


REPORT TITLE: Council Housing Fire Safety Management Plan and Policy

Cabinet	12 March 2024
Cabinet Member	Cllr Moses Crook Housing & Highways
Key Decision Eligible for Call In	Yes Yes
Purpose of Report To provide Cabinet with the Council Housing Fire Safety Management Plan and revised Fire Safety Management Policy for review and adoption. To inform Cabinet of the next steps required to implement the Council Housing Fire Safety Management Plan and ensure that it is followed when delivering services to council housing.	
Recommendations <ul style="list-style-type: none"> Officers recommend the endorsement and adoption of the Council Housing Fire Safety Management Plan and updated Fire Safety Management Policy. Reasons for Recommendations <ul style="list-style-type: none"> The Council Housing Fire Safety Management Plan and Policy will ensure regulatory compliance and the implementation of consistent and appropriate processes to manage safety in council housing. 	
Resource Implications: The development of operational guidance and processes to underpin the Council Housing Fire Safety Management Plan requires a project manager to manage the work, and officers from across Homes and Neighbourhoods and Strategic Housing to provide subject matter expertise until the end of April 2024. The implementation and embedding of the Fire Safety Management Plan and operational guidance will involve officers across Homes and Neighbourhoods and Strategic Housing from May until the end of July 2024 to ensure that working practices are adapted to meet new requirements. Once the processes are in place, regular review of whether they are being followed will take place through day-to-day management. The Fire Safety Management Plan does not, in itself, require financial provision to be made. However, service delivery for fire safety activity that flows from the Plan will require both revenue and capital budget provision through the Housing Revenue Account (HRA). The current HRA business plan makes provision for costs associated with fire safety management.	
Date signed off by <u>Strategic Director</u> & name	David Shepherd, Strategic Director Growth and Regeneration 1 February 2024

<p>Is it also signed off by the Service Director for Finance?</p>	<p>Isabel Brittain, 29 February 2024 </p>
<p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>Julie Muscroft 1 March 2024</p>

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? GDPR has been considered and there are no issues arising

1. Executive Summary

- 1.1 The Council has statutory duties and obligations as a registered housing provider and must comply with regulatory standards relating to the health and safety of its tenants and staff. The Council Housing Fire Safety Management Policy (attached at Appendix 1) explains how the Council's commitments to fire safety for council housing will be met.
- 1.2 The existing Fire Safety Management Policy was produced in October 2017, revised in October 2017 and approved in July 2022. The Fire Safety Management Policy has been updated to reflect changes in law that have occurred since approval.
- 1.3 A Council Housing Fire Safety Management Plan has been produced to provide more detailed guidance and procedures to support delivery of the Policy and ensure regulatory compliance. The Plan sets out the roles and responsibilities of the Council and individual officers in relation to fire safety management and provides guidance and requirements for those involved in managing homes and properties. It includes requirements for assessment, inspection and servicing of buildings and fire safety systems, associated data requirements as well as details of how performance will be monitored, and assurance provided.
- 1.4 The Plan enables the development and implementation of operational guidance that represents consistent, proportionate, and appropriate processes to manage safety in council housing.
- 1.5 The adoption of a Fire Safety Management Plan has been recommended by successive audits of building safety practice in Homes and Neighbourhoods, formerly Kirklees Neighbourhood Housing (KNH).

2. Information required to take a decision

- 2.1 During 2018 independent scrutiny of compliance and building safety in KNH was undertaken through the appointment of a third-party auditor (Mazars). The audits of each safety area highlighted a number of common themes and made a total of thirty-seven recommendations.

- 2.2 In late 2020 major regulatory reform was announced in the publication of the White Paper on Social Housing, Draft Building Safety Bill, and Fire Safety Bill revision. This prompted the Council to commission a further independent review into Compliance and Building Safety as well as this forming a part of its due diligence for the transition of KNH into the Council.
- 2.3 A Building Safety Compliance Report was produced by Anthony Brown, RM Consulting and presented to Cabinet in December 2021. Cabinet gave approval to the direction of the improvement plan which included forty-eight individual recommendations of which 13 were outstanding from the Mazars review (24 had been completed).
- 2.4 The Health and Safety Compliance in Residential Housing Stock report was presented by an Ad Hoc Scrutiny Panel to Cabinet in December 2022. The report included an action plan and a set of seventeen recommendations of which one recommendation outlined the need for updating of policies for all six compliance areas. To support this work as well as other recommendations within the report the service commissioned an external consultant to review and update the building safety management plans.
- 2.5 An external consultant, Savills, was appointed in February 2023 to develop the Fire Safety Management Plan and did so in conjunction with council officers. The Plan has been developed with sector experts and represents best practice.
- 2.6 A project has been established within the Homes and Neighbourhoods Transformation Programme to develop, implement, and embed safety management plans. The project has a defined scope and assurance, reporting via Building Safety Assurance Board and the Homes and Neighbourhoods Improvement Board (HNIB) which in turn reports to the Transformation Portfolio Board.
- 2.7 The review of existing processes and development of new processes is underway and will be completed by the end of March 2024. The formal implementation and embedding of the processes within the operational guidance document will commence in April 2024 and be completed by the end of June 2024.

3. Implications for the Council

3.1 Working with People

The Council Housing Fire Safety Management Plan was considered by the Tenant Voice Panel (TVP) on Friday 20th October 2023. The Plan, and the approach taken were well received; the panel requested more information and engagement on how information will be shared with residents.

