

# Housing Practice

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## Fire Safety



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# setting the context for fire safety

Hundreds of preventable fire deaths and injuries still occur every year, in places where people should feel most safe, their own homes.

## the Lakanal fire in Camberwell

In July 2009, six people died after a fire swept through a 12 storey tower block at Lakanal House in Camberwell, south-east London. In addition, 15 residents and a firefighter were injured and London Fire Brigade were required to assist a further 40 residents to safety. Along with loss of life and injuries, over 90 families had to vacate their homes as a result of the fire.

The fire was caused by a faulty television which started in a ninth storey flat. It quickly spread onto eight other floors. Those who died in the UK's worst tower block disaster included three women, two young children and a baby. They were all on the 11th floor. Fire Investigators will shortly report on the fire, but there is widespread speculation that potentially illegal renovations may have contributed to the spread of the blaze.

## Scotland Together report 2009

This Study noted that although there had been sustained reductions in fire deaths in Scotland since 1990, Scotland's rate of fire deaths was still double the UK average. The **Scotland Together** report highlights specific findings from the Scottish Community Fire Safety Study Fatal Fire Survey 2009. The survey shows that of 171 fatal fire incidents analysed (occurring over a 3 year period) 131 were recorded as accidental dwelling fire deaths. The most common causes were smokers' materials (54

and cooking appliances (28). Alcohol was a contributory factor in 81 of the 131 domestic dwelling cases. Most fires started in living rooms (59), followed by kitchens (37) and bedrooms (22). The Study found that 47 per cent of dwelling fire death victims were aged 60 or over, 53 per cent lived alone and victims were more likely to live in the poorest parts of Scotland.

[http://www.strathclydefire.org/pdfs/Scotland\\_Together\\_07\\_09\\_09.pdf](http://www.strathclydefire.org/pdfs/Scotland_Together_07_09_09.pdf)

In many of the cases, prevention education and active fire suppression systems (sprinklers), would potentially have avoided these deaths and injuries.

The Legislation referred to in this publication relates to England and Wales only.

## UK fire statistics

- The number of dwelling fires in the UK totalled 52,700 in 2007
- Dwelling fires account for around two thirds of all building fires and around 80 per cent of all casualties occur in fires in the home
- The main cause of accidental fires in the home is the misuse of equipment or appliances, with 15,000 cases recorded in 2007
- The leading cause of fatal accidental dwelling fires was careless handling of fire or hot substances (mostly the careless disposal of cigarettes)
- Smoke alarms were absent in the fire area in 22,800 dwelling fires.

## where fire and rescue services fit

Fire and Rescue Services across the UK are pro-active in supporting fire safety activities and interventions through:

- **Fire safety awareness in the Home:** helping prevent fires by supporting residents, in all types of housing, with 'Home Fire Safety Checks'; through visits, checks, education and information. Outcomes from such checks include:

- o Installation of Smoke Alarms
- o Checking suitability and location of existing alarms
- o Providing specialist alarms to meet individual circumstances, such as hearing impairment
- o Identify and reduce issues which place them at risk
- o Sign-posting other vulnerabilities to partner agencies
- o Designing a suitable escape plan
- o Offering a specialised service to those who may be at particular risk.

- **Legislative Enforcement and Advice:** providing education, advice and support on fire safety matters and where required enforcing legislation.



# what does the law say about fire safety?

## Housing Act 2004:

The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS). This looks at 29 categories of potential hazards, one of which is fire. Under the HHSRS, a residential property should provide a safe and healthy environment. It should be designed, constructed and maintained with non-hazardous materials and should be free from unnecessary and avoidable hazards. The HHSRS Operating Guidance explains how to make an assessment of the fire hazard in a residential dwelling.



## Building Regulations:

Since 1991, there have been distinct revisions of the Building Regulations guidance in the form of Approved Document B issued in 2000 and 2006. The revised document sets out how fire safety is now designed into buildings; including how it must be an integral feature of physical alterations and extensions to existing premises. For example, prior to the Building Regulations, the current building stock of high rise accommodation across the country had been constructed to varying standards which related to design codes and relevant guidance documents. These have undergone a process of continual change and progression in response to developments in building construction and design, and have also taken account of outcomes from case studies and technological advances in building techniques.

