, which in most cases will either be Stay Put, Full/Simultaneous Evacuation or Progressive Horizontal Evacuation. YHG 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 YHG 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

YHG 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 YHG 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

YHG 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 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 Documotive.

Asset Data & Reconciliation

YHG 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 RRFSo 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 RRFSo for the completion of the FRA and/or subsequent remedial actions does not sit with YHG however YHG retains some Landlord obligations, e.g., PFI and agency managed schemes. In these instances,

YHG will ensure processes and procedures are in place to ensure the third party is fully aware of their responsibilities under the RRFSO 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 YHG.

Contractor Competence, Quality Control and Performance

YHG 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 3rd 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 YHG 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 metrics and KPI dashboards. A Monthly Operational Meetings is held with the contractors within which performance is discussed and documented, with procedures in place to take more formal action to address performance issues if required.

YHG will work implement a quality assurance audit on a % of complete FRAs. These will be carried out by an independent Fire Risk Assessor or Fire Engineer. YHG will look to support this with internal desktop audits of an additional percentage.

7. Responsibilities under this Policy

The roles and responsibilities for key stakeholders across YHG 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** will need to ensure that resources are made available to allow the actions and measures detailed in this policy and any associated procedures to be

effectively delivered. They are considered the “Responsible Person” for fire safety and therefore have ultimate accountability for the proper implementation of this policy and the FSMP, however will discharge their responsibilities to the Director of Asset and Building Safety and Head of Compliance but will retain an oversight on progress/performance.

- **Board Members** should review reports and/or performance indicators to assure themselves that the measures detailed in the policy and FSMP are being followed, thus ensuring that YHG is meeting its regulatory requirements.
- **Director of Asset and Building Safety** will work closely with the Head of Compliance to seek assurances that regulatory obligations and the policy measures are being adhered to and services are delivered in line with budget. 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.
- **Head of Compliance** is responsible for the overall implementation, and regular review of this policy and ensuring its objectives are achieved. They are also responsible for performance reporting to the Director of Asset & Building Safety, Board, and the Chief Executive, both in terms of the completion of FRAs and remedial actions. They will ensure that any compliance and/or H&S related issues are brought to the attention of the Director of Assets & Building Safety and provide regular updates on service delivery against budget.
- **Head of Building Safety** will maintain an oversight of all open FRA actions for buildings within the scope of the Building Safety Bill and any other buildings identified as higher risk by YHG, ensuring they are assured that appropriate and timely action is being taken. They will also lead on the completion of any External Wall Assessments.
- **Head of Housing/ Supported Housing/Older Persons Services** - will ensure Housing Management staff's support with the FRA actions access procedure and ensure the timely completion of any housing management related FRA remedial actions.
- **Fire Safety Manager** is responsible for ensuring that all FRAs are completed by their due date and that appropriate action (in line with RRFSo, Fire Safety Act 2021 and other relevant codes of practice and good practice guidance) is taken to address FRA recommendations, including ensuring a fully documented audit trail of action taken and decisions made. They will also manage the contractual arrangements/performance of the appointed fire risk assessor/s and the Primary Authority Agreement with GMFRS. They will also lead on the writing and implementation of the FSMP. They will act as the organisations lead for Fire Safety providing technical advice and guidance to staff, especially those involved in the delivery of maintenance and other works.

8. Risk Management

The risks of not following this policy are that YHG 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. Data Protection, Record Storage and Retention

FRA's may refer to individual flats inspected as part of the FRA but will not record any personal information on the residents.

All completed FRA's and actions will be recorded directly into Group systems, i.e., Orchard, CRM and Documotive.

Details will be retained of communication with residents regarding the fire evacuation strategy for their building. Individual responses to these communications will be retained against the individual property record in Documotive. Where subsequent assessments are made of individual residents regarding their ability to evacuate their building, these will be held securely and only be available to access by those that require it.

10. Equality and Diversity

This Policy will be applied in a way which ensures equality of treatment for all customers without discrimination, or victimisation on account of any protected characteristic as defined within the Equality Act 2010. In drafting this policy YHG has had regard to its public sector equality duties under s149 of the Equality Act 2010, namely the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under the Act.
- advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The policy pays regard to diversities around access to and delivery of any services.

On request YHG will provide translations of all its documents, policies and procedures in various languages and formats including computer disc, braille, large print, and tape.

An Equality Impact Assessment (EIA) has been undertaken on this policy and a is available upon request.

11. Communication

This policy will be communicated internally to staff via Youggle. Key stakeholders and key staff where this policy has specific impact will be briefed individually or collectively as required.

The policy will be displayed on notice boards within the common areas of blocks and will also be provided to customers upon request.

12. Learning and Development

Suitable and sufficient Fire Safety awareness training will be maintained for all relevant employees and recorded in Helix.

All staff involved with the allocation, monitoring, and completion of FRAs, and FRA actions will need to maintain suitable and sufficient system training, e.g., CRM, Orchard and Documotive.

The Fire Safety Manager will as a minimum hold a NEBOSH Certificate in a Fire Safety or equivalent qualification.

The Head of Compliance, Head of Building Safety and Fire Safety Manager will also need to proactively maintain their Continued Professional Development to keep up to date and abreast of fire safety industry and legislative changes.

13. Performance Management of this Policy

The completion of FRAs in line with their due date forms part of the “Health & Safety – Customer’s Homes” balanced scorecard KPI. This is reported monthly to Board, ELT and SLT.

Progress on the completion of FRA actions is monitored at a team level by the Compliance Team. A monthly update is provided to the Director of Asset and Building Safety, and subsequently to the Deputy Chief Executive on the number of FRA actions that have gone past their policy timescale for completion. A quarterly update is also provided to Customer Services Committee as part of the Operational KPI report.

Several KPI dashboards are available and used to monitor the performance of the contractors.

14. Review of this Policy

This policy will be reviewed every two years, or sooner if required by statutory, regulatory, best practice, emerging developments, or circumstances arising from reviews of other Group wide policies.

The policy will be reviewed by the Head of Compliance.

Related Documents

Document Type	Name
Connected Policies and Procedures	
Forms and Letters	
Leaflets/Publicity Material	
Training Materials Available	
Intranet/ Website Page	

Checklist

(To be completed as far as possible by the Policy Author before submission for quality checking by Research and Policy Manager prior to Risk and Compliance Group)

Policy Name: Fire Safety Policy				
Version No: 4		Effective Date: May 2022		
Status: Full Review				
Previous Policy Name (where appropriate) Same				
Brief Summary of Changes from Previous Version: Full review of structure and content to ensure in line with current legislation and working practices				
Internal Consultation Groups: High Rise Forum Customer Connect Panel		Customer Consultation: <input checked="" type="checkbox"/> Date of Customer Consultation: 24/02/22 and 31/03/22 Customer Consultation Brief Details: Explained the background/purpose of the policy, overview of policy content (with an emphasis on those elements most relevant to customers), policy aims and then opportunity for questions, comments and suggestions.		
Link to Consultation Document(s):				
Date Initial Equality Impact Assessment Undertaken: n/a		Equality Impact Assessor name(s): Cate Hargreaves, Adele Duffy, Carly-Anne Greenall		
Reason for Decision: Full review				
Date Full Equality Impact Assessment Undertaken: 23/03/22				
Brief Outline of any Changes Recommended from EIA: None				
Data Protection/ GDPR Implications: <input checked="" type="checkbox"/>				
Brief Outline of Data Protection/GDPR Implications: FRAs may make reference to individual flats inspected as part of the FRA but will not record any personal information on the residents. Details will be retained of communication with residents regarding the fire evacuation strategy for their building. Individual responses to these communications will be retained against the individual property record in Documotive. Where subsequent assessments are made of individual residents regarding their ability to evacuate their building, these will be held securely and only be available to access by those that require it.				
Legal Implications: <input type="checkbox"/>		Legal Panel Consulted: <input type="checkbox"/>		Date:
Risk Implications: <input checked="" type="checkbox"/>		Risk Logged on Datix: <input checked="" type="checkbox"/>		Date: Oct 2016
Resource Implications	People: <input type="checkbox"/>	Finance: <input type="checkbox"/>	Asset: <input type="checkbox"/>	Other: <input type="checkbox"/>

Brief Summary of how Resource Implications have been addressed: No resource implications, policy will be delivered in line with current budget and resources	
How will communication on this Policy take place: (please delete as appropriate) Intranet/ Email	
Policy Owner: (Department) Compliance	Policy Author: Kate Meredith
Policy Signed Off by: Kate Meredith	Date: 31/03/22
Policy Quality Checked by Research and Policy Manager: Vicki Maguire	Date: 31/03/22
Policy Approved by: Risk and Compliance Group	Date: 12/04/22
Policy Approved by: Group Board	Date: 26/05/22