



**Fire Safety Policy**

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## **1. Introduction**

- 1.1 The risks to our tenants, other residents of our homes, our contractors, our employees, visitors, and members of the public from any failure to manage fire safety are potentially significant.
- 1.2 Southside Housing Association will where reasonably practicable, aim to control the risk of the effects of fire within properties managed by the Association. As a landlord and employer, we have fire safety obligations to ensure tenants, visitors, employees and fire fighters are safe. The Association will ensure that fire safety measures, equipment and devices are maintained in an efficient state and are subject to a suitable system of maintenance.
- 1.3 This policy aims to ensure that the Association effectively administers compliance with its landlord obligations in relation to fire safety and fire risk assessments to buildings where this is a legal requirement as identified by the Association, or in buildings where it would be deemed good practice.

## **2. Scope of the Policy**

- 2.1 The policy will be implemented through all premises owned, occupied or managed by Southside Housing Association. The policy is relevant to all Association employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, or visit any premises.

## **3. Policy Aims and Objectives**

- 3.1 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 and all other relevant legislation.
- 3.2 To provide a robust fire safety framework which can be implemented to secure the safety and wellbeing of tenants, visitors, employees, contractors, and firefighters.
- 3.3 To minimise the risk of harm from fire in or around our homes and workplaces.
- 3.4 To ensure that all identified SHA properties are subject to regular Fire Risk Assessment (FRA) in accordance with the relevant fire legislation.
- 3.5 To ensure that all FRAs and associated Action Plans / procedures are subject to regular review and updated in line with legal requirements and best practice. All resultant actions should be reviewed, considered, and after completion should be recorded.
- 3.6 To provide staff, tenants, contractors, and visitors with relevant fire safety information to make them aware of the risks of fire and as far as reasonably practical keep them safe from danger.

- 3.7 To ensure that the appropriate fire protection measures installed in SHA buildings are maintained and tested and where necessary all staff receive required training.
- 3.8 To adequately manage any fire risk identified, to ensure the safety of occupants, and protect the property and environment.
- 3.9 To ensure sound fire safety principles are incorporated within planned and cyclical works programmes including the installation and maintenance of LD2 fire detection systems within all rented properties.
- 3.10 To procure appropriately qualified contractors to carry out fire risk assessments in line with legislative/ regulatory requirements and to ensure that any staff assigned to review general fire awareness inspections are adequately trained.
- 3.11 To maintain a detailed and up to date register of common areas of flatted domestic premises that require to have FRAs carried out and records of dates and outcomes of all fire risk assessments.
- 3.12 To collect and analyse detailed information on fire safety within our stock to inform our asset management strategy and assist in financial management and business planning.
- 3.13 To provide assurance to the Association's Management Committee that measures are in place to identify, manage and mitigate risks associated with fire.
- 3.14 To develop positive working relationships with the Scottish Fire Rescue Service and, including complying with any orders they issue and seeking advice as to the severity of any risks identified and means of managing these risks.
- 3.15 To respond appropriately to any new and evolving legislation and guidance in relation to fire safety and detection to ensure required standards are met.

#### **4.0 Definitions**

Active Fire Protection - a system or facility in the building that requires triggering or switching on (either automatically or manually) before becoming operational. It will include fire alarms, sprinkler systems, smoke vents etc.

Common Area – A common area is a portion of a property that is shared and used by multiple residents. This would include areas like the lobby, stairway and hallway.

Compartmentation – subdivision of a building by fire-resisting walls and/or floors for the purpose of limiting fire spread within the building.

Competent Person – person, suitably trained and qualified by knowledge and practical experience, and provided with the necessary instructions, to enable the required task(s) to be carried out correctly.

Dry Riser – used in buildings 18m to 59m tall to supply water for fire-fighting purposes via vertical pipes which are otherwise kept empty and dry.

Dwelling – a house, flat, or other place of residence.

Emergency Lighting – lighting provided for use when the supply to normal lighting fails.

Fire Door – door provided for the passage of people, air or objects which, together with its frame and furniture as installed in a building, is intended (when closed) to resist the passage of fire and/or gaseous products of combustion and is capable of meeting specified performance criteria to those ends.

Fire Risk Assessment (FRA) - a systematic and structured examination of the likelihood of a fire occurring and the likely impact it will have on customers and others who may be affected by the fire. The purpose is to evaluate the risks resulting from a fire, considering existing fire safety measures and determining where additional measures are necessary.

Heat Detector - device containing, within one housing, all the components, necessary for detecting any substantial increase in temperature and for giving an audible alarm.

Passive Fire Protection - structural fire protection, built as a fundamental, integral part of most buildings. It will include elements such as fire compartmentation, fire stopping and fire doors etc.

Smoke Alarm - device containing, within one housing, all the components, necessary for detecting smoke and for giving an audible alarm.

Sprinkler System – a system comprising thermosensitive devices designed to react at a pre-determined temperature to automatically release a stream of water and distribute it in a specified pattern and quantity over a designated area.

HMO – a house, premises or a group of premises with shared amenities, occupied by three or more persons from three or more families as their only or main residence.

## 5.0 Legal and Regulatory Framework

5.1 In approving and implementing the fire safety policy and associated procedures the Association aims to comply with relevant legislation and regulations. The list below outlines the main areas:

- **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 Civic Government (Scotland) Act 1982**  
Section 93 of this Act requires occupiers to keep common property free of combustible substances and anything which might obstruct egress from and access to the property in the event of fire.  
The SFRS has power to enter the common property to determine if the duty is being complied with, and if it is not and there is an immediate risk of fire likely to endanger life, to do anything necessary to remove that risk including seizing and retention of items. The SFRS can issue notices requiring occupiers to remove or render safe items or substances in common property. Any person who fails to comply with a notice from the SFRS is guilty of an offence.
- **Scottish Housing Quality Standard (SHQS)**  
The Association is committed to ensuring that fire safety standards and practices comply with the current outcomes set by the Scottish Social Housing Regulator:  
Registered Social Landlords must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes and comply with the Healthy, Safe and Secure elements of the Scottish Housing Quality Standard
- **The Health and Safety at Work Act 1974; General Duty on Employers**  
This primary legislation 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

5.2 In addition, the following legislation and regulations are applicable to this policy;

- BS 5839-6:2019+A1:2020 - Fire detection and fire alarm systems for buildings - Code of practice for the design, installation, commissioning and maintenance of fire detection and fire alarm systems in domestic premises.
- Building (Scotland) Regulations 2004
- Domestic Technical Handbook (as revised)
- Electrical Equipment (Safety) Regulations 1994
- Fire Safety (Scotland) Regulations 2006
- Furniture and Furnishings (Fire) (Safety) Regulations 1988
- Gas Safety (Installation and Use) Regulations 1998
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Scottish Government Practical Fire Safety Guidance for Existing High-Rise Domestic Buildings
- Housing (Scotland) Act 2006
- Construction (Design and Management) Regulations 2015
- BS 5266-1:2016 - Emergency lighting - Code of practice for the emergency lighting of premises.
- BS 5306-0:2020 - Fire protection installations and equipment on premises - Guide for selection, use and application of fixed firefighting systems and other types of fire equipment
- BS 9251:2021 - Fire sprinkler systems for domestic and residential occupancies. Code of practice
- BS 9990:2015 – Non automatic fire-fighting systems in buildings. Code of practice
- BS 9999:2017 - Fire safety in the design, management and use of buildings. Code of practice.
- Reporting of Incidents and Dangerous Occurrences Regulations (RIDDOR) 2013

## 6.0 Scottish Social Housing Charter

6.1 The Scottish Social Housing Charter came into effect in April 2012, and this sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The Charter replaces the Performance Standards and states in terms of maintenance landlords should:

*Manage their business so that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard by April 2015 and continue to meet it thereafter, and when allocated, are always clean, tidy and in a good state of repair.*

*Manage their businesses so that tenants' homes are well maintained, with*

*repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.*

*Manage all aspects of their business so that tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.*

- 6.2 Social landlords are responsible for meeting the standards and outcomes set out in the Charter. The Scottish Housing Regulator is responsible for monitoring, assessing and reporting on how well social landlords, individually and collectively, achieve the outcomes.
- 6.3 We will, through operation of this policy and supporting procedures, demonstrate compliance with the Scottish Social Housing Charter.
- 6.4 The Scottish Housing Regulator's approach to monitoring landlords' achievement of the outcomes and standards in the Charter will be based on the landlord's performance information and their own assessment of their performance. For each year ending on 31 March, landlords will be expected to:
- Measure and assess their performance in progressing towards or achieving the Charter outcomes and standards.
  - Provide the Regulator with key performance information on their achievement of the outcomes and standards.
  - Report their performance to their tenants and other service users who use their services.
- 6.5 The Association will review each element of the Charter with its tenants and agree locally based standards designed to demonstrate the achievement of outcomes.
- 6.6 The SHR's – *Regulation of Social Housing in Scotland: Our Framework* (the Regulatory Framework) sets out a range of Regulatory Requirements and Standards which registered social landlords in Scotland must meet and comply with:

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

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

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

- 6.7 Regulatory Requirements which are relevant to this Policy are:

- **Regulatory Requirement AN3** - Each landlord must have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights, and



tenant and resident safety, and;

- **Regulatory Requirement AN4:** Notify us (SHR) of any tenant and resident safety matters which have been reported to or are being investigated by the Health and Safety Executive, or reports from regulatory or statutory authorities, or insurance providers, relating to safety concerns.

## 7.0 Our Approach

7.1 Southside Housing Association will aim to minimise and control the risk of the effects of fire in their properties. To manage these risks, the following will be implemented:

- Identify and assess sources of risk through Formal Risk Assessment and Inspection Regimes to establish any items of risk or non-compliance with an aim to eliminate or reduce the risk to an acceptable level.
- Retain records of maintenance, inspection and testing for a minimum of 5 years.

## 8.0 Roles and Responsibilities

8.1 The following is the list of officers and roles included within the management of fire safety for the Association:

- Duty Holder – CEO.
- Responsible Person – Director of Property Services
- Deputy Responsible Persons – Maintenance & Void Manager  
Service Contracts Officer  
Asset Management Officer
- Competent Persons – Property Services Officers.

8.2 Delegated authority is granted by the Management Committee through the SHA Scheme of Delegated Authority to the Chief Executive and SHA staff to operationally interpret and implement the Fire Safety Policy and associated procedures.

8.3 The Director of Property Services is responsible for the implementation and monitoring of the operational effectiveness of the Policy, operational management plan and procedures and ensuring all appointed organisations and individuals have the appropriate levels of skills, knowledge, education and training.

## 9.0 Fire Risk Assessments

9.1 The Association has a legal duty to risk assess all areas defined as ‘workplaces’, which will include plant rooms and other non-tenant-accessible areas. In addition, the fire regulations require common areas to be maintained in a certain condition suitable for the fire authority, which can often only be ensured by carrying out a risk assessment. The tragic incidents at Lakanal and Grenfell have brought into sharp focus the importance of risk assessing high rise

buildings and, indeed, all housing 'blocks. Therefore, the Association has developed a Fire Risk Assessment Strategy and arrange for the undertaking of fire risk assessments (and regular reviews) by competent consultants in accordance with the Strategy.

9.2 We will implement a regime of fire risk assessment using external contractors and internal fire safety inspections for every block, specific to its build type. We will only use competent specialist contractors and ensure our workforce are trained and confident to undertake these inspections. Fire Risk Assessments will be carried out in all common areas and "workspaces" such as plant rooms and in Houses in Multiple Occupancy.

9.3 Our common areas and buildings are classified into two categories:

**Category 1** is for properties that are more complex or have communal systems and plant, will be referred to an external specialist with experience of assessing these types of properties for the Fire Risk Assessment. This will include all high-rise properties. This category will also be applied to our Head Office and any houses in multiple occupancy (HMO). Properties with equipment and devices for the use of or the protection of fire fighters will be included. In addition, any properties seen to represent an additional risk can be added to the Category 1 listing. These will include those where there has been a history of fires or there are tenancy issues identified that may increase the risk of an incident.

**Category 2** is for all other property types with common escape routes such as residential, deck access blocks and tenemental properties.

9.4 For Category 1 the Association will procure and appoint a competent and suitably experienced company to carry out Fire Risk Assessments, selecting a company that is third party certificated by a United Kingdom Accreditation Service (UKAS) or registered by a Professional Registration Scheme as recommended by the Scottish Government and the Scottish Fire and Rescue Service. The assessment review will be undertaken as a frequency recommended by the assessor

9.5 A Type 1 assessment will be undertaken to satisfy the Fire (Scotland) Act 2005 and covers the communal areas, and those areas deemed as a workplace, such as corridors, stairs, communal rooms, storerooms and plant rooms. If there is reason to expect serious deficiencies in structural fire protection, such as inadequate compartmentation, or poor fire stopping, one of the other types of fire risk assessment may be recommended or further invasive investigation will be carried out by specialists.

9.6 The Fire Risk Assessment will contain an action plan to address any issues and remove, reduce and protect from risk. The following areas will be addressed in the action plan.

- The risk to people in the building if a fire starts.
- Any hazards that might cause a fire.
- Any potential sources of ignition.

- Any sources of air or oxygen.
  - The need for fire detection and for warning.
  - The need for firefighting equipment.
  - Whether escape routes are adequate.
  - Whether lighting and emergency lighting are adequate.
  - That there are adequate signs and notices.
  - That there is regular testing and maintenance of safety equipment.
  - Whether any other equipment or facilities is needed.
- 9.7 Any issues identified as part of the assessment will be categorised and prioritised for action and will be addressed by the Association in line with the timescales set out in the assessment.
- 9.8 In addition to the formal risk assessment and annual follow up, all Category 1 properties will be included in the Category 2 inspection regime. This will allow for interim assessments of any new hazards (particularly those relating to tenant matters) to be addressed urgently. If any major changes are made to a building, whether or not they increase the potential risk of fire, an updated fire risk assessment will be carried out. Changes could be physical alterations or component upgrades or a change of use of the building.
- 9.9 High rise properties receive a quarterly inspection by Scottish Fire and Rescue which reviews facilities, equipment and devices provided for the use and protection of firefighters. Any defects or shortcomings identified in these reports will be actioned according to the severity of each. These defects and their rectification will be recorded against the Fire Risk Assessment for the property and will be checked at the annual review and made available at the time of the next formal Fire Risk Assessment.
- 9.10 For Category 2 the inspection regime will be administered by the Association's Housing and Property Services Officers. Where an inspection has identified significant concerns with compartmentation or existing fire safety measures, it will be escalated to category 1.
- 9.11 Category 2 inspections will take place annually and will be reviewed during any estate management or maintenance visits. As with Category 1 an action plan will be produced for each block using the same action areas and risks. The staff carrying out the annual and review inspections will take responsibility for completing the action plan and recording any issues for follow up.
- 9.12 The Association will ensure that any contractor working in common areas either under contract from the Association or independently are managed and monitored to ensure no additional risks are created or any fire precautions or physical measures are compromised.

## 10 Fire Safety Measures

10.1 Fire and Smoke Alarms - The installation of smoke and fire detectors is intended to reduce the risk of fire and the consequent loss of life, injury and damage to property. This installation and management of this equipment also provided compliance within the tolerable standards The Association will provide a Grade D system generally recommended for dwellings:

- One functioning smoke alarm in the room which is frequently used by the occupants for general daytime living purposes
- One functioning smoke alarm in every circulation space, such as hallways and landings
- One heat alarm in every kitchen
- All alarms will be interlinked, either mains powered or using sealed battery alarms, and provided with an integral stand-by power supply (a minimum of class D).
- All fire and smoke alarms are in proper working order at the start of each tenancy.
- All smoke alarms are installed in accordance with the recommendations contained in BS EN14604:2005 and heat alarms comply with BS 5446-2:2003.

10.2 Common Area Fire Alarms - Properties with a common area fire alarm will be suitable to meet the needs of the property's residents, be properly installed, in accordance with the recommendations contained in BS5839-6:2019+A1:2020 and regularly maintained in accordance with manufacturer's recommendations. The alarm system will be monitored by an alarm receiving company (ARC) and a procedure established as to the actions to be taken in the event of an activation.

The Association will provide residents of these properties with clear instructions as to what actions they should take if the alarm has been activated and whether or not to evacuate the building. Where the property is managed by a third party, they will be responsible for any actions or evacuation procedures as recommend by their Fire Risk Assessment.

10.3 Carbon monoxide alarms - will be installed in any room containing a fossil fuel burning appliance (except gas cookers) and will comply with British Kitemark EN 50291-1:2018.

10.4 Emergency Lighting -Where identified within a fire risk assessment any actions will be considered and where required actioned. It is crucial that people can easily escape from a building to a place of safety. The escape route(s) must be free from clutter and have sufficient light to ensure a safe escape even if the mains power supply has failed. Emergency lighting is required for:

- Buildings considered to be at higher risk.
- Large buildings containing flats or maisonettes.
- Large buildings with long escape routes.

- Buildings with a complex layout.
  - Buildings with neither natural nor borrowed lighting along the escape route.
  - Buildings with vulnerable occupiers or those posing a specific risk.
- 10.5 In the event of any power failure as the result of a fire incident and in order to assist the evacuation of occupants in high rise domestic buildings, every protected lobby, protected zone (including escape stairs) and any other associated escape route should be provided with emergency lighting designed and installed in accordance with BS 5266-1:2016.
- 10.6 Testing of Emergency Lighting – A functional test of the system will be carried out monthly by a contractor where the system requires the power supply to be interrupted. Where there is self-testing lighting, a member of staff will inspect monthly to identify any failed luminaires. A record of the test/inspection to be maintained for 3 years. An annual discharge test will be performed by a competent person. This will involve simulating a power failure and conducting a test for the duration of 3hrs.
- 10.7 Fire Doors and Compartmentation – A properly fitted and maintained fire door can help to suppress a fire and restrict its initial development by creating a sealed barrier against smoke and flames. The doors connecting shared parts of a multi-occupancy dwelling, i.e. doors to individual flats, plant rooms and rubbish chutes will be able to resist fire for as verified within the fire risk assessment.
- 10.8 The Association will ensure any tenant requests to replace front doors are only approved where the new door meets the required standards as this can affect the fire safety of the building and the communal escape routes. Checks will also be made to ensure no doors have been replaced without permission.
- 10.9 Emergency Exit Doors - The Association will ensure all doors which are to be used in an emergency can be opened from the inside without the use of a key.
- 10.10 Smoke Control - Communal areas will have adequate smoke ventilation either through natural means or by mechanical ventilation.
- 10.11 Fire Fighting Equipment - Fire extinguishers will not be installed in domestic dwellings as tenants will not be trained on the safe use of extinguishers but will be located in plant rooms and HMO properties. This equipment will be serviced annually by a competent contractor and replaced as necessary following the inspection. Dry risers will be installed in any building that is over 18 metres in height. Outlets will be present on each floor and located in a fire escape staircase or similar protected location and be subject to a recorded visual inspection every 6 months and an annual recorded pressure test every year by a competent person. Sprinklers & Misting Systems will undergo regular testing and maintenance.

- 10.12 Furniture and Furnishings - Where furniture and furnishings are provided, the Association will ensure they are fully compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988.
- 10.13 Fire Evacuation Plan – Tenants will be signposted to the Scottish Fire and Rescue Service (SFRS) who offer free home fire safety visits (HFSVs) and assistance with an escape plan in event of fire. In our buildings where a “stay put” arrangement is in place, we will advise tenants in these blocks of this arrangement, through new tenant packs, tenant handbooks and newsletters. We will have signage within the blocks advising of the stay put arrangement reminding tenants and advising visitors of the guidance in this regard.
- 10.14 Signage – Where fire safety signs are provided, they will be in accordance with BS 5499 and the Health and Safety (Safety Signs and Signals) Regulations 1996.
- 10.15 Maintenance and Repairs – The Association will ensure that fire safety measures, equipment and devices are maintained in an efficient state and are subject to a suitable system of maintenance/ servicing/inspection. All repairs will be carried out within the timescale set in the Association’s repair policy by a competent person and clear records will be maintained of the processes in place and actions carried out.
- 10.16 Access and Facilities for the Fire Service - The Association will ensure:
- There is sufficient means of external access to enable fire appliances to be brought near to the building for effective use
  - There is sufficient means of access into, and within, the building for firefighting personnel to effect search and rescue and fight fire
  - The building is provided with sufficient internal fire mains and other facilities to assist firefighters in their tasks.

## **11 Unwanted Fire Alarm Signals (UFAS)**

- 11.1 In response to guidance issued by the Scottish Fire and Rescue Service (SFRS), as of 1<sup>st</sup> July 2023. The Association will ensure that all premises affected by the UFAS policy are fitted with multi-sensor detectors allowing the Alarm Receiving Centre (ARC) to confirm a technological signal of fire to the fire service.
- 11.9 Premises that are designed, or known, to incorporate sleeping accommodation such as residential blocks with domestic dwellings are exempt from these changes and automatic fire alarm activations from these types of premises will always be responded to.

## **12 Tenant Responsibilities**

- 12.1 The Association will include fire safety obligations within tenancy agreements and will issue regular fire safety information packs and leaflets to encourage tenants to:

- Test smoke alarms regularly and inform the Association of faults.
- Ensure all escape routes are kept clear and not obstructed.
- Ensure any common area firefighting equipment is accessible.
- Ensure fire doors are not propped open or otherwise disabled.
- Ensure prams, bicycles, mobility scooters or any waste material are not stored in communal areas.
- Ensure no flammable materials are stored in cupboards with electrical circuits.
- Disposing of rubbish in the bins provided.

### **13 Third Party Managers**

- 13.1 Where a property is leased to an organisation e.g. to provide support for individuals in a tenancy with an occupancy agreement that organisation will be responsible for carrying out person centred FRAs annually or where there is a change of occupant or circumstances. For confidentiality reasons SHA will not require a copy of these documents, but we will require annual assurance from the managing organisation that they have been carried out and that any actions arising have been recorded and completed accordingly.

### **14 Training and Development**

- 14.1 Staff responsible for implementing the Associations policy on Fire Safety will have training appropriate to their needs and to the needs of the Association identified within their Personal Training Plans to ensure the aims of the policy are met.
- 14.2 Staff engaged in Fire Risk Assessments will receive the relevant training required for their role. This will be managed via periodic assessments of training needs and resulting programmes of internal and/or external training.

### **15 Equality and Human Rights**

- 15.1 In applying the Fire Safety Policy, SHA will ensure it complies with the Equality Act 2010. The Act makes it unlawful to discriminate against, harass or victimise a person because they have one or more of the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.
- 15.2 An Equality Impact Assessment (EqIA) has been carried out in relation to this policy to assess the positive and negative Equality Impacts of this Policy.

## **16 Data Protection**

- 16.1 SHA will treat all personal data in line with our obligations under the Data Protection Act 2018, the UK General Data Protection Regulation and the SHA Privacy Policy and Data Retention Policy. Information regarding how SHA process personal data and the legal basis for processing personal data is set out in SHA Fair Processing Notices.

## **17 Resources**

- 17.1 We will ensure that all fire safety related services are planned, effectively budgeted for, and managed to a high standard. We will provide sufficient staff and staff training resources for fire safety services as the needs of particular areas are identified.

## **18 Monitoring and Reporting**

- 18.1 The Director of Property Services is responsible for ensuring the implementation of this policy and supporting procedures by staff, and for the maintenance of all the necessary records on the housing system to enable the compilation of regular reports on fire safety and risk assessment.
- 18.2 The Operations Sub Committee will receive reports from the Director of Property Services to allow effective monitoring of the policy and implications for other policies. These reports will include:
- Confirmation of FRA's carried out (internal and external)
  - Action plans
  - Confirmation of FRA annual reviews
  - Action plan updates
  - Incident reports
  - Any items requiring significant maintenance investment
- 18.3 Our performance will be regularly benchmarked against other comparable landlords and in particular through the Scotland's Housing Network Benchmarking Groups.

## **19 Risk Management**

- 19.1 The management of fire safety represents risk to SHA in the following ways:
- Failure to comply with relevant legislation may result in possible legal challenges including criminal proceedings.
  - Failure to comply with regulatory guidance may result in action by the Scottish Housing Regulator.
  - Inadequate prioritisation of the rectification of identified hazards may lead to death or potential injury.
  - Failure to carry out fire risk assessments and associated follow up actions may lead to uncontrolled risks leading to serious fire incidents,



difficulties evacuating buildings and death or injury to residents, staff members or members of Scottish Fire and Rescue.

- Failure to ensure contractors appointed to carry out FRAs are suitably qualified and experienced leading to FRAs that do not adequately control risks.
- Failure to monitor contracts for the maintenance of control measures, firefighting equipment alarms sprinklers etc. results in property damage and potential loss of life.

19.2 In considering the importance of these risks the effective management of this policy is vital. By having a written fire safety policy and procedure the Association is able to ensure that a consistent uniform and professional approach is adopted and the service delivered is compliant with legislation and best practice.

19.3 SHA consider and review risk at strategic level through monitoring of the Corporate Risk Register by the Finance and Corporate Services Committee and Management Committee.

## **20 Links with Other SHA Policies**

20.1 The Association recognises that fire safety is dependent on policies and performance in a variety of service areas, including:

- Repairs and Maintenance
- Electrical safety
- Gas Safety
- Void Management
- Planned and Cyclic Maintenance
- Estate Management
- Health and Safety
- Risk Management
- Business Continuity Procedures

## **21 Openness and Transparency**

21.2 This policy will be published to the SHA website. Associated Fire Safety documents and information are available on request from the Association subject to statutory exemptions and exceptions which may be applied to release in terms of the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIR).

21.3 SHA will always exercise a presumption to publish information in relation to repairs and maintenance which is in the public interest unless there is a compelling reason as set out in FOISA or the EIRs not to publish.

## **22 Review**

- 22.1 This policy will be approved by the Management Committee. It will be reviewed every three years unless amendment is prompted by a change in legislation, operational requirements, customer feedback or as dictated by our risk management strategy.
- 22.2 This policy will be reviewed every three years, or sooner, in the event of a significant legal or regulatory change which affects this policy, a change in operational requirements or as dictated by our risk management strategy.
- 22.3 The policy, in parts, attempts to summarise current legislation. In any case of conflict between the two, legislation will always take precedence.

## **23 Complaints and Appeals**

- 23.1 If anyone feels that they are dissatisfied with the service they have received as a result of this policy they have the right to complain and should be encouraged to use the Associations Complaints Procedure.
- 23.2 Further information on how to make a complaint is available from the SHA website. Complaints can be made via the website, in person in writing or by email, or by telephoning the SHA office.
- 23.3 We will attempt to resolve complaints quickly through front line resolution by the staff who receive the complaint. Where this is not successful or where the complaint has been categorised as constituting a serious service failure, we will carry out a full complaint investigation.
- 23.4 Beyond SHA's two stage internal procedure, complainants have a right to refer their complaint to the Scottish Public Services Ombudsman (SPSO) for an independent external review. SHA's Complaints Handling Procedure details the way in which complaints can be made to the SPSO, and the timescales for responding.