

Policy:

Housing Fire Safety Policy

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Control Schedule

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Approved By:	Cabinet		
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Policy Statement

1. As a landlord, Ashford Borough Council (ABC) is responsible for carrying out fire risk assessments, and taking action to identify, manage and mitigate risks associated with fire within the common areas of buildings we own and manage.
2. We have a duty to take general fire precaution measures to ensure, as far as is reasonably practicable, the safety of the people on our premises and in the immediate vicinity.
3. This policy sets out how we will meet our statutory and regulatory fire safety obligations under the Regulatory Reform (Fire Safety) Order 2005, Fire Safety Act 2021, Fire Safety (England) Regulations 2022 and other relevant legislation. It provides the framework our staff and partners will operate within to meet these obligations.
4. Our fire safety process includes management of the fire protection and safety systems and equipment, plus a proactive regime of assessment of our properties, known as Fire Risk Assessment (FRA).

Scope of the policy

1. This policy applies to housing assets that are owned and managed by Ashford Borough Council, including socially rented housing, properties used as temporary or move-on accommodation and gypsy and traveller sites. These include domestic homes (houses and flats), communal areas of any blocks of flats, Independent Living Schemes and supported housing schemes and associated offices/communal spaces.
2. This policy does not cover temporary accommodation that is used by Ashford Borough Council but owned and managed by others. Fire Safety obligations in those building rest with the organisations that own and manage those buildings. It does not cover other buildings owned and managed by ABC, which are covered by our corporate Fire Safety Policy.
3. However, where another organisation is responsible for fire safety, Ashford Borough Council will undertake appropriate due diligence to ensure compliance with relevant legislation, regulations and standards. This will include obtaining and reviewing valid Fire Risk Assessments and associated certification, confirming that inspections have been carried out by competent persons, and ensuring that any identified remedial works have been completed within required timescales.
4. This policy is relevant to all our employees, residents, contractors, stakeholders, and other persons who may work on, occupy, visit, or use our premises, or who may be affected by our activities or services.
5. The policy should be used by all to ensure they understand the obligations placed upon the Council to maintain a safe environment for residents and employees,

within the home of each resident, and within all communal areas of buildings and other properties we own and/or manage. Adherence to this policy is mandatory and it is supported by robust procedures.

Relationship with other existing policies

6. This policy should be read alongside our corporate Fire Safety Policy and Procedures and the Housing Fire Safety Procedure.
7. The policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our corporate Health and Safety Policy).

Legal Framework

8. This policy ensures we fulfil our statutory and regulatory obligations under the following principal legislation and regulations:
 - Regulatory Reform (Fire Safety) Order 2005 (FSO).
 - Fire Safety Act 2021
 - Fire Safety (England) Regulations 2022
 - Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022
 - Building Safety Act 2022
 - Fire Safety (Residential Evacuation Plans) (England) Regulations 2025
 - Safety and Quality Consumer Standard 2024
9. The policy also operates within the context of the additional legislation and guidance set out in appendix 1. Where appropriate, guidance will be interpreted in conjunction with the Fire Safety Act 2021 and the Fire Safety (England) Regulations 2022, which clarify the scope of the Regulatory Reform (Fire Safety) Order 2005 and impose additional duties on the responsible person.

Key Roles and Responsibilities

10. The Chief Executive has overall responsibility for fire safety management within Ashford Borough Council.
11. Responsibility for regular review, updating of this policy and that adequate resources are provided to enable compliance lies with the Corporate Director chairing the fire safety group.
12. The Assistant Director of Housing has overall strategic responsibility for fire safety in relation to our housing assets.
13. The Head of Housing Assets is the operational lead for housing assets fire safety and compliance.

14. The Compliance Manager is responsible for the operational delivery of this policy.
15. The Fire Safety Manager is the appointed competent person for fire safety in relation to our housing assets.

