

### **Council Housing Fire Safety Management Policy**

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## 1. Introduction

1.1. The aim of this document is to define the policy for Fire Safety Management in compliance with statutory legislation within all council housing and non-residential properties managed by Kirklees Council through the Housing Revenue Account. It covers the following properties:

- All residential properties: (which include general needs housing, supported housing, sheltered housing, extra care housing and other rented properties owned and managed by KC).
- All non-residential properties: (which include offices, depots, shops, other commercial buildings, community premises, blocks and communal areas, remote plant, and garages) under the management of Homes & Neighbourhoods (H&N) through the Housing Revenue Account (HRA).
- Leaseholders/ shared ownership properties and other rented housing managed by Kirklees Council on behalf of a third party; unless other parties are explicitly specified as having statutory responsibility in a lease or management agreement.

Where properties are vested in the HRA but managed by others, e.g. through Private Finance Initiative schemes, this policy applies only in as much as the requirement for third party assurance will need to be provided.

1.2. Applicable legislation includes:

- Health and Safety at Work etc. Act 1974;
- Management of Health and Safety at Work Regulations 1999;
- Regulatory Reform (Fire Safety) Order 2005;
- Building Regulations 2010;
- Housing Act 2004;
- HSE Guidance HSG 168 – Fire Safety in Construction;
- The Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002;
- Fire Safety (Employee’s capabilities) (England) Regulations 2010;
- Health & Safety (Safety Signs and Signal) Regulations 1996;
- Construction (Design and Management) Regulations 2015;
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013;
- Control of Substances Hazardous to Health (COSHH) Regulations 2002.
- Fire Safety Act 2021
- Building Safety Act 2022

This is not an exhaustive list.

## 2. Policy Scope

2.1. This policy is aimed at all H&N employees, including any temporary or agency workers and apprentices who have responsibility for, or may come into contact with fire safety systems or equipment during their normal work activities, as well as contractors and suppliers working in council housing properties. It should be read and understood by all parties who have responsibilities relating to Fire Safety within H&N and a duty of care under the Health & Safety at Work

Act 1974, Regulatory Reform (Fire Safety) Order 2005 (RRFSO), Fire Safety Act 2021 and Building Safety Act 2022.

- 2.2. The policy applies to the fire safety arrangements in all premises, common areas of residential premises and any other premises/areas managed and/or owned by H&N.

### 3. **Policy Statement**

- 3.1. Kirklees Council is responsible for the maintenance and repair of circa 22,500 domestic and non-domestic premises owned through the Housing Revenue Account. As responsible social landlord, Kirklees Council is committed to minimising the risks associated with fire safety and ensuring that all fire safety works, including installation, maintenance, and testing of equipment, are carried out in compliance with the Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act 2021, Building Safety Act 2022 and other regulatory and industry body requirements.

- 3.2. This policy aims to ensure that Kirklees Council meets its obligations as a landlord and seeks to provide assurance that fire safety is effectively managed to ensure the safety of employees, contractors, tenants, leaseholders, and members of the public.

- 3.3. In order to help minimise the likelihood of fire occurring, and to minimise injury and loss in the event that a fire does occur, H&N will implement arrangements designed to ensure:

- Adequate resources are available to maintain standards in fire safety;
- Suitable and sufficient fire risk assessments in accordance with the Regulatory Reform (Fire Safety) Order 2005 are undertaken, significant findings recorded, communicated and any necessary remedial work is undertaken in a timely manner;
- A clear set of fire safety procedures are in place to enable employees to work safely by assessing risks and implementing and monitoring controls; and which are maintained and reviewed annually or sooner if there are any changes to legislation or working practices;
- Fire related training, instruction, information, and supervision is provided to enable employees to perform their duties safely and efficiently;
- All tools, machinery, equipment, installations, and systems are maintained in a safe condition;
- Fire related incidents are investigated in a timely manner, and in conjunction with West Yorkshire Fire and Rescue Service, to identify immediate, root and underlying causes and the measures required to reduce or eliminate the likelihood of recurrence;
- Each maintenance, upgrade and renewal scheme is assessed to ensure fire safety standards are not compromised and remain compliant after works are carried out;
- Contractors and suppliers are committed to achieving and adhering to relevant fire safety standards;
- Fire safety inspections of premises are conducted to ensure safe standards are maintained to a suitable and sufficient standard with regard to fire prevention, containment, detection, alarms, means of escape, etc.

and in compliance with relevant legislation, approved codes of practice and industry guidelines. These systems will be tested in accordance with best practice and relevant standards;

- Evacuation drills are conducted to maintain overall awareness and practise procedures;
- Incidences of fire and false alarms are investigated and learning is taken from the findings;
- Monitor, audit, and review of all the arrangements for fire safety to ensure they remain current and relevant and fire safety performance improves;
- Increased awareness for residents and other relevant persons, through communication and appropriate provision of information;
- Communicate to other persons that they have a duty to co-operate as far as is necessary to allow H&N to comply with the above requirements.

#### **4. Roles and Responsibilities**

- 4.1. Kirklees Council is the responsible legal entity and is accountable for ensuring implementation of this policy and the Fire Safety Management Plan.
- 4.2. The Chief Executive Officer has overall responsibility for monitoring the consistent implementation of this policy and the Fire Safety Management Plan.
- 4.3. Homes and Neighbourhoods Improvement Board is, on behalf of Cabinet, responsible for ensuring ongoing compliance with fire and building safety legislation and escalating any key risks.
- 4.4. The Strategic Director Growth and Regeneration is responsible for ensuring sufficient resources are in place to fulfil Responsible Person roles for all fire safety requirements.
- 4.5. The Service Director Homes and Neighbourhoods is responsible for providing an effective performance management framework to strengthen risk control and provide greater levels of assurance in relation to fire safety.
- 4.6. The Head of Assets and Development is responsible for managing the strategic implementation of this policy and the Fire Safety Management Plan and ensuring compliance with all regulations in relation to fire safety.
- 4.7. More detailed information on roles and responsibilities can be found in Section 3 of the Fire Safety Management Plan.

#### **5. Monitoring and Review**

- 5.1. This policy will be reviewed annually, after every significant event in council housing properties and after any major events in the wider housing sector.
- 5.2. Monitoring fire safety and updating risk assessments are an integral part of the H&N Fire Safety Management Plan.
- 5.3. A system of formal audit (internal and/or external) of the Fire Safety Management Plan must be in place to ensure that both Policy and Procedures are being implemented.

- 5.4. Where the Head of Assets and Development or appointed competent person(s) have reason to believe that the Fire Safety Management Plan is not achieving the aims of this Policy, the Service Director Homes and Neighbourhoods and Safety, Health and Environment Manager shall be notified, and a review of the Plan shall be carried out. If the review identifies deficiencies, the Head of Assets and Development shall take action to amend the Plan as required.
- 5.5. Communicate and consult employee and contractors by bringing the Policy, and any subsequent amendments, to their attention through induction and training. This may be in alternate formats / languages as and when necessary.
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- 5.7. Fire Safety Guidance information, the Fire Safety Management Policy and Fire Safety Management Plan are available on the H&N website for tenants, Elected Members and the wider public. The information may be provided in alternate formats / languages as and when necessary.
- 5.8. Regular communications on Fire Safety, including the responsibilities of H&N, tenants and leaseholders, will be included undertaken.

## **6. Referenced Documents and Further Reading**

- Fire Safety Management Plan (March 2024);
- Health and Safety at Work etc. Act 1974;
- Management of Health and Safety at Work Regulations 1999;
- Regulatory Reform (Fire Safety) Order 2005;
- Fire Safety Act 2021
- Building Safety Bill 2022
- Building Regulations Approved Document;
- Housing Act 2004;
- National Fire Chiefs Council (NFCC) Fire safety in Specialised Housing Guidance 2017;
- Health & Safety (Safety Signs and Signal) Regulations 1996;
- Construction (Design and Management) Regulations 2015;
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013;
- Control of Substances Hazardous to Health (COSHH) Regulations 2002;
- Workplace (Health, Safety & Welfare) Regulations 1992 (as amended);
- The Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002;
- Fire Safety (Employee's capabilities) (England) Regulations 2010
- Fire Safety in Construction – Guidance for clients, designers, and those managing and carrying out construction work involving significant fire risk – HSG168;
- Housing Health and safety Regulations 2005;
- 'Fire Safety in Purpose Built blocks of Flats' – Government Guidance;
- Relevant British Standards;

- Smoke Detectors Act 1991;
- LACORS - Housing Fire Safety Guidance;
- Fire Safety Risk Assessment sleeping Accommodation Guidance;
- Occupiers Liability Act;
- Defective Premises Act.