



Dunbritton Housing Association Limited

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1. Introduction

Dunbritton Housing Association recognises that fire presents a major risk to the health, safety and wellbeing of our customers living in our homes, colleagues working in our offices and the wider estate, owners, and people who visit our properties, if it is not managed safely. Fire safety incidents can cause injury, loss of life, significant damage to property and pose significant financial and reputational risks to our organisation.

Dunbritton Housing Association is an employer, and a responsible social landlord, and we acknowledge our legal and moral obligations in reducing the potential risks from the dangers caused by fire, especially injury and loss of life. The aim of this policy is to provide a robust fire safety framework which can be implemented to protect the safety and wellbeing of our tenants, staff, visitors, contractors and firefighters (when carrying out firefighting duties within our properties).

2. Policy Scope

This policy applies to all 'domestic and commercial' (residential and non-residential) buildings owned and managed by the Association in terms of general fire safety precautions, this includes our offices and places of work. Where we are not the freeholder of any properties, which are within our control, the responsibility for fire management will be clearly defined within the management agreement. Scottish fire legislation applies differently to domestic and non-domestic buildings which is summarised in section 3 of this policy.

This policy applies to all fire safety related work streams associated with protecting life safety and property safety across the Association, including precautions we will take, raising the alarm and all passive fire elements (e.g. fire doors and compartmentation) and active fire elements (e.g. fire alarms, emergency lighting, sprinklers) of fire safety.

This Policy applies to all Association staff and the Management Board members, given that the Policy outlines the main responsibilities for fire safety. This policy also applies to all tenants, owners, contractors and any visitors to our buildings including members of the public.

3. Legislation Framework

Dunbritton Housing Association will comply with all relevant legislation and regulatory requirements for fire safety. Set out below is the principal legislation which applies to fire safety management for the Association.

The Health and Safety at Work Act 1974; General Duty on Employers is the primary Health and Safety legislation imposes a general duty on employers to ensure the health, safety, and welfare of their employees at work, so far as

reasonably practicable. This statutory duty is also applicable to “others” who may be affected by the employer’s undertakings (i.e., work activity), such as contractors, tenants, neighbours, owners, visitors, members of the wider public and firefighters in attendance of our properties.

Fire (Scotland) Act 2005 and Fire Safety (Scotland) Regulations 2006 are the key pieces of legislation in Scotland regarding fire safety are the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006. The 2005 Act provides a broad approach to fire safety and is complemented by more detailed provisions contained in the 2006 Regulations. Importantly, this act applies to fire safety in non-domestic premises and does not generally apply to individual domestic dwellings or common areas of blocks of domestic dwellings, however the Act applies to some parts of high-rise buildings. The Regulations require that equipment and devices provided for the use by or protection of firefighters, are maintained in an efficient state, efficient working order and in good repair.

The Civic Government (Scotland) Act 1982 In relation to domestic dwellings, Section 93 of this Act requires occupiers to keep common property free of combustible substances and anything which might obstruct egress from and access to the property in the event of fire. The Scottish Fire and Rescue Service (SFRS) has power to enter the common property to determine if the duty is being complied with, and if it is not and there is an immediate risk of fire likely to endanger life, to do anything necessary to remove that risk including seizing and retention of items. The SFRS can issue notices requiring occupiers to remove or render safe items or substances in common property. Any person who fails to comply with a notice from the SFRS is guilty of an offence.

Scottish Housing Quality Standard (SHQS) The Association is committed to ensuring that fire safety standards and practices comply with the current outcomes set by the Scottish Social Housing Regulator:

“Registered Social Landlords must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes and comply with the Healthy, Safe and Secure elements of the Scottish Housing Quality Standard”.

The Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criteria) Order 2019 **The Tolerable Standard:** Meeting New Standards for Fire and Smoke Detection. The 2019 Order has extended the existing law with regards to fire and smoke detectors. From 1st February 2022, all rented properties in Scotland will be required to meet the new standards for fire and smoke detection, regardless of the tenure. The Order extends the ‘tolerable standard’ outlined in Section 86 of the Housing (Scotland) Act 1987; however, these changes will now apply to all residential properties. Registered Social Landlords will be required to comply with this Order

In addition to the above key pieces of legislation there are other associated regulations, standards and guidance which are applicable to fire safety, these are:

- Building (Scotland) Regulations 2004

- Domestic Technical Handbook (as revised)
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Electrical Equipment (Safety) Regulations 1994
- Gas Safety (Installation and Use) Regulations 1998
- Reporting of Incidents and Dangerous Occurrences regulations (RIDDOR) 2013
- Construction Design and Management Regs 2015
- Furniture and Furnishings (Fire Safety) Regulations 1988
- Practical Fire Safety for Existing Specialised Housing and Similar Premises: guidance. January 2020. ISBN: 978-1-83960-510-9 (Scottish Government)
<https://www.gov.scot/publications/practical-fire-safety-guidance-existing-specialised-housing-similar-premises/>
- Fire safety – An Employers Guide ISBN 011 341 2290
- Scottish Executive, Fire Safety Guidance Booklet: Are You Aware of Your Responsibilities, August 2006, ISBN 0 7559 4965 X
- BS 5266-1:2016 - Code of practice for the emergency lighting of premises
- BS 5839-1:2017 - Fire detection and fire alarm systems for buildings.
- BS 5839-8:2013 - Fire detection and fire alarm systems for buildings.
- BS 5839-6:2019 + A1:2020 - Fire detection and fire alarm systems for buildings
- BS 5306-0:2020 - Fire protection installations and equipment on premises.
- BS 5306-3:2017 - Commissioning & maintenance of portable fire extinguishers.
- BS 5306-8:2012 - Fire extinguishing installations and equipment on premises.
- BS 7273-4:2015+A1:2021 - Code of practice for the operation of fire protection measures
- BS 7273-6:2019 - Code of practice for the operation of fire protection measures.
- BS 8214:2016 - Timber-based fire door assemblies.
- BS 8458: 2015 - Fixed fire protection systems. Residential and domestic water mist systems.
- BS 8629:2019 - Code of practice for the design, installation, commissioning, and maintenance of evacuation alert systems for use by fire and rescue services in buildings containing flats.
- BS 9251:2021 - Fire sprinkler systems for domestic and residential occupancies-Code of practice
- BS 9990:2015 - Non automatic fire-fighting systems in buildings. Code of practice (Wet / Dry Risers)
- BS 9414:2019 - Fire performance of external cladding systems.
- BS 9991:2015 - Fire safety in the design, management, and use of residential buildings.
- BS 9997:2019 - Fire risk management systems.
- BS 9999:2017 - Fire safety in the design, management, and use of buildings.
- BS 5499-4: 2013 - Safety signs including fire safety signs.
- BS 5499-10 :2016 - Guidance for the selection and use of safety signs and fire safety notices
- PAS 79-1:2020 - Fire risk assessment – Part 1: Premises other than housing Code of practice
- BS 9792 Fire risk assessment – Housing – Code of practice

4. Regulatory Framework

The Scottish Housing Regulator's (SHR) main role is to monitor, assess, report and intervene (as appropriate) in relation to social landlords' performance of housing activities and RSLs' financial well-being and standards of governance, in relation to tenants, people who are homeless, gypsy/travellers and factored owners.

Section 36 of the Housing 2010 Act requires the SHR to issue a Code of Conduct setting out Standards of Governance and Financial Management for RSLs. The SHR has seven standards in place which the Association must adhere to and meet. Below are the seven standards. We have indicated next to each standard whether we deem it is applicable to this fire safety policy:

The relevant standards from the SHR Framework and Standard of Governance and financial Management relevant to this policy are:

Regulatory Standard 1 (RS1) – *'The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users'*.

Regulatory Standard 3 (RS3) – *'The RSL manages its resources to ensure its financial well-being, while maintaining rents at a level that tenants can afford to pay'*.

Regulatory Standard 5 (RS5) – *'The RSL conducts its affairs with honesty and integrity'*.

The Health and Safety Executive (HSE) In Scotland, while the primary responsibility for enforcing fire safety in most workplaces lies with the local Fire and Rescue Service, the HSE does have enforcement powers for fire safety in certain situations, particularly when it relates to specific work processes or hazardous substances, essentially, where fire safety is directly linked to health and safety at work. The HSE also contains numerous resources to help employers understand what they need to do to comply with fire legislation and standards.

Scottish Fire and Resue Service (SFRS) plays a key role in ensuring fire safety within social housing by enforcing fire safety legislation across Scotland, conducting inspections, providing fire safety advice to residents and landlords, and taking enforcement action against non-compliant properties, particularly in areas like Houses in Multiple Occupation (HMOs), to protect the safety of tenants within social housing units; they are responsible for determining appropriate fire safety measures and can take enforcement actions if necessary, as outlined in the Fire (Scotland) Act 2005 and Fire Safety (Scotland) Regulations 2006.

5. Aims and Objectives of this policy

The aim of this policy is to ensure that we minimise the risk of fire incidents occurring, which could lead to ill health, injury or fires occurring and spreading, so that residents, staff and visitors can enjoy safe access to, and use of, our services

and facilities. In addition, we aim to ensure, so far as is reasonably practicable, the health, safety and welfare of our employees and other persons who may be affected by our activities in relation to fire safety.

Our objectives are to interpret all applicable legislation and standards to Dunbritton Housing Association as an employer and registered social landlord for fire safety, to enable us to develop suitable and sufficient management arrangements to maintain fire safety across all properties and places of work. Our main objective is to implement these fire safety arrangements to minimise the risk of ill health, injury, loss of life or a fire occurring and spreading and ensure we promote a good level of fire safety awareness for all applicable stakeholders to ensure the arrangements are delivered effectively, and what to do in the event that a fire incident occurs.

6. Roles and Responsibilities

The Management Board will be responsible for the approval of the policy. In approving this policy, acknowledges that it accepts full responsibility for its implementation. Day-to-day responsibility for the operation of this policy is the responsibility of the Chief Executive with assistance from the Corporate Services Manager and Asset Manager.

The Chief Executive with assistance from the Management Team will:

- Ensure that the requirements of the policy are communicated to all staff and reinforced on a regular basis.
- Ensure that all staff and Management Board receive adequate fire safety awareness training and are encouraged to develop and promote safe working practices and attitudes towards fire safety.
- Liaise with Scottish Fire and Rescue Service and the Health and Safety Executive (HSE) on matters relating to fire safety including taking any actions resulting from their advice.
- Manage the fire risk assessment programme and management of resultant remedials, maintenance, repairs and any work which could breach compartmentation, in buildings owned and managed by the Association.
- Ensure places of work have appropriate protocols in place to manage work place fire safety efficiently.
- Monitor and report to the Management Board with any recommendation regarding fire safety
- Ensure staff receive fire safety training, as the training needs analysis dictates.

The Chief Executive, assisted by Asset Manager, will:

- Be responsible for the implementation of the policy.
- Ensure compliance with all relevant legislation regarding the management and maintenance of all fire precautions, passive and active fire arrangements
- Ensure all persons or contractors carrying out fire risk assessments, maintenance and repairs are trained and competent to do so and are members of an appropriate certification scheme or institute as required.

- Ensure that as part of our lettings standard smoke and heat detectors are inspected and part of the electrical and gas safety checks.
- Where flatted dwellings are fitted with fire alarms systems these will be maintained by the Association and serviced 6 monthly.
- Ensure all other fire related devices (e.g. emergency lighting, fire extinguishers etc.) are maintained to the required standards and frequency.
- Ensure systems and contracts are in place for up-to-date advice to be received on current and proposed fire safety legislation, related regulatory and good practice requirements.
- Ensure that all appropriate staff receive adequate fire safety awareness training according to their role and are encouraged to develop and promote safe working practices and attitudes towards fire safety.

The Chief Executive, assisted by The Housing ,Corporate services Manager, must:

- Ensure that regular estate management inspections are carried out to keep communal areas of properties sterile and clear of fire related hazards and identify potential fire risks and take appropriate actions to mitigate these risks.
- Ensure that the requirements of the policy are communicated to all relevant staff and tenants and reinforce such communication on a regular basis via the Association website, tenant newsletter and social media.
- Ensure that all appropriate staff receive adequate fire safety awareness training and are encouraged to develop and promote safe working practices and attitudes towards fire safety.
- Deal with any fire related incidents or preventative measures which involve liaison with tenants.

The Asset Co-ordinator assisted by the maintenance officers will be responsible for maintaining a register, with all relevant technical information, of fire risk assessments required, remedial actions identified, and service and maintenance regimes of fire components such as fire alarms, emergency lighting and fire extinguishers.

The Asset Co-Ordinator & Maintenance Officers will be responsible for ensuring all fire remedial works are carried out by appropriately qualified and competent contractors and in line with current statutory regulations and current best practice.

Every employee of Dunbritton Housing Association has a health and safety responsibility and duty with regard to arrangements made for maintaining their own safety in the activities they carry out and responding to emergency situations.

