

FIRE SAFETY POLICY

DOCUMENT CONTROL		
Policy name:	Fire Safety Policy	
Version:	Draft V0.2	
Author:	Barrington Billings Director of Operations	
Approved by:	27 March 2025	Board
Effective date:	April 2025	
Date of next review:	March 2028	
Customer facing:	Yes	

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1. Introduction and aims

- 1.1 As a landlord, Tuntum Housing Association (Tuntum) 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.
- 1.2 The key objective of this policy is to ensure that our Board, Senior Management Team, employees, partners, and residents are clear on our legal and regulatory fire safety obligations. This policy provides the framework our staff and partners will operate within to meet these obligations.
- 1.3 This policy forms part of our wider organisational commitment to driving a health and safety culture amongst staff and contractors (as detailed within our Health and Safety Policy). It will be saved on our shared drive and distributed to all relevant members of staff.

2. Scope

- 2.1 This policy applies to the following property types:
 - Communal blocks.
 - Independent living schemes.
 - Specialist housing
 - Commercial buildings.
- 2.2 Some aspects of this policy also apply to individual domestic properties (houses, flats bungalows, and so on). Applicable items will be clearly referenced.
- 2.3 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. Adherence to this policy is mandatory.

3. Roles and responsibilities

- 3.1 Tuntum is the Responsible Person as defined by the legislation (see Section 4) because we own and manage homes and buildings where residents and leaseholders live.
- 3.2 The Board has overall governance responsibility for ensuring this policy is fully implemented to ensure full compliance with legislation and regulatory standards. As such, the Board will formally approve this policy and review it every three years (or sooner if there is a change in legislation or regulation).
- 3.3 The Customer Experience Committee will ensure that the Board receives the necessary assurance to fulfil its responsibilities.
- 3.4 The Senior Management Team (SMT) will receive monthly performance reports in respect of fire safety and ensure compliance is being achieved. They will also be notified of any non-compliance issue identified.
- 3.5 The Director of Operations has strategic responsibility for the management of fire safety, and ensuring compliance is achieved and maintained. They will oversee the implementation of this policy with support from the Head of Asset Management & Compliance.
- 3.6 The Compliance & Safety Manager has operational responsibility for the management of fire safety and will be responsible for overseeing the delivery of these programmes.
- 3.7 Supported Housing Managing Agents will provide support where gaining access to properties is difficult.

3.8 Under the requirements of the Social Housing (Regulation) Act 2023 we have appointed the Head of Asset Management and Compliance as our Health and Safety Lead.

4. Legislation, guidance and regulatory standards

4.1 **Legislation** - The principal legislation applicable to this policy is:

- **Regulatory Reform (Fire Safety) Order 2005 (FSO).**
- **Fire Safety Act 2021** - came into force on 16 May 2022 and amends the FSO.
- **Fire Safety (England) Regulations 2022** - came into force on 23 January 2023.
- **Building Safety Act 2022 (Section 156)** – came into force on 1 October 2023 and amends the FSO.
- This policy also operates within the context of additional legislation, industry guidance and government policy direction (see Appendix 1).

4.2 **Regulatory standards** – We must ensure we comply with the Regulator of Social Housing's regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard is the primary one applicable to this policy.

4.3 The Social Housing (Regulation) Act 2023 changes the way social housing is regulated and may result in future changes to this policy.

4.4 **Sanctions** – Failure to discharge our responsibilities and obligations properly could lead to sanctions, including prosecution by the Health and Safety Executive (the HSE) under the Health and Safety at Work Act 1974; prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007; prosecution by the Fire and Rescue Service under the FSO; and via a regulatory judgement from the Regulator of Social Housing.

5. Obligations

5.1 **Regulatory Reform (Fire Safety) Order 2005 (the FSO)**

As the Responsible Person under the FSO (Tuntum) must:

- Carry out a fire risk assessment (FRA) in all workplaces, commercial buildings and non-domestic parts of multi-occupied residential buildings.
- The FRA should identify 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 units of residential accommodation.
- Consider who may be especially at risk.
- 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.

5.2 **Fire Safety Act 2021**

The Act amends the FSO by clarifying that in buildings with two or more sets of domestic premises, the FSO applies to:

- The structure and external walls of the building, including cladding, balconies and windows.
- All doors between the domestic premises and the common parts, for example, entrance doors to individual flats which open on to common parts.

Tuntum must ensure that FRAs comply with the criteria outlined above by appointing a competent person to review them (if the FRAs do not already comply). See Section 11 for competency requirements.

5.3 Fire Safety (England) Regulations 2022

Tuntum is required to carry out the following under these regulations:

- **All** buildings with two or more sets of domestic premises: provide residents with fire safety instructions and information on fire doors.
- Buildings **over 11 metres in height**: undertake quarterly checks of communal fire doors and annual checks of flat entrance doors. We have two buildings that meet this criteria.
- Buildings **over 18 metres in height**: provide the fire and rescue service with building plans and external wall information, install and maintain secure information boxes, install wayfinding signage and undertake firefighting equipment checks. We do not have any buildings that meet this criteria.

5.4 Building Safety Act 2022 – Section 156

Section 156 of the Building Safety Act amends the FSO and requires Responsible Persons to do the following:

- Record FRAs in full and record fire safety arrangements.
- Record the name of the individual and/or organisation undertaking the FRA and share with residents.
- Identify other Responsible Persons/Accountable Persons and cooperate with them.
- Share relevant fire safety information with other Responsible Persons and residents.
- Provide residents with easy to understand, relevant fire safety information.

There will be an additional requirement to appoint a competent person to undertake and review FRAs which will come into force at a later date, which may result in future changes to this policy.

6. Statement of intent

- 6.1 We acknowledge and accept our responsibilities under all the legislation set out in Section 4 and Section 5. We will endeavour to meet all the requirements of this legislation and set out how we will do this in our supporting procedures and process maps.
- 6.2 All our FRAs have been reviewed by a competent person to ensure they meet the requirements set out in the Fire Safety Act 2021.
- 6.3 Each property requiring an FRA will have one in place which has been carried out by a competent fire risk assessor, and which is compliant with the British Standards Institution's PAS 79-1:2020 and PAS 79-2:2020 specifications for non-residential and residential buildings respectively.

- 6.4 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.
- 6.5 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 the Fire and Rescue Services we interact with (Nottingham, Derbyshire, Leicestershire and Staffordshire).
- 6.6 To comply with the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, which came into force on 1 October 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 heating safety checks visit, the annual active fire alarm testing programme, or at void stage.
- 6.7 If we are made aware that a customer has an issue with mobility or a cognitive impairment, a person-centred fire risk assessment (PCFRA) will be completed.
- 6.8 Personal Emergency Evacuation Plans (PEEPs) will be carried out by a competent person, reviewed annually, and made available to the Fire and Rescue Service in the event of an evacuation, as follows:
- For any disabled resident and/or employee within any building where we provide care services and are the employer (i.e., sheltered or supported housing schemes); and
 - For any resident within a building where we have a responsibility for carrying out an FRA, where we have been notified that they are storing oxygen in their home for medical use.
- 6.9 When letting properties, we will consider the suitability of the accommodation for the prospective resident in respect of fire safety.
- 6.10 We are committed to working with the Fire and Rescue Service to create safer places to live and work.
- 6.11 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 (as tested in the case Croydon Council v. Leaseholder 1st August 2014).
- 6.12 We will operate robust processes to gain access to properties where resident vulnerability issues are known or identified (including hoarding), whilst ensuring we safeguard the wellbeing of the resident.
- 6.13 Where appropriate, we will seek to recover costs associated with gaining access from the resident, including legal and court fees.
- 6.14 We will operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts/service level agreements are in place, conducting client-led performance meetings, and ensuring that contractors' employee and public liability insurances are up to date on an annual basis.
- 6.15 We will operate a robust process to manage immediately dangerous situations identified during fire safety programmes.

- 6.16 We will adopt a managed approach in all internal common areas, requiring residents to remove combustible materials from corridors and fire escape routes.
- 6.17 We will only permit the storage of mobility scooters within designated internal common areas (such as scooter storage rooms).
- 6.18 We will establish and maintain a risk assessment for fire safety management and operations, setting out our key fire safety risks and appropriate mitigations.
- 6.19 To comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be in place for all repairs work to void and tenanted properties (at the start of the contract and reviewed annually thereafter), component replacement and refurbishment works.
- 6.20 To comply with the requirements of the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) 2002, we will consider the safety of our workplaces and plant/boiler rooms of our residential blocks.
- 6.21 We will operate robust processes to record and action any property fires and 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.

7. Programmes

- 7.1 **FRAs** - We will ensure our communal blocks, schemes and commercial premises have an FRA in place where we have the legal obligation to do so.
- 7.2 We will undertake a new FRA in a timescale appropriate to the premises and occupation risk level. This timescale will be determined by the fire risk assessor and will be between one and three years. All higher-risk buildings will receive a new FRA annually.
- 7.3 All FRAs will be Type 1 surveys which are reassessed annually.
- 7.4 We will ensure that a pre-occupation FRA is carried out on all new build schemes or new acquisitions where we have an obligation to do so, followed by a post-occupation FRA, a maximum of three months after the first tenant moves in.
- 7.5 **Properties managed by others** – Where any of our properties are managed by a third party we will carry out our legal and contractual obligations in relation to undertaking FRAs in line with the terms and conditions as set out in the lease or management agreement. Where the responsibility to undertake the FRAs remains with the third party under the terms of such arrangements and they fail to provide it, this will be addressed through our escalation procedure.
- 7.6 **Fire door checks** – To comply with the Fire Safety (England) Regulations, we will undertake quarterly checks of communal fire doors and annual checks of flat entrance doors to buildings over 11 meters in height.
- 7.7 For all other communal blocks and other properties with common areas, we will undertake a six-monthly check of all communal fire doors, and an annual check of 25 per cent sample of flat entrance doors. This sample will increase if issues are found on the initial sample.
- 7.8 **Servicing** - 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.
- 7.9 **Regular inspections** – We will carry out a programme of monthly estate inspections to all blocks and schemes.

8. Follow-up work

- 8.1 We will ensure robust processes are in place to implement all general fire precaution measures identified by FRAs, in accordance with the following risk priorities and timescales:
- Intolerable (24 hours).
 - Immediate (one week).
 - Short term (30 days).
 - Medium term (90 days).
 - Long term (within six months or delivered as part of a planned programme within 12 months).
- 8.2 All Intolerable risks will be identified during the risk assessment and the organisation will be informed immediately by the risk assessor so the appropriate actions can be taken. All other action times will begin from receipt of the validated fire risk assessment from the risk assessor to the organisation.
- 8.3 We will ensure there is a robust process in place to manage follow-up works arising from fire door checks, and servicing and maintenance checks to fire systems and equipment.

9. Data and records

- 9.1 We will maintain a core asset register of all properties we own or manage, setting out which properties require an FRA. We will also set out which properties require fire safety servicing and maintenance regimes (for example, fire alarms, emergency lighting and smoke/heat detection).
- 9.2 We will operate a robust process to manage all changes to stock, including property acquisitions and disposals, to ensure that properties are not omitted from fire safety programmes and the programme remains up to date.
- 9.3 We will hold fire safety inspection dates, FRAs, FRA actions, and fire safety servicing records against all properties on each programme. These will be held in the Pyramid system.
- 9.4 We will keep fire safety logbooks electronically (or securely on site where practical), for all properties on the FRA programme.
- 9.5 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.

10. Resident engagement

- 10.1 We consider good communication essential in the effective delivery of fire safety programmes, therefore we will establish a resident engagement strategy and communication programme. This will support residents in their understanding of fire safety, advise them of how they can keep themselves and other residents safe, and encourage them to report any fire safety concerns.
- 10.2 We also aim to successfully engage with vulnerable and hard to reach residents. We will share information clearly and transparently and will ensure that information is available to residents via regular publications and information on our website.
- 10.3 In line with the requirements of Section 156 of the Building Safety Act, we will provide residents with online access to a resident friendly version of the FRA for their property. A full version of the FRA will also be made available upon request.

11. Competent persons

- 11.1 The Compliance & Safety Manager will hold the NEBOSH National Certificate in Fire Safety and Risk Management (or equivalent), or Level 4 VRQ Diploma in Asset and Building Management. If they do not have this already, they will obtain it within 24 months of the approval of this policy.
- 11.2 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 BAFE and/or an IFSM member and be in line with the Fire Sector Federation's guidance on choosing a competent Fire Risk Assessor.
- 11.3 Only suitably competent fire safety consultants and contractors will provide third party technical quality assurance checks.
- 11.4 We will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis; we will evidence these checks and each contractor's certification appropriately.

12. Training

- 12.1 We will deliver training on this policy and the procedures that support it, including team briefings; basic fire safety awareness training; and on the job training for those delivering the programme of FRAs and other fire safety programmes, planned maintenance and repairs works as part of their daily job. All training undertaken by staff will be formally recorded.

13. Performance reporting

- 13.1 We will report key performance indicator (KPI) measures for fire safety that follow the requirements set out in the Tenant Satisfaction Measures (TSMs) which came into force on 1 April 2023 and must be reported to the RSH on an annual basis.
- 13.2 We will report the following fire safety performance:

Report recipient	Frequency
Regulator of Social Housing	Annual
Senior Management Team	Monthly
Board	Quarterly
Customer Experience Committee	Quarterly
Residents	Annual report

- 13.3 We will also report the following:

Data – the total number of:

- Properties split by category (communal blocks/schemes, commercial/ other).
- Properties on the FRA programme.
- Properties not on the FRA programme.
- Properties with a valid and in date FRA.
- Properties without a valid and in date FRA.
- Properties due a new FRA within the next 30 days.
- Completed, in-time and overdue follow-up works/actions (split by priority).

Narrative - an explanation of the:

- Current position.
- Corrective action required.
- Progress with completion of follow-up works.

In addition:

- Compliance with the fire safety equipment, systems and installations servicing and maintenance programme.
- The number of RIDDOR notifications to the HSE with regards to fire safety.
- Details of any enforcement notices from the Fire and Rescue Service or other enforcement bodies.
- Recording and reporting on property fires to identify trends and target awareness campaigns.

14. Quality assurance

- 14.1 We will ensure there is a programme of external quality assurance audits of FRAs on a sample basis (five per cent field and ten per cent desktop).
- 14.2 We will internally review 100 per cent of FRA surveys.
- 14.3 We will carry out annual property inspections to all properties with an FRA to audit that all required management actions have been completed.
- 14.4 We will carry out post-inspections of FRA actions related to building fabric work.
- 14.5 We will carry out an independent audit of fire safety at least once every two years, to specifically test for compliance with legal and regulatory obligations and to identify any non-compliance issues for correction.

15. Significant non-compliance and escalation

- 15.1 Our definition of significant 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, and which needs to be managed as an exception to routine processes and procedures.
- 15.2 All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident occurred, or of an Tuntum employee becoming aware of it.
- 15.3 Any non-compliance issue identified at an operational level will be formally reported to the Compliance & Safety Manager in the first instance, who will agree an appropriate course of corrective action with the Director of Operations and report details of the same to the SMT.
- 15.4 In cases of serious non-compliance, SMT and Board 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.
- 15.5 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.

16. Equality impact assessment

- 16.1 Tuntum Housing Association is committed to Equality, Diversity and Inclusion and will make reasonable adjustments to the policy to recognise, accommodate and support individual needs where needed. This Policy adheres to the Association's approach to Equality and Diversity. All staff members will take a proactive approach to ensure that no individual or group is discriminated against or treated differently as a direct or indirect result of this Policy.

17. References

External references
This policy also operates within the context of the following legislation:
The Defective Premises Act 1972
Health and Safety at Work Act 1974
The Occupiers' Liability Act 1984
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)
Housing Act 2004
Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
Management of Houses in Multiple Occupation (England) Regulations 2006
Building Regulations 2010: Approved Document B Fire Safety
Homes (Fitness for Human Habitation) Act 2018
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
Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022
Social Housing (Regulation) Act 2023

External References
The principal guidance documents applicable to this policy 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. This guidance should be viewed as no longer comprehensive; the Home Office is currently working on a revised version but in the interim, it is continued to be made available as it contains relevant and useful information for purpose-built blocks of flats.
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.

Guidance to support a temporary change to a simultaneous evacuation strategy in purpose-built blocks of flats (National Fire Chiefs Council), fourth edition, August 2022.

External References

The following documents set out clear direction for landlords in respect of fire safety, and whilst not statutory guidance or approved legislation, there are certain recommendations or proposals which are applicable to this policy:

Fire Sector Federation – Approved Code of Practice: A National Framework for Fire Risk Assessor Competency (November 2020).

Fire Sector Federation – A Guide to Choosing a Competent Fire Risk Assessor (Version 3, October 2020).

Grenfell Tower Inquiry Phase 1 Report. Volume 1 – 4 (October 2019).

Grenfell Tower Inquiry Phase 2 Report (September 2024).

Building a Safer Future - Independent Review of Building Regulations and Fire Safety: Final Report (May 2018).

17.1

Internal references

This policy also operates within the context of the following Tuntum Policies:

Key Strategy	Corporate Strategy
Other Strategies	Asset Management Strategy, VFM strategy
Policies	Complaints, Data Protection, Decant, Health & Safety, Recharge, Safeguarding, Empty Homes, Tenancy Fraud, Decent Homes,
Other documents	Tenancy Agreement, Code of Conduct for Employees, Board Members, and Involved Residents, Tuntum's Contractor Service Standard Agreement, Tuntum Financial Regulations, Environmental Sustainability Policy Statement

18. Glossary

18.1 This glossary defines key terms used throughout this policy:

- **BAFE:** Is the independent register of quality fire safety service providers, who are certified to ensure quality and competence to help meet fire safety obligations.
- **FRA:** A fire risk assessment is an assessment involving the systematic evaluation of the factors that determine the hazard from fire, the likelihood that there will be a fire and the consequences if one were to occur.
- **FRA survey:** The FSO states that an FRA is required, however, it does not prescribe how intrusive or destructive this should be. There are four types of FRA:
 - Type 1 – common parts only (non-destructive), basic level to satisfy the FSO.
 - Type 2 – common parts only (destructive), element of destruction on sample basis.
 - Type 3 – common parts and flats (non-destructive), considers means of escape and fire detection within at least a sample of flats.
 - Type 4 – common parts and flats (destructive).

- **IFSM:** The Institute of Fire Safety Managers.
- **PAS79:** A publicly available specification published by the British Standards Institution which focuses on making sure that all the required information that pertains to both an FRA and its findings are recorded.
- **PEEP:** A personal emergency evacuation plan is a bespoke escape plan for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in the event of any emergency.
- **UKAS:** The National Accreditation Body for the United Kingdom, appointed by government to assess and accredit organisations that provide services including certification, testing, inspection and calibration.

19. Contacts

19.1 If you have any queries on this policy, please contact:

The Director of Operations - Tuntum Housing Association.

Internal control not for publication

Policy changes	
Policy version	Proposed changes
V0.2	Full re-write of previous policy to reflect recent updates to the Fire Regulations including the Fire Safety Act 2021, Fire Safety (England) Regulation 2022 and the Building Safety Act 2022