The 2006 Building Regulations identify three key changes in blocks of flats over 30 metres tall:

- The installation of approved sprinkler systems
- A British Standard fire alarm system must be installed and
- Effective building management must be integrated into the design proposals.

## The Regulatory Reform (Fire Safety) Order 2005

The Regulatory Reform (Fire Safety) Order 2005 became law in October 2006. It introduced the need for employers, building owners and occupiers as 'responsible persons' to carry out, implement and maintain a fire safety risk assessment. All non-domestic premises, including the common or shared parts of blocks of flats or houses in multiple occupation are covered by the Order, and may be inspected by their local Fire and Rescue Authority. Under the Order, Fire and Rescue Authorities have a statutory duty to ensure compliance and enforce the requirements where necessary. The Regulatory Reform (Fire Safety) Order 2005 aligned fire safety with health and safety legislation. The fundamental requirement of the order is that the 'responsible person' must carry out a suitable and sufficient fire risk assessment to identify and provide adequate fire precautions and procedures to ensure the safety of all relevant persons (those who are legally on the premises).

In addition to the responsible person, the requirements of the Order are also imposed on any person having control of premises, such as the landlord and managing agent. As in Health & Safety Legislation, the Order has moved away from a prescriptive approach, whereby standards are set by the Fire Service, to a regime that requires self regulation, where accountability lies firmly with the responsible person and those in control of premises.

The core principles of the order are based around accountability, effective governance, transparency and most importantly a citizen-centred approach as should be expected from any modern regulatory approach – it is the paramount safety of the tenant that should be at the heart of the risk assessment.

A fire risk assessment should be viewed as an evolving working document that requires constant update, review, and is revised when changes have either taken place or are about to take place with regard to the layout, size, use, occupation of premises. This is especially pertinent when physical alterations such as refurbishments or extensions have taken place or are planned. For example, when there is reason to suspect that the current risk assessment is no longer valid, the 'responsible person' must review and apply the outcomes of the revised risk assessment in order to ensure that the changes required are implemented.

Essential areas covered during the risk assessment procedure will include:

- Relevant persons within the building
- Ignition sources
- Flammable materials
- Smoke detection
- Fire-fighting equipment
- Fire and smoke resisting construction including fire doors, enclosures & partitions
- Escape routes
- Maintenance of fire protection measures
- Evacuation procedures.

This is by no means an exhaustive list but it highlights the depth of interrogation, of a premises and occupants, which is required to produce a suitable and sufficient risk assessment.

### Gas Safety (Installation and Use) Regulations 1998:

It is the responsibility of landlords to ensure that gas fittings and flues are maintained in a safe condition. This includes gas appliance servicing and an annual safety check.

### Electrical Equipment (Safety) Regulations 1994:

Electrical equipment supplied by a landlord should be safe. All electrical equipment supplied after 9 January 1995 must be marked with an appropriate CE symbol and appliance instruction booklets should be supplied.

### The Furniture and Furnishings (Fire) (Safety) Regulations 1998:

Furniture and furnishings provided by a landlord must meet levels of fire resistance set out within the Furniture and Furnishings (Fire) (Safety) Regulations 1998.

# assessing and managing risk

## Fire risk in flats: case study

The dangers of storing combustible articles in tenement closes was highlighted after a fire broke out in a common close at Shanks Street, Airdrie, Scotland in August 2009. Group Commander Craig Shaw stated: "The outcome could have been more severe, had it not been for the prompt actions of the Incident Commander and his crews. The importance of keeping common close areas, free from combustible materials cannot be over-emphasised."