Obligations

16. Ashford Borough Council is the 'Responsible Person' for the purposes of the key fire safety legislation because we own and manage homes and buildings where tenants and leaseholders live.
17. As the responsible person, the Council must:
 - Carry out a FRA for the purpose of identifying the general fire precautions and other measures needed to comply with the FSO. Although under the FSO this requirement only applies to common parts of premises, in practice the Responsible Person will need to consider the entire premises, including residential homes.
 - Implement all necessary general fire precautions and any other necessary measures identified by an FRA to remove or reduce any risks.
 - Implement a suitable system of maintenance and appoint competent persons to carry out any procedures that have been adopted.
 - Periodically review FRAs in a timescale appropriate to the premises and/or occupation fire risk level. This timescale is determined by the fire risk assessor carrying out the FRA.
 - Provide tenants with fire safety instructions and information on fire doors.
 - Undertake quarterly checks of communal fire doors and doors to plant rooms, service cupboards, risers, stairways, lobbies and doors in corridors on all buildings that are at least 5 storeys or 11 metres in height.
 - Undertake annual checks of flat entrance doors in buildings that are at least 5 storeys or 11 metres in height.
 - Identify and support relevant residents who would have difficulties evacuating a building by themselves in the event of a fire.

Statement of Intent

18. We acknowledge and accept our responsibilities under the FSO (as amended by the Fire Safety Act 2021) as outlined in Section 5.
19. Whilst we do not have any occupied higher risk buildings that fall within scope of the Building Safety Act 2022, we will apply the principles that are set out in the responsible person's duties to our highest risk buildings, which are our Independent Living Schemes and our buildings which are 11 metres or higher.
20. Each property requiring an FRA will have one in place, and the FRA will be carried out by a competent fire risk assessor. The FRAs will also be compliant with the British Standards Institution's BS 9792:2025 specifications for residential buildings.

21. All FRAs will be reviewed no later than the review date set within the most recent FRA and in the event of:
- A fire, fire safety incident or near miss;
 - Change in building use;
 - Change in working practices that may affect fire safety;
 - Following refurbishment works;
 - Change in applicable legislation;
 - If required following an independent fire safety audit or
 - Following another significant change or any other reason to suspect the original assessment is no longer valid
22. Fire evacuation strategies will be determined on a building-by-building basis, in accordance with the recommendations of the competent fire risk assessor and with any guidance from Kent Fire and Rescue Service. Where we have buildings that are on a full evacuation strategy, we will implement plans to address the underlying risk factors which require the full evacuation and will aim to move to an alternative evacuation strategy as soon as possible.
23. To comply with the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, we will install, test and replace (as required) battery operated and/or hard-wired smoke alarms and carbon monoxide alarms as part of the annual gas safety check visit (or at void stage).
24. We will identify relevant residents who may have difficulty evacuating a building without assistance in the event of a fire and, where required under the Fire Safety (Residential Evacuation Plans) (England) Regulations 2025, offer a person-centred fire risk assessment to consider their individual risks and evacuation needs. We will record a Personal Emergency Evacuation Plan setting out what they should do in the event of a fire and any reasonable and proportionate measures needed to support their safe evacuation.
25. When letting properties, we will consider the suitability of the home for the prospective resident in respect of fire safety.
26. We are committed to working with Kent Fire and Rescue Service to create safer places to live and work. We will advise all new tenants of the opportunity to request a free home fire safety check, provided by Kent Fire and Rescue Service.
27. We will operate a robust process to manage immediately dangerous situations identified during fire safety programmes.
28. We will maintain a sterile environment approach in all internal common areas, requiring tenants to remove combustible materials from corridors, balconies and fire escape routes. Where we have buildings with regular management presence i.e. sheltered accommodation, this requirement through management agreement may be varied for low-risk items such as pictures, noticeboards and suitable doormats.

29. We will establish and maintain a risk assessment for fire safety management and operations, setting out our key fire safety risks and appropriate mitigations.
30. We will comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) for all maintenance works.
31. We will operate robust processes to record and action any fire safety related near misses. A near miss is an unplanned event which does not result in an injury but had the potential to do so.
32. We will ensure there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to fire safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.
33. We will operate robust processes to gain access should any resident or leaseholder refuse access to carry out essential fire safety inspection and remediation works

Inspection Programmes

FRA's

34. We will ensure all our communal blocks and other properties with common areas, that we own and manage (within the scope set out in 2.1), have an FRA in place where we have the legal obligation to do so.
35. All buildings will have at the minimum, a Type 1 FRA (non-destructive assessment of common parts). However, we will undertake a more comprehensive FRA that covers dwellings as well as common parts and/or destructive sampling if there has been works that may have compromised compartmentation. A more comprehensive FRA will be commissioned if recommended by the Fire Risk Assessor or the Fire Service or if there is any other reason to conclude that one is required to maintain assurance.
36. Thereafter, we will maintain a programme of FRA reviews, in a timescale appropriate to the premises and/or occupation fire risk level. The timescale for each individual FRA will be determined by the fire risk assessor carrying out the FRA. FRAs for our higher risk buildings will be reviewed annually.
37. We will ensure that a pre-occupation FRA is carried out on all new build schemes that we own and manage or that we acquire where we have an obligation to do so. This will be followed by a post occupation FRA, a maximum of three months after the first resident moves in.

Fire Door Checks

38. We do not currently have any buildings over 18 metres in height. However our duties under regulation 10 of the Fire Safety (England) Regulations 2022 will be

met on all buildings that are at least 5 storeys or 11 metres in height. This will be achieved by undertaking a quarterly check of all communal fire doors, and an annual check of flat entrance doors. We will also complete quarterly door inspections and annual flat door inspection on all Independent Living Schemes.

Servicing

39. We will carry out a programme of servicing, maintenance and testing, in accordance with all relevant British Standards and manufacturer's recommendations, to all fire detection, prevention and firefighting systems and equipment within buildings we own and manage.

Regular inspections

40. We carry out a programme of inspections to all buildings with a fire risk assessment in place, to audit that all required management actions are taking place. The frequency of the inspections is determined by the overall risk associated with the building.

Follow-up work

41. We will ensure robust processes are in place to implement all general fire precaution measures identified by FRAs, in accordance with the following priorities and timescales:

- Intolerable risk – within 24 hours.
- High risk – within one month.
- Medium risk – within six months.
- Low risk – within 12 months.

42. We will ensure there is a robust process in place to manage follow-up works arising from fire door audits, and servicing and maintenance checks to fire systems and equipment.

Competent Persons

43. The Housing Fire Safety Manager will hold the CIOB L6 Certificate in Fire Safety for Construction or equivalent and membership of a professional body such as the Institute of Fire Safety Managers or Institute of Fire Engineers.

44. Only suitably competent contractors, fire risk assessors and fire engineers will undertake FRAs or works to fire safety equipment, systems, and installations. These must be certified by certified BAFE (SP205), the Institute of Fire Safety Managers (IFSM), or an equivalent UKAS-accredited body.

45. Fire risk assessors must meet the competency criteria outlined by the Fire Risk Assessment Competency Council and demonstrate ongoing professional development in accordance with BS 9792:2025.

46. Only suitably competent fire safety consultants and contractors will provide third party technical quality assurance checks.

Non-Compliance/Escalation

47. Our definition of non-compliance is: any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety.
48. Any non-compliance issue identified at an operational level will be formally reported to the Head of Housing Assets in the first instance, who will agree an appropriate course of corrective action with the Assistant Director of Housing. Issues should be reported within 24 hours of the issue being known.
49. In cases of serious non-compliance, the Chief Executive will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework, or any other relevant organisation such as the Health and Safety Executive. In such instances, the issue will also be reported to the appropriate Member Committee.

Data and Records

50. We will maintain a core asset register of all properties we own or manage setting out which properties require an FRA.
51. We will also set out which properties require fire safety servicing and maintenance regimes (for example, fire alarms, emergency lighting and smoke/heat detection).
52. We will operate a robust process to manage all changes to our assets, including property acquisitions and disposals, to ensure that properties are not omitted from fire safety programmes and the programme remains up to date.
53. We will hold fire safety inspection dates, FRAs, FRA actions, and fire safety servicing records against all properties on each programme on one central system.
54. We will keep all records and data for the duration that we own and manage the property/in line with our document retention policy and will have robust processes and controls in place to maintain appropriate levels of security for all fire safety related data.

Performance Reporting

55. We will report robust key performance indicator (KPI) measures for fire safety and compliance. These will be collected monthly and quarterly and reported internally and externally and as required by the Regulator of Social Housing.

Quality Assurance

- 56. We will ensure there is a programme of quality assurance audits of FRAs (field and desktop).
- 57. We will carry out a programme of regular property inspections to all properties with an FRA to audit that all required management actions have been completed.

Resident Engagement

- 58. We consider good communication, feedback and consultation essential in the effective delivery of fire safety programmes; we will work in collaboration with our involved residents to use a variety of ways to communicate clearly and transparently with our residents to understand performance and involve them to help shape services around compliance. This will support tenants in their understanding of fire safety, advise them of how they can keep themselves and other tenants safe, and encourage them to report any fire safety concerns.
- 59. We will also ensure we meet our requirements under Section 156 of the Building Safety Act 2022 and share with residents any assessment that is carried out on the property that impacts residents' safety. This will be accompanied by timescales for completing the actions from the assessment.

Vulnerabilities

- 60. We will ensure that we take resident vulnerabilities into account when carrying out fire safety checks, fire safety related works and when communicating with residents about fire safety issues and our performance.
- 61. We will ensure that we work with vulnerable residents to develop Residential Personal Emergency Evacuation Plans.

Equalities Impact Assessment

- 62. We are committed to welcoming and valuing diversity, promoting equality of opportunity and tackling unlawful discrimination in accordance with the Equality Act 2010. We, in delivering this policy, will have regard to the Public Sector Equality Duty and ensure that no individual is discriminated against based on their sex, sexual orientation, marital status, pregnancy and maternity, gender reassignment, race, religion, belief, disability or age.
- 63. The Public Sector Equality Duty is a duty on us and that responsibility cannot be delegated to a contractor/service provider and is a continuing duty.
- 64. An Equality Impact Assessment has been undertaken to assess the impact this policy will have on affected persons with protected characteristics. The review concluded that there were no known adverse impacts on any persons with protected characteristics.

Review of Policy

65. This policy will be updated every three years or sooner in the event of any major legislative or operational changes.

Appendix 1

Additional Legislation and Guidance

Legislation

This policy operates within the context of the following legislation:

- Health and Safety at Work etc. Act 1974
- Furniture and Furnishings (Fire) (Safety) Regulations 1988
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Gas Safety (Installation and Use) Regulations 1998
- Management of Health and Safety at Work Regulations 1999
- Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR)
- The Defective Premises Act 1972
- Housing Act 2004
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Building Regulations 2010: Approved Document B Fire Safety
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
- Construction (Design and Management) Regulations 2015
- Electrical Equipment (Safety) Regulations 2016
- Data Protection Act 2018
- Fire Safety Order 2005, Article 22 - Co-operation and Co-ordination Between Responsible Persons

Guidance

The principal guidance documents applicable to this Guide are:

- *Housing - Fire Safety: Guidance on fire safety provisions for certain types of existing housing* (Local Authorities Coordinators of Regulatory Services), August 2008.
- *Fire safety in purpose-built blocks of flats* (Local Government Association), 2011.
- *Fire Safety in Specialised Housing* (National Fire Chiefs Council), May 2017. This guidance covers sheltered schemes, supported schemes and extra care schemes.
- *Housing Health and Safety Rating System Operating Guidance*: Housing Act 2004 Guidance about inspections and assessment of hazards given under

Section 9 (Ministry of Housing, Communities & Local Government), February 2006.

- *Housing Health and Safety Rating System Operating Guidance: Addendum for the profile for the hazard of fire and in relation to cladding systems on high rise residential buildings* (Ministry of Housing, Communities & Local Government), November 2018.
- *Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings* (Ministry of Housing, Communities & Local Government), January 2020.
- *Simultaneous Evacuation Guidance: Guidance to support a temporary change to a simultaneous evacuation strategy in purpose-built blocks of flats* (National Fire Chiefs Council), October 2020.