3.2 Working with Partners

West Yorkshire Fire and Rescue Service (WYFRS) have been informed that the Plan has been developed and is due for adoption and confirmed they do not need to be involved in this process. WYFRS will be consulted and engaged with as appropriate about the development of the operational guidance that supports the delivery of the Fire Safety Management Plan.

Engagement with WYFRS in relation to fire safety management in Council Housing and the development of refurbishment and improvement schemes is ongoing.

3.3 Place Based Working

The Council Housing Fire Safety Management Plan will help to support an intelligence-led approach to fire safety, enabling resources to be targeted where they will make the most difference to outcomes for residents. Where fire safety activity and works are delivered, engagement will take place with residents and stakeholders to ensure that local needs are considered and prioritised where possible.

3.4 Climate Change and Air Quality

The Council Housing Fire Safety Management Plan does not have specific implications for climate change and air quality.

3.5 Improving outcomes for children

The provision of safe, good quality, decent homes and neighbourhoods will help to support the physical and mental health of children contributing to improving outcomes for them. Many young people who are care leavers live in council housing and the Plan will help to ensure that they live in homes that support their safety and wellbeing. All officers who visit council housing tenants undertake mandatory safeguarding training and report any concerns through appropriate channels where a child (or person) is considered to be at risk from harm.

3.6 Financial Implications

The Plan sets out required arrangements for the inspection, maintenance and remediation of properties in relation to fire safety. The costs associated with delivering these arrangements will vary dependant on the works and actions required. Provision of £1,364,791 has been made in the HRA for revenue costs associated with fire safety (e.g. Fire Risk Assessment inspections, remedial and insurance works, testing and maintenance of systems) for 2024/25. Revenue budget provision is reviewed annually to reflect service requirements. There are currently 'exceptional' revenue costs for fire safety due to the provision of waking watches in the four high-rise blocks. Remedial works are underway at one high-rise block and the waking watch provision will be removed from April 2024, the remaining three blocks are the subject of regeneration plans and waking watch provision will be reviewed as the blocks are emptied for demolition and refurbishment. Provision of £67,781,975 has been made in the Housing Revenue Account's capital budgets from 2024/25 to 2031/32 for major fire safety projects to individual blocks and £1,070,000 per annum has been provided for ongoing capital fire safety works.

The Council must maintain the fabric and quality of a building and the Fire Safety Management Plan will support the organisation to do this, which in turn supports residents to adequately insure their homes.

3.7 Legal Implications

The Plan will help to ensure that the Council meets its legal obligations in relation to fire safety and sets out how it will discharge its duties to ensure compliance. The Plan will support compliance with the Regulatory Reform

(Fire Safety) Order 2005, Fire Safety Act 2021, Building Safety Act 2022, the Building Regulations 2010, The Home Standard (and the Quality and Safety Standard as from April 2024), Housing Act 2004, Health and Safety at Work etc Act 1974 and Landlord Tenant Act 1985. It will also support the council in its public sector equality duty under s149 of the Equality Act 2010.

3.8 **Other (eg Risk, Integrated Impact Assessment or Human Resources)**

Fire safety in council housing is included on the corporate risk register and the implementation of the Fire Safety Management Plan will reduce and manage risk by ensuring legal compliance and providing consistent, comprehensive management processes and procedures.

An Integrated Impact Assessment was completed for the Fire Safety Management Plan on 29 January 2024 and can be found [here](#). The Plan has a largely neutral impact on protected characteristics and the environment.

4. **Consultation**

Where processes, procedures and actions arising from the Fire Safety Management Plan and operational guidance affect residents, formal consultation will be undertaken.

5. **Engagement**

Homes and Neighbourhoods Fire Safety Resident Engagement Framework is in line with best practice recommendations and an integral part of the Council Housing Fire Safety Management Plan. Homes and Neighbourhoods will formally engage with residents where actions arising from the Plan result in changes to services.

6. **Options**

The Council Housing Fire Safety Management Plan, along with the Council Housing Fire Safety Management Policy sets out the approach to managing fire safety in council housing. The Plan reflects legislative requirements and as such there are not multiple options for consideration.

6.1 **Options considered**

Where legislative requirements do not govern the detail in the Plan, then sector best practice has been used.

6.2 **Reasons for recommended option**

The Policy and Plan will ensure statutory compliance.

The Homes and Neighbourhoods Improvement Board considered the Plan, Policy and this report at its meeting on 14 February 2024 and recommends it for Cabinet approval.

7. **Next steps and timelines**

7.1 Detailed operational guidance and standard operating procedures will be finalised by the end of April 2024.

7.2 Following formal approval of the Council Housing Fire Safety Management Plan and revised Fire Safety Management Policy, a period of

implementation will take place to embed new processes and procedures outlined within the Plan, from May to the end of July 2024.

8. Contact officer

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9. Background Papers and History of Decisions

The final report of the Ad Hoc Scrutiny Panel – Housing Stock Health and Safety Compliance was presented to Cabinet on Wednesday 21 December 2022. The report can be found [here](#).

In addition, on Tuesday 17 October 2023 Cabinet was presented with an update on the actions within the report including the progress on the Safety Management Plans. This can be found [here](#).

On 11 April 2023 Cabinet was presented with a report on the procurement of fire safety remedial works to 6-storey, low-rise and retirement living scheme blocks. The report can be found [here](#) and the decision [here](#).

10. Appendices

Appendix 1 – Council Housing Fire Safety Management Policy (revised draft subject to approval)

Appendix 2 – Council Housing Fire Safety Management Plan (draft subject to approval)

11. Service Director responsible

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