**Strathclyde Fire and Rescue**  
<http://www.strathclydefire.org/news>

Funded by Communities and Local Government and developed with the involvement of English Fire and Rescue Services, Fire Gateway provides advice on completing a fire risk assessment:

### Step 1 - Identify the fire hazards within your premises

- Sources of ignition such as naked flames, heaters or some commercial processes
- Sources of fuel such as accumulated waste, display materials, textiles or overstocked products
- Sources of additional oxygen such as forced air circulation or medicinal or commercial oxygen supplies

### Step 2 - Identify people at risk

- People working in close proximity to fire hazards
- People working alone or in isolated areas (such as roof spaces or storerooms)
- Children or parents with babies
- The elderly or infirm and people who are disabled or people who may have learning difficulties. For example, a tenant with hearing impairment will not hear a standard smoke alarm, or despite having an evacuation plan, a person with restricted mobility may not be able to get out in time

### Step 3 - Evaluate, remove, reduce and protect from risk

- Replace highly combustible materials with less combustible ones
- Ensure adequate separation between combustibles and ignition sources

### Step 4 - Record, plan, instruct, inform and train

Record the hazards and people identified as especially at risk in Step 1 and Step 2. Record what you did about it in Step 3. Make an emergency plan, tailored to specific premises. It should include the actions that need to be taken in the event of a fire. Where appropriate, key staff need to be provided with instructions about what to do in the event of a fire.

### Step 5 - Review

Fire risk assessments should be up to date. Re-examine fire risk assessment every time there is a significant change to the level of risk in specific premises.

## the relationship between the tenant and the 'responsible person' (Landlord)

The responsible person has to provide for all safety measures identified through the risk assessment. However, the relationship has two sides: each having rights and responsibilities, which include a mutual respect for duty of care, to themselves and others who can be affected by their actions. If fire protection measures are provided (smoke detectors, sprinklers, fire door), these should not be obstructed, damaged or removed and should afford the same level of care and attention as that given to annual and pre-occupancy gas safety inspections. All these matters should be explicit in their tenancy agreement and further reflected in all related policies and procedures. This applies both to the inside of the property as well as all communal areas.

Once the fire risk assessment has been produced, there is a requirement to inform all relevant persons especially the tenants, of the risks identified and the steps to be adopted should a fire occur. These are namely a fire evacuation procedure, taking care of fire protection measures and how to report defects and concerns. Every effort should be made to overcome potential problems in communicating this essential information to tenants. We need to personalise this communication to penetrate barriers of language, culture and health. Carers and family members may need to be involved where tenants require additional support.

## Practice Example

### Hereford & Worcester Fire and Rescue Service (HWFRS) working with Worcester Community Housing

HWFRS has negotiated with Worcester Community Housing to include a requirement for all existing and new tenants to agree to have a free Home Fire Safety Check as part of their tenancy agreement. The clause in the tenancy agreement states: 'You must allow the Hereford & Worcester Fire and Rescue Service into your home to carry out a free home fire safety check.' Worcester Community Housing owns and manages over 4,700 homes in Worcester, so the effect of the clause was to enable the Service to gain practically instant access to this important sector of the housing market, many of whom are older people living in supported housing. Progress is also being made with other local housing associations to adopt similar approaches.

## TSA guidance on fire safety following the Lakanal House incident

Following the Lakanal House fire, the TSA have issued further guidance on risk assessments and fire precautions in high rise buildings. In summary the guidance emphasises that the following issues should be addressed to ensure that any fire safety risk assessment is adequate and complies with the Regulations:

- Attention must be given to the potential surface spread of flame and the fire resistance of wall and ceiling linings and structures in the means of escape
- Consideration should be given to the ability of fire to enter or develop in voids such as ducting, risers and false ceilings
- Residents in blocks of flats should be made aware of the appropriate action to take in case of fire, as determined by the fire risk assessment, and the means of escape available to them
- Fire action notices or other means of passing fire safety information should be provided for residents, maintenance staff and visitors
- Following the risk assessment, the responsible person must take "such general fire precautions as may reasonably be required in the circumstances of the case to ensure that the premises are safe".

The enforcing authority is the fire and rescue authority. They have powers to inspect premises,

to serve a notice requiring alterations, to serve an enforcement notice requiring specific steps to be taken to remedy a breach of the Regulations and, in extreme circumstances, to service a prohibition notice preventing the use of a specific property until steps have been taken to make them safe from fire. A failure to comply with these regulations is generally a criminal offence.

### Practice Example

#### Staffordshire Fire and Rescue Service working in Partnership with Stafford and Rural Homes

The Fire Service and Stafford and Rural Homes have worked together to offer every new resident a Home Fire Risk Check upon occupying one of Stafford & Rural's properties. In addition at the time of induction each resident is issued with a Fire Safety in the Home leaflet. Stafford & Rural have modified their induction forms to include a section offering the Home Fire Risk Check. If the resident accepts the offer their details are passed by Stafford & Rural to our central referral team (0800 Team) who make contact with the tenant and arrange a suitable appointment time for either a technician or a crew to attend.

## sprinklers in homes

With 'sustainability' at the fore, the installation of Active Domestic Fire Suppression Systems (sprinklers) can significantly reduced the physical, psychological and financial impact of fires on the environment and the community. There is a legal requirement for sprinklers to be installed in all blocks of flats over 30 metres already. There are a few wide scale installation programmes for domestic sprinklers in the UK and Europe.

Domestic and residential sprinklers have an excellent track record in reducing death, injury, fire and business continuity losses. Extending the use of domestic sprinklers in new social housing can enable the wider use of new building technologies and provide higher quality and more user friendly accommodation. This can meet the aspirations of tenants, especially in sheltered and supported schemes, for open plan living and indeed increasing rentable floor space to the benefit of landlords while improving safety and enhancing protection from fire losses for different stakeholders.

### Practice Example

#### Staffordshire Fire and Rescue Service and Trent and Dove Housing Association

In 2008/2009 East Staffordshire Area Command attended a series of Crime and Prevention Roadshows organised by Trent and Dove Housing Association in six wards within East Staffordshire. At each of the Roadshows staff from East Staffordshire Area Command gave a short presentation on home fire safety. The Roadshows proved to be extremely successful with 185 Home Fire Risk Check requests being generated.





# fire safety practice checklist for housing organisations

- Identify a person (persons) in your organisation with responsibility for ensuring compliance with the Regulatory Reform Order and for assessing fire risk
- A comprehensive risk assessment should identify fire hazards, identify people at risk, remove, reduce and protect from risk, provide information to plan and train to minimise risk and should be continuously reviewed
- Place fire safety information into all tenancy handbooks or tenancy start-up packs
- Liaise with your local Fire and Rescue Service to raise awareness of fire safety in the communities with which you work and to offer free home fire risk assessments
- Consider making a requirement for all existing and new tenants to agree to have a free Home Fire Safety Check as part of their tenancy agreement
- In blocks of flats or maisonettes make sure all residents are aware of appropriate action to be taken in the event of fire
- Take particular care to make sure residents whose first language is not English have access to clear and understandable fire safety information
- Fully assess and respond to the needs of vulnerable residents in relation to fire safety
- Consider installing smoke alarms in all properties
- Consider installing domestic and residential sprinklers into homes.

## Practice Example

### Wirral partnership Homes (WPH)

WPH employs a full time member of staff as a safety, Health and Environmental Manager. This officer undertakes risk assessments, visits dwellings and ensures compliance with the Regulatory Reform Order. WPH also has a partnership with Merseyside Fire and Rescue Service to improve fire safety awareness in the community.

## where to seek guidance

Guidance on how to complete and what to include in fire risk assessments can be obtained from: the HM Government Guide "Fire Safety Risk Assessment – Sleeping Accommodation", "LACoRS Housing – Fire Safety (guidance on fire safety provisions for certain types of existing housing)", PAS 79:2007 and Approved Document B. An understanding of the risk assessment methodology is an essential requirement of anybody having a responsibility for housing.



## acknowledgements

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