



Places to live. Space to grow.

Fire Safety Policy

CONTENTS

Introduction and Purpose	3
.....	
Roles and Responsibilities	3
.....	
Regulation	5
.....	
Policy Statement	5
.....	
Record Keeping	8
.....	
Reporting	8
.....	
Communication	9
.....	
Review	9
.....	

1 Introduction and Purpose

- 1.1 This policy sets out our legal and regulatory obligations for fire safety including fire risk assessments (FRAs) and taking actions to identify, manage, and mitigate risks associated with fire. It will also include fire incidents, fire door inspections, and all other areas of fire compliance. This policy applies to all our staff, residents, contractors, and other people who may work on, occupy, visit or use our premises or who may be affected by our activities or services.
- 1.2 We will comply with our responsibilities under the Regulatory Reform (Fire Safety) Order 2005 (FSO), Fire Safety Act 2021, and the Building Safety Act 2022. Section 1 of the Fire Safety Act 2021 updates the FSO to clarify that all FRA must include Structure, external walls, and flat entrance doors. Article 24 of the FSO implement changes because of the Grenfell tragedy this was done in the form of the Fire Safety (England) Regulations 2022.
- 1.3 We will carry out a fire risk assessment where we are the responsible person, and a building has a communal area. We will conduct type 3 FRA surveys unless we deem another is more suitable by a competent fire risk assessor which is PAS79 complaint. All FRA's will include changes in the Fire Safety Act to include structure, external walls, and flat entrance doors. Any actions identified as part of this FRA survey will be actioned and completed within set timescales.
- 1.4 Type 4 FRA's will be instructed if the risk of that building or the person's occupancy warrants this, that decision will be made by the Building Safety Manager.
- 1.5 We will ensure that we implement all necessary fire precautions actions and other measures identified by the FRA, tracking and following them through to completion.

2 Roles and Responsibilities

- 2.1 WKHA is the duty holder and responsible person for Fire.
- 2.2 WKHA's Board has overall governance responsibility for ensuring the Fire Safety Policy is fully implemented to ensure full compliance with regulatory standards, legislation, and Approved Codes of Practice.
- 2.3 The Executive Team (ET) will receive compliance dashboard reports in respect of Fire Risk Assessments and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified and decide on action needed plus all follow-on action monitoring.
- 2.4 The Director of Property and Asset Management has strategic responsibility for the management of Fire Risk Assessments.
- 2.5 The Head of Property Services will be responsible for overseeing the delivery of any remedial works required and the servicing and maintenance of fire precaution equipment.

- 2.6 The Head of Strategic Asset Management will report on compliance and ensure all Fire Risk Assessment data is kept up to date within the systems. They will ensure a competent Building Safety Manager holding a NEBOSH national certificate in Fire Safety and Risk Management qualification or similar, is appointed along with a Compliance Coordinator. Continuous Professional development must be ensured.
- 2.7 The Building Safety Manager will ensure all compliance for Fire is upheld and manage the Fire Risk Assessment programme, this role will be responsible for ensuring and advising West Kent on areas of improvement. They will ensure all High-risk buildings are identified and ensure a building safety case is present, they will be suitably competent and hold a relevant fire qualification.
- 2.8 The Compliance Co-Ordinator will administer the contract for 3rd party quality control on Fire Risk Assessments, escalating any issues found. This role will also ensure all Fire actions are progressed through to completion minimising any going overdue.
- 2.9 Housing teams and the Community Safety Team will provide support with difficult-to-access properties and facilitate the legal process. They will also conduct fire door inspections after suitable training as part of their Estate Inspections.
- 2.10 For buildings not owned by West Kent the freeholder will be the Principal Accountable Person, West Kent will then be the Accountable Person as the leasehold landlord of that block. The Principal Accountable Person for buildings over 18m, is responsible for the registration of the building with the building safety regulator and for submitting the building safety case, West Kent as the Accountable Person must work with them to ensure all information is obtained and the building and its residents managed accordingly.
- 2.11 Appendix 1 outlines the roles and responsibilities, along with 3 lines of defence for each compliance area.
- 2.12 Fire Risk Assessors will be appointed to conduct West Kent fire risk assessments and fire door assessments. They will either be employed by a company registered with BAFE 'SP205' company scheme, 'IFCC 0099' company scheme, or Warrington Certification Ltd 'Fire Risk Assessors Certification Scheme (Company) FRACS' or alternatively be registered on a Professional Body Person Registration Scheme (Institute of Fire Prevention Officers, Institute of Fire Safety Managers, Institution of Fire Engineers (IFE), Register of Skilled Persons 'Fire Lead Assessor Management Evaluator" Scheme "FLAME', Warrington Certification Ltd 'Fire Risk Assessors Certification Scheme (Individuals) FRACS') or hold the NEBOSH National Certificate in Fire Safety.
- 2.13 Our staff must follow fire safety standards, responsibilities, and procedures at all times to ensure fire safety at all our sites. All staff must:
- make sure local fire procedures are implemented and monitored so we continue to comply with the regulations.
 - take ownership and report any issues that could contribute towards a fire or prevent escape.
 - look out for danger signs and fire hazards. Any concerns must be reported/actioned immediately.
 - complete fire action items from fire risk assessments within priority timescales

3 Regulation

3.1 Regulatory standards must be complied with, these include the requirements of the Regulator of Social Housing (RSH). Tenant Satisfaction Measure requirements are needed for Fire safety checks. The measure will be based on the percentage of homes in buildings that have had all the necessary Fire Risk Assessments carried out.

3.2 The principal legislation applicable to this policy:

- The Regulatory Reform (Fire Safety) Order 2005 (FSO), Fire Safety Act 2021 and Building Safety Act 2022. These regulations place a duty on us to take general fire precaution measures to ensure, as far as is reasonably practicable, the safety of the people on their premises and in the immediate vicinity. We are the 'responsible person' for the purposes of the legislation by virtue of the fact that we own and manage homes and buildings housing tenants/leaseholders through the tenancy agreement and lease obligations.

This policy also operates in the context of additional legislation and standards detailed at the end of this policy.

4 Policy Statement

We will review and update our Fire Safety Policy every 3 years.

For all our Domestic stock we will:

- Follow our incident reporting procedures for all occurrences of fires as per our Health and Safety incident procedure. This will be lead by the Building Safety Manager.
- All homes will be installed with a battery-powered smoke alarm with sealed-for-life batteries.
- We will ensure all homes with a gas appliance have a battery power CO detector with sealed for-life batteries. Where possible these will be to British standard BS 5029-1
- We will assess the needs of buildings and tenants to determine if other alarms are more suitable and aim to be compliant with British Standards BS 5839-6 where possible.
- Our general standard for all existing buildings will be to F1 grade of sealed battery interlinked detection. We will have a D1 grade of hard-wired interlinked detection with sealed battery units for all new buildings. Where this grade already exists, we will never lower the standard. All systems of detection will be to an LD2 medium category where detection covers escape routes and any high-risk areas.
- During every gas, electric, and stock condition inspection operatives will ensure the alarms are working, and present and replace as needed or request an order for works to be completed.
- We will ensure that all our contractors carry out all works to all assets taking into account the fire safety of that property and those works not being detrimental to the fire safety in any way.

- All our new build stock will comply with fire safety standards, the Asset Team will review all Health and Safety documentation, in particular, Regulation 38 before practical completion is achieved and building control sign-off is given.

For our Non-Domestic Stock, we will:

- Categorise our blocks in terms of High, Medium, and Low Risk as follows:
 - High Risk 1 – Blocks over 18m
 - High Risk 2 – Extra Care Properties managed by West Kent
 - KEHFA – Extra Care Properties in the PFI scheme managed by others.
 - Medium – Blocks 11m-18m or blocks categorised as Supported schemes.
 - Low – all other blocks
- Carry out FRA's once every 3 years for all medium and low-risk blocks.
- Carry out FRA's yearly for all High-risk 1, 2, and KEHFA blocks. Carry out a new FRA where there are major works/occupancy/management changes.
- Carry out an FRA after any fire-related incidents.
- Where blocks are managed by others, we will continue to report compliance and seek the FRA evidence ensuring actions are progressed. We will seek assistance from Kent Fire and Rescue if this is refused.
- We will act on all follow-on works identified in the FRA within set timescales as follows:
 - Intolerable – High risk - within 24 hours
 - Substantial – Medium risk - within 3 months
 - Moderate – Low risk - within 1 year
 - Tolerable – no action required
- Ensure that all buildings over 18m tall have:
 1. Provide KFR Building plans and external wall system details.
 2. Monthly checks of lifts and other key firefighting systems. Report any defects to KFR.
 3. Provide information boxes containing relevant information.
 4. Ensure there is wayfinding signage.
 5. Provide residents with fire safety instructions and fire door information.
- Buildings over 18m tall as identified in the Building Safety Act, will also be registered with the new regulator, have a building safety case, and be continuously under review with residents included in any improvements.
- Carry out fire door inspections every quarter for all building's communal fire doors with our Housing Estate Inspections.
- In addition to this, High-risk and medium-risk buildings (all those over 11m) will have a full fire door inspection of both the communal doors and flat entrance doors annually by our competent appointed contractor.
 - Prioritise fire door inspection actions as per the fire risk prioritisation tool to ensure high-risk door actions and/or high-risk buildings are completed first.
 - Ensure all fire detection, prevention, and fire-fighting systems and equipment within our buildings are serviced and maintained.
 - Ensure evacuation strategies are in place and communicated to residents.
 - Ensure FRAs are reviewed following a fire, change in building use, or working practice.
 - We will ensure we have a Resident Engagement Strategy in place, this will be specific for buildings over 18m but we will also include communicating to all residents annually regarding the fire emergency procedures and the importance of fire doors. This will also include information to new residents at sign-up on such matters.

- Record and action any near-miss reports regarding fire safety. A near miss is an unplanned event that does not result in injury but has the potential.
- We will follow our no-access process where required to ensure we gain access to homes; we will consider resident vulnerabilities and tailor our approach.
- For residents in extra care, supported or sheltered schemes that are managed by staff, where appropriate, we will complete Personal Emergency Evacuation Plans (PEEPs) which will then determine if a Person-Centred Fire Risk Assessment (PCFRA) is needed. These will be produced annually and reviewed by our Support Team.
- For residents living in blocks where there are no on-site staff and where they make a self-referral to us of any concerns about evacuating a building, we will carry out Person-Centred Fire risk assessments (PCFRA). These will be produced annually and reviewed by our Housing/Support Team.
- Communicate with staff, residents, and other relevant people on fire safety arrangements and prevention.
- Where appropriate install and maintain fire detection and warning systems.
- Maintain safe and adequate means of escape.
- Where we manage properties, we do not own, the 'responsible person' is set out in the terms of the management agreement. If we are not the 'responsible person', we will obtain a copy of the fire risk assessment from the responsible person(s) as we still have the responsibility to notify the responsible person(s) of any fire safety issues or concerns.
- Where we own a property on a full repairing lease, we are the 'responsible person' for that property, unless specified otherwise by the lease. However, the lessee retains responsibility for maintenance and safety under the terms of their lease and is legally responsible for fire safety with all matters under their control.
- Where we own communal halls that are accessible to our residents for personal use and hire, we will complete fire risk assessments and aim to inform users of the need to comply with all relevant health and safety guidance and regulations.
- Where we run community hubs, shops, and warehouses we will, to the extent that the premises are under our control, complete fire risk assessments, and cooperate and coordinate with any other responsible persons.
- Where we have schemes that contain areas where there are other 'responsible persons', such as commercial kitchens or plant rooms, then all the responsible persons are legally required to undertake fire risk assessments, and appropriately manage fire safety, e.g. Galliford Try Facilities Management for our Kent Excellent Home for All schemes and Caterplus for White Oak Court and Montgomery Court. We will cooperate and coordinate with other responsible persons in matters affecting fire safety and consider their fire risk assessments when producing the over-arching fire risk assessment for the site.

For our Garages, we will:

- Where we own and let garages, within the garage letting agreement we will stipulate how the garage is to be used and what can and cannot be stored within them. The person letting the garage and signing this agreement will be advised that they must:
- Comply with this agreement and all relevant health and safety regulations and other legislation.

- Do Not store any flammable and/or hazardous materials (including paint cans, gas canisters, fridges, asbestos, fireworks) rubbish, or perishable waste (such as food, and garden waste) in the garage.
- Do Not store petrol other than petrol/diesel in the tank of a motor vehicle, and do not let any petrol spirit or oil get into the drains in the garage or surrounding area.

For Sheds and Outbuildings:

- Tenants must ask our permission before installing any outbuildings. Outbuildings can include but are not limited to sheds, greenhouses, garages, kennels, summerhouses and aviaries.
- Sheds or other ancillary buildings must not be used as living accommodation or a utility room to house electrical appliances such as freezers, tumble dryers, and washing machines.
- We will not allow any electrical supply to any outbuildings.
- The building must be positioned at the rear or side of the home and located at least 2m away from the building.

5 Record Keeping

- 5.1 We will hold accurate records against all assets we own or manage called Fire control records to state if an FRA is required. All new assets will be included in our Housing and Asset Management system and the control record included in the task path of adding all new assets.
- 5.2 We will record the date of the FRA, resulting actions, target and completion dates, and teams responsible for the completion of those actions.
- 5.3 We will record the FDI date, resulting actions, target, and completion dates.
- 5.4 All inspections, photos, completed works evidence, etc. will be stored on our central documents system.
- 5.5 We will hold accurate records for our assets detailing the requirements for servicing, maintenance, testing, and repair of fire prevention, detection, and firefighting equipment. This includes but is not limited to fire alarm systems, emergency lighting, smoke/heat detectors, hose reels, fire extinguishers, fire blankets, dry and wet risers, auto window/door openers, and sprinkler systems.
- 5.6 We will provide all buildings over 18m with secure information boxes and ensure that we provide all information required to comply with Regulation 4 of the Fire Safety (England) Regulation 2022 and that the contents are kept up to date.
- 5.7 We will ensure that all consultants and contractors have employee and public liability insurance and that these are kept up to date on an annual basis and maintain a record of this.
- 5.8 We will ensure all FRA's are saved on our central document storage location.
- 5.9 We will record and report on all PEEPs in our Housing and Asset System.

6 Reporting

- 6.1 Performance reporting will take place monthly in our compliance dashboard, generated from our housing and asset management system which monitors all compliance. This system holds the control records for each asset and where an FRA is required will record if the FRA date is in date according to its set frequency.
- 6.2 We will also report on the number of outstanding and overdue FRA actions.
- 6.3 This dashboard and any non-compliance will be discussed by ET monthly and board quarterly. Non-compliance escalation will then be taken forward from these groups by the Head of Strategic Asset Management to ensure action is taken so that compliance is then assured.
- 6.4 All other fire compliance issues will be included in the monthly compliance report to ET and then escalated to the board if necessary.
- 6.5 Any incident which has resulted in a potential breach of legislation or regulatory standard or causes a risk to health or safety shall be immediately reported to the Property and Asset Management Director as per the Health and Safety incident reporting procedure.
- 6.6 Where necessary, the board will be notified so they can consider the implications and seek legal advice on a breach. If required, WKHA will disclose the breach to the Regulator of Social Housing in the spirit of co-regulation, or any other relevant organisation such as the HSE, as part of the Regulatory Framework.

7 Communication

- 7.1 WKHA considers good communication and liaising with relevant parties essential. As such, we will:
- Ensure all incidents of Fires in our properties follow our Health and Safety incident reporting procedure as per our Fire Policy.
 - Work to provide tenants with access to a user-friendly version of their blocks FRA.
 - We currently supply the FRA on request with a cover letter explaining the content.
 - As part of our high-risk buildings building safety case implementation a Resident involvement strategy will be produced.
 - Communicate with our residents in blocks annually to ensure that they understand the block fire evacuation strategy and what to do in the event of a fire and how to report issues with fire doors or any other issues relating to fire.
 - Communicate regularly with our residents on key topics that may help improve the fire safety of blocks such as keeping communal areas clear, electric scooter advice, etc.
- 7.2 Residents' goods left in communal areas could cause a fire, as well as potentially blocking escape routes. For these reasons, storage of goods in communal areas is not permitted. We operate a zero-tolerance system for items in communal areas in our general needs, supported and hostel accommodation. Our elderly persons (Emerald) accommodation

has a managed use system where a select number of small items are allowed. All residents will be regularly communicated with this.

- 7.3 We adopt a Stay Put evacuation policy in all our properties unless the fire risk assessment indicates otherwise. 'Stay put' is an evacuation strategy based on the principle that only the residents of the flat where a fire starts need to escape initially, while other residents remain in their own flats. Residents must leave if smoke or heat affects their home, they are told by the fire service or if they have any doubt. All residents will be regularly communicated with this.

8 **Review**

- 8.1 This Policy will be reviewed every 2 years or when there is a regulation/legislation change requiring it to be updated.

Legislation

- The Regulatory Reform (Fire Safety) Order 2005
- The Fire Safety Act 2021
- The Fire Safety (England) Regulations 2022
- The Building Safety Act 2022
- The Social Housing (Regulation) Act 2023
- Housing Act 2004
- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- Gas Safety (Installation and Use) Regulations 1998
- The Furniture and Furnishings (Fire Safety) Regulations 1988
- The Health and Safety (Safety Signs and Signals) Regulations 1996
- The Building Regulations 2010 (No: 2214): Approved Document B (Fire Safety) Volumes 1 and 2.
- Electrical Equipment (Safety) Regulations 2016
- Electricity at Work Regulations 1989
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- LACORS - Housing - Fire Safety: Guidance on fire safety provisions for certain types of existing housing
- Local Government Association: Fire safety in purpose-built blocks of flats
- Decent Homes Standard including HHSRS Operating Guidance - Housing Act 2004
- Ministry of Housing, Communities & Local Government (MHCLG): Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings (January 2020)
- National Fire Chief Council's Guidance (NFCC) - Fire Safety in Specialist Housing – May 2017, covers sheltered schemes, supported schemes and extra care schemes
- Practical Fire Safety Guidance for Existing Premises with Sleeping Accommodation 2018 – guidance for those with responsibility for ensuring fire safety in certain premises within sleeping accommodation in Scotland
- Building a Safer Future - Independent Review of Building Regulations and Fire Safety: Final Report (May 2018)