



**Muirhouse
Housing
Association**

MUIRHOUSE HOUSING ASSOCIATION



**Muirhouse
Homes Ltd**

MUIRHOUSE HOMES

Title of Policy: Fire Safety Policy

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Lead Officer:

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Policy: Fire Safety

Our Vision, Our Mission, Our Values

Our Vision is an engaged, thriving, desirable and eco-friendly Muirhouse with high quality, truly affordable and greener homes.

Our Mission - We will provide high quality, truly affordable homes and services for residents and strengthen our engagement and partnerships to enrich the community and safeguard our environment.

Our Values - In upholding our central value of providing high quality, affordable homes and services, our behaviours and decisions will demonstrate our commitment to

Excellence: Ensuring the highest standards in all that we do and innovating to continually improve. Across the MHA Group, we are committed to providing a high quality, customer focused service that demonstrates value for money.

Caring: Being compassionate about and responding appropriately to the needs of our residents, staff, and Board.

Mutual Respect: Valuing the views, knowledge, expertise, and skills of others and collaborating to achieve good outcomes for residents, staff, and the Association. We will continue to be a leading member of the local community, working with our customers and statutory, voluntary, and private sector partners.

This policy applies to

This policy applies to all employees, board members and tenants of Muirhouse Housing Association (MHA) and Muirhouse Homes (MH4).

Policy Summary

The purpose of this policy provides a clear statement of Muirhouse Housing Associations duties and obligations in relation to fire safety in domestic and commercial (residential and non-residential) buildings owned and managed by MHA.

The effects of accidental fires or explosions can be devastating in terms of loss of life, injury, trauma for those involved, damage to property and the environment, financial and to the business continuity.

This policy is important in ensuring the health and safety of employees, tenants, residents of MHA properties and those who live in the immediate area, work in, or visit their homes and office premises. As a landlord MHA has a responsibility to ensure the safety of its tenants. This policy sets out how MHA will fulfil these requirements.

Equalities

Muirhouse Housing Association will ensure there is a consistent approach in promoting equality and diversity across all areas and this policy will be administered in accordance with our Equality, Diversity, and Inclusion Policy.

Privacy

This policy has been developed and will be applied in compliance with General Data Protection Regulations (2018).

Compliance

SHR Regulatory Standards

Standard 1: The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users

Standard 3: The RSL manages its resources to ensure its financial well-being and economic effectiveness

Standard 5: The RSL conducts its affairs with honesty and integrity

Other Guidance – Fire (Scotland) Act 2005; Fire Safety (Scotland) Regulations 2006.

Related Policies

Repairs & Maintenance Policy
ACS Health and Safety Manual
Business Continuity & Disaster recovery Plan
Smoke free Policy

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1.0 Introduction

- 1.1 Muirhouse Housing Association (MHA) as a social landlord acknowledges its legal and moral obligations in reducing the potential risks from the dangers caused by fire including injury or loss of life. The aim of this policy is to provide a robust fire safety framework which can be implemented to secure the safety and wellbeing of MHA tenants, staff, visitors, and firefighters.
- 1.2 The procedures are intended to facilitate the effective management of fire safety, ensuring that all reasonable steps are taken to comply with the Fire (Scotland) Act 2005, the Fire Safety (Scotland) Regulations 2006, The Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criteria) Order 2019 and all other relevant legislation.
- 1.3 MHA is responsible for ensuring that all our properties meet fire safety standards.
- 1.4 MHA owns one office premise, 506 units for social housing and 60 Mid-Market Rented properties. All these properties are provided as self-contained homes for individual households..
- 1.5 MHA are lease four properties as HMOs and must ensure that the property, fittings and furniture, including fire precautions and gas and electrical installations, are maintained throughout the period of the licence to the standard required. Appendix 1 provide further details these requirements.

2.0 Purpose of the Policy

- 2.1 The principles governing the operation of this policy are that the policy and associated procedures should:

- be clear and understood by all employees
- be fair, equitable and non-discriminatory
- reflect statutory requirements and best practice
- be flexible and adaptable to changing needs

- 2.2 MHA will comply with all relevant legislation in terms of fire safety, including:

- Fire (Scotland) Act 2005 and Fire Safety (Scotland) Regulations 2006
 - 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.

- 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 Health and Safety at Work Act 1974; General Duty on Employers
 - The Health and Safety at Work Etc. Act 1974 imposes a general duty on employers to ensure the health, safety, and welfare of their employees at work, so far as reasonably practical. 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, visitors, and members of the wider general public
- The Housing (Scotland) Act 1987 (Tolerable Standard) (Extension of Criteria) Order 2019
 - 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.
- Management of Health and Safety at Work Regulations 1999: Risk Assessments
 - The Management of Health and Safety at Work Regulations 1999 reinforce the Health and Safety at Work Etc. Act 1974 and expand the general duties contained in the latter. Regulation 3 of the Management of Health and Safety at Work Regulations 1999 places a duty on employers to undertake general risk assessments in order to protect persons who may be affected by their work activities.
 - Employers must undertake an assessment of all risks to health and safety arising from their work activity. The aim of such assessments is to establish an effective system of preventative and protective measures. Regulation 5 also imposes a statutory duty on employers

to make arrangements to cover the effective planning, organisation, control, monitoring and review of health and safety

- Building (Scotland) Regulations 2004
- Domestic Technical Handbook (as revised)
- Health and Safety (Safety Signs and Signals) Regulations 1996
- BS 5839-6:2013
- Electrical Equipment (Safety) Regulations 1994
- Gas Safety (Installation and Use) Regulations 1998

3.0 OBJECTIVES

3.1 The objectives of the policy are to meet all legal and regulatory obligations and ensure best practice is followed in relation to fire safety. It therefore aims to:

- Keep the general public, tenants, and employees aware of the risks of fire and as far as reasonably practical ensure they are safe from danger
- Set out a clear approach to assessing, controlling, and monitoring the risk of fire within MHA's properties and office premises
- Communicate with tenants and staff the importance of fire safety including providing guidance and training
- Ensure that all procedures relating to the Fire Safety Policy support the fair treatment of all tenants with respect to their different needs, circumstances, and lifestyle.

4.0 APPROACH AND METHOD

4.1 What we will do:

MHA will ensure that it fulfils its legal and regulatory obligations relating to fire safety by complying relevant legislation at 2.2, ensuring adoption of the principles of this policy and by:

- Complying with recent changes to legislation regarding fire and smoke detection systems prior to February 2022. To comply MHA will ensure that there will be at least
 - one functioning smoke alarm in the room which is frequently used by the occupants for general daytime living purposes (normally the living room/lounge)
 - one functioning smoke alarm in every circulation space on each storey, such as hallways and landings, or in the main room if no landing in upper storey

- one heat alarm in every kitchen iv. all alarms will be ceiling mounted and hard wired (where feasible)
 - all alarms will be interlinked
 - There is also a requirement for carbon monoxide detectors to be fitted where there is a carbon fuelled appliance (such as boilers) or a flue
- Ensuring that all works in relation to fire safety meet current regulations and legislation and are carried out by reputable and qualified persons
 - Regularly inspect our properties and their immediate environment to ensure they are free from risks which could increase the risk of fire and subject to regular inspection and renewal
 - Identifying, assessing, and managing any potential sources of risk
 - Communicate fire safety tips and information to the public via our website, social media, and written communication
 - Ensuring equipment and devices provided for fire safety are subject to a suitable system of maintenance and are in good repair

4.2 Individual roles and responsibilities:

The Board of Management in approving this policy acknowledges that it accepts full responsibility for its implementation. Day-to-day responsibility for the operation of this policy is delegated to the Chief Executive with assistance from the operational staff and agents has a responsibility for implementation and control of fire safety measures within MHA properties.

The Chief Executive must:

- Monitor the implementation and effectiveness of the Fire Safety Policy through procuring regular internal audit or other appropriate consultancy reports on behalf of the Board of Management.
- Ensure that an awareness of fire safety is promoted throughout the organisation.
- Ensure that MHA employees have the tools and resources necessary to encourage and develop safe working practices and attitudes towards fire safety and to deliver appropriate training when a need is identified.
- Ensure that all staff who have a role in ensuring the Fire Safety Policy is implemented are aware of their responsibilities and the requirements set out in the policy.

The Chief Executive and Governance and Compliance Manager must:

- Ensure that the requirements of the policy are communicated to all staff and reinforced on a regular basis.
- Ensure that all staff and Board of Management receive adequate fire safety awareness training and are encouraged to develop and promote safe working practices and attitudes towards fire safety.
- Liaise with local authorities and the Scottish Fire and Rescue Service on matters relating to fire safety including taking any actions resulting from their advice.
- Manage the maintenance, repairs and periodic testing of fire equipment and systems providing for fire safety (such as fire extinguishers, smoke detectors, and alarm systems etc).
- Manage the response and completion of fire risk assessment and any relevant actions require in relation to fire safety with the office premises.
- Monitor and report to the Board of Management with any recommendation regarding fire safety
- Ensure staff receive fire safety awareness training on an annual basis.
- Ensure that regular estate management inspections are carried out and where potential fire risk are identified appropriate actions are taken to mitigate these risks.
- Ensure that as part of our lettings standard smoke and heat detectors are inspected are part of the electrical check.
- Where flatted dwellings are fitting with fire alarms systems these will maintained by the Association and serviced annually unless more frequently recommended by the Board Management.
- Where flatted dwellings have a dry riser system these will be maintained by the Association and serviced annually unless more frequently as recommended by the manufacturer.

The Chief Executive, assisted by Asset Management Officer and Governance and Compliance Manager, must:

- Ensure compliance with legislation regarding smoke and heat detection systems.
- Ensure all persons or contractors carrying out Fire Safety Audits are trained and competent to do so and are members of a recognised body such as the Institution of Fire Engineers (IFE) and are included within the IFE Register of Fire Risk Assessors and Auditors.
- Ensure that Fire Audits are reviewed at least every 3 years.

- Ensure that the requirements of the policy are communicated to all relevant staff and tenants and reinforce such communication on a regular basis via MHA 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.
- Ensure systems and contracts are in place are in place for up-to-date advice to be received on current and proposed fire safety legislation, related regulatory and good practice requirements.

4.3 Actions to be taken in the event of a major incident

- The response to an investigation into a fire is led by the relevant division of the Scottish Fire and Rescue Service and, subject to the nature and scale of the incident, in partnership with Police Scotland. Similarly, subject to the nature and scale of the incident, they will in turn should notify the local authority Emergency Planning team in line with agreed local protocols.
- In the event of any major fire incident i.e., causing significant damage to property or any personal injury, the Chief Executive must be notified who will in turn notify the Chair of the Board of Management.
- The Chief Executive and Governance and Compliance Manager should also immediately be notified and will implement Business Continuity arrangements as required and notify the Scottish Housing Regulator in accordance with guidance on notifiable events.
- No staff member other than the Chief Executive will make contact with the press or undertake any interviews in relation to the incident.
- If it is suspected or confirmed that an employee or Board member is responsible for or has been injured in the fire MHA will report the incident under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).
- The Health & Safety Executive may be involved in the investigation, with the aim of pursuing compliance with the health and safety legislation.

5.0 MONITORING AND REPORTING

5.1 The risks and implications of neglecting fire safety responsibilities can have fatal consequences. The following areas will therefore be subject to close monitoring:

- Risk management
- Compliance with policy requirements and procedures

These will be monitored by the Chief Executive. If any significant issues of concern arise or any matter which demonstrates a serious failure of internal controls, the Chief Executive will report such matters to the Board of Management.

- 5.4 The Fire Safety Policy will be subject to review through our Internal Audit Process in which we aim to achieve Strong Assurance.

6.0 Equality and Diversity

- 6.1 Equality and diversity reflect the core values of MHA and we strive to ensure that they are embedded throughout all of our services, policies and decision making.
- 6.2 If you require further information, please refer to our Equality, Diversity, and Inclusion Policy

7.0 COMPLAINTS

- 7.1 Complaints and positive feedback are sources of information which help us to improve our services. We use a complaints handling procedure (CHP) developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.
- 7.2 The CHP allows for most complaints to be resolved by front line staff within a five-day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20-day limit (second stage). At the end of the second stage our response will be made by the Chief Executive. If the tenant remains dissatisfied, he/ she may then refer the matter to the SPSO.

8.0 POLICY AVAILABILITY

- 8.1 This policy will be made available to all staff members within the "Policies" folder and to tenants by being published on the website and promoted on social media.

9.0 POLICY REVIEW

- 9.1 MHA undertakes to review this policy regularly, at least every three years, or sooner if required by statutory or regulatory requirements.

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Appendix 1

HMO Fire safety requirements

Every HMO must have adequate fire precautions, including provision for:

- detection and giving warning in case of fire;
- escape from the building; and
- fighting fire equipment

A risk assessment should be carried out to establish both the risk of fire occurring and the risk to people in the event of fire. This would apply to everyone who may be in the HMO (residents, staff and visitors) and should take adequate account of any people with special needs.

Such a risk assessment will show whether the existing fire precautions are adequate, and what changes need to be made if not. The risk assessment will be reviewed by officers of the licensing authority or fire authority when inspecting the premises.

Guidance on risk assessment and other fire safety matters is contained in “Fire Safety – an employer’s guide” (ISBN 0113412290). Guidance on risk assessment specifically for HMOs is currently under review.

The main points usually required are:

- mains-powered smoke alarms on a linked circuit, so that if one detects a fire, all of them sound the alarm. The number and position of smoke alarms will be determined by the size and layout of the accommodation;
- the escape route from every living room and bedroom should be enclosed by walls with 30 minutes fire resistance;
- all fire doors should be self-closing and have 30 minutes fire resistance;
- water-type extinguishers should be provided on each floor, and a fire blanket in the kitchen. There may be additional requirements for escape routes depending on the height of the HMO from the ground, or the number of storeys, and the distance to be travelled within the HMO to the main exit.

Fire safety equipment must be regularly maintained according to the manufacturer’s recommendations.

Additional Fire Safety Guidance for City of Edinburgh Council Licensed HMO Premises

<https://www.edinburgh.gov.uk/downloads/file/23472/hmo-fire-safety-guidance>