7. Fire Safety Arrangements

Listed below are the key fire safety arrangements we will have in place in relation to effectively managing fire safety:

- We will ensure that we identify all relevant properties owned or managed by the Association which require a fire risk assessment (FRA) and ensure these are completed by a demonstrably competent individual to a suitable and sufficient standard. These will be proportionate to the building type/size/complexity and customer tenure.
- We will periodically review each fire safety risk assessment at each property to identify the potential for fire to occur and to ensure it remains suitable and sufficient. Should the following situations arise, a review should be undertaken as soon as possible:
 - Change in the number of people present or the characteristics of the occupants including the presence of people with some form of disability.
 - Changes to work procedures, including the introduction of new equipment.
 - Alterations to the building, including internal layout.
 - Significant changes to displays or quantities of stock.
 - The introduction or increase in the storage of hazardous substances.
 - Becoming aware of shortcomings or potential improvement.
 - A fire incident occurring at a property
- We will ensure that our premises are equipped to an appropriate level with means of escape (ensuring these can be safely used), means of detecting fire and giving warning in the event of fire.
- We will ensure that the premises and any fire safety facilities, equipment and devices are maintained in good order.
- We must co-operate with anyone else who has fire safety responsibilities for the same premises (including sharing information about the activities/measures undertaken where appropriate) and take all reasonable steps to co-ordinate fire safety measures.
- We will ensure all management and remedial actions resulting from the FRA are completed efficiently, and where practicable, within the suggested timescales.
- We will ensure that we apply the resources required to mitigate fire risks within our relevant properties so far as is reasonably practicable for all active fire elements, passive fire elements and management controls.
- We will ensure we comply with our statutory duties as an employer and social housing provider and define the measures we will take to assure ourselves that

the policy and management plan have been implemented and they are effective.

- We will ensure we comply with the amendment to the Housing Scotland Act 1987 Tolerable standards within domestic properties whereby we will ensure all domestic properties will have:
 - one smoke alarm installed in the room most frequently used for general daytime living purposes (normally the living room/lounge)
 - one smoke alarm in every circulation space on each storey, such as hallways and landings
 - one heat alarm installed in every kitchen
 - all smoke and heat alarms to be ceiling mounted
 - all smoke and heat alarms to be interlinked
- We will ensure there are suitable levels of governance, oversight, and supervision to implement this policy and the associated management plan, inclusive of making these documents available to all relevant staff and ensuring that staff with fire safety roles have read and understood the content and what is expected of their role.
- We will ensure that all relevant staff receive appropriate training, including specialist roles and general awareness for fire safety.
- We will ensure suitable and sufficient resources are in place to effectively manage customer relationships, tenancy agreements, and leases to keep them informed of the fire arrangements for the home/building in which they live and keep them updated with any changes with the fire arrangements.
- We will ensure there are suitable and sufficient emergency procedures in place to deal with emergency situations as a result of issues associated with fire safety.
- We will ensure that we manage data robustly to assure ourselves that we are accurately and robustly fulfilling our statutory responsibilities as an employer and a landlord relating to fire safety across the business and respond promptly to failures in systems and data management.
- We will ensure we work with all regulatory, statutory and enforcing authorities, including the Scottish Housing Regulator (SHR), the Health and Safety Executive (HSE) and the Scottish Fire and Rescue Service.

8. Training and Awareness

We will ensure that all colleagues will receive general fire awareness training as required, in relation to their role, and where they will work (e.g. general fire information regarding the office or if they work in the wider estate).

All staff who have specific roles relating to fire safety will receive appropriate training to ensure that they are competent to fulfil their duties.

9. General Data Protection Regulations/Freedom of Information

When implementing this fire Safety Policy, we will ensure compliance with the principles of these Acts. Record keeping for the purposes of this policy relate to the contract that is in place and undertaking LGSR's. This will include contactors having access to tenants' personal details for the purpose of visiting properties and a data sharing agreement is in place. All data will be held in line with GDPR requirements. This Policy is written to be open and transparent in line with FOISA.

10. Customer Consultation and Information

We will endeavour to inform our service users of fire Contractors who have been appointed to carry out work to their homes both internally and externally.

On request, we will provide Contractors and tenants with information pertaining to this Policy. We will ensure the Association and any fire work related Contractor make reasonable attempts to communicate with customers to ensure access is gained to carry out the remedial work, checks and maintenance.

Any issues or complaints raised by our customers in relation to this policy or any issue associated with fire-related work will be handled in line with our complaints policy.

11. Risk Management and Compliance

This Fire Safety Policy confirms and complies with the following:

- The Associations Risk Management Policy.
- All relevant and current fire Safety Legislation
- Asset Management Performance Standards Policy,
- Freedom of Information Act
- General Data Protection Regulation (GDPR)
- Gas Safety Policy
- Electrical safety policy

12. Equality and Diversity

As a service provider and employer, we recognise the requirements of the Equality Act 2010, oppose any form of discrimination, and will treat all customers, internal and external, with dignity and respect. We recognise diversity and will ensure that all of our actions ensure accessibility and reduce barriers to employment and the services we provide.

13. Monitoring and Review

This Policy will be reviewed every 3 years but will be subject to earlier review if there are any significant changes in legislation, good practice or operational changes, which may affect the content of this policy.