

Tenant and Leaseholder Panel Meeting

Update on:

**The Fire Safety Act 2021; and
The Fire Safety (England) Regulations
2022**

April 2023

The Fire Safety Act 2021 makes amendments to, and The Fire Safety Regulations supplement the Regulatory Reform (Fire Safety) Order 2005

There are two new pieces of Fire Safety Legislation which amend and supplement the Regulatory Reform (Fire Safety) Order 2005 – known as the RR(FS)O 2005:

- The Fire Safety Act 2021 - enforceable from 16th May 2022
- The Fire Safety (England) Regulations 2022 - commenced on 23rd January 2023

The Fire Safety Act 2021 makes amendments to the Regulatory Reform (Fire Safety) Order 2005

The Fire Safety Act 2021

The effect of the Act is to require fire risk assessments of buildings with two or more sets of domestic premises to be updated to take account of structure, external walls and doors, if they have not already done so.

The responsible person/fire risk assessor should also consider whether a more in-depth assessment of the external walls is required. In many cases it will be manifestly obvious to a competent fire risk assessor that the risk to life from external fire spread is not such as to warrant a PAS 9980 assessment.

A Fire Risk Assessment Prioritisation Tool was also provided via a Government Portal to help Responsible Persons ensure that the relevant buildings are being reviewed in a timely manner upon the commencement of the Fire Safety Act 2021.

LBC had already ensured we have a risk-based system in place to determine the frequency, and swift capture of our higher risk buildings.

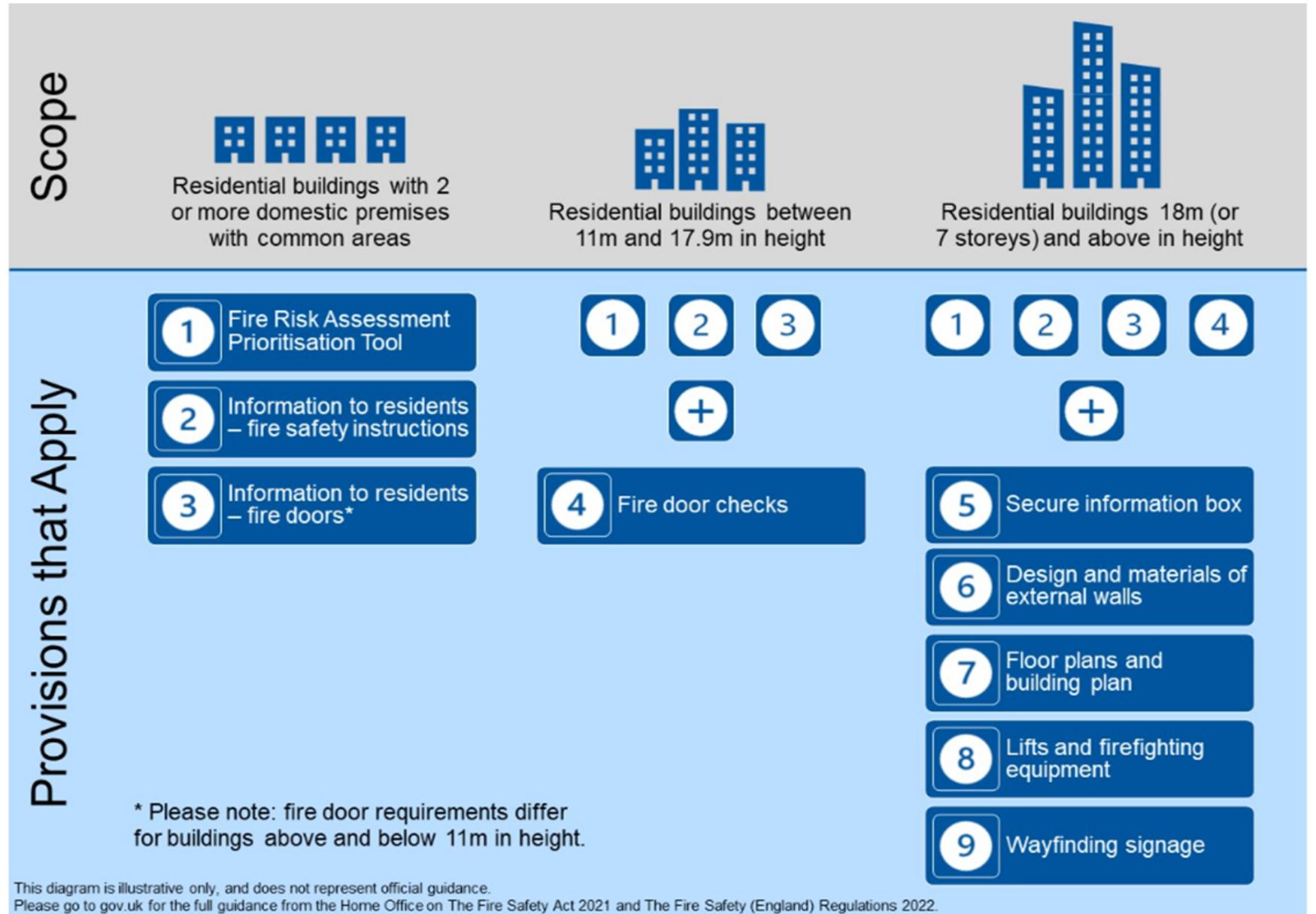
The Fire Safety Regulations (England) 2022 supplement the Regulatory Reform (Fire Safety) Order 2005

The Fire Safety Regulations (England) 2022

The regulations apply under a building height-based regime:

- Under 11m – Provide fire safety information to residents plus information on fire doors.
 - 11m+ - Quarterly communal fire door checks and annual flat entrance door checks.
 - There are 56 blocks that fall under this remit. 55 have been inspected (with Sycamore House not yet able to be inspected) – These inspections were carried out by the Compliance Team
 - 18m+ - Additional measures including installation of Secure Information Boxes (SIB's) containing floor plans and a building plan for LFB, wayfinding signage, information sharing with regards to the external wall systems, lifts and fire fighting equipment
- The following diagram provided by the National Fire Chiefs Council (NFCC) demonstrates this clearly

The height based regime



LFB and the Fire Safety Act/Regulations

- London Fire Brigade (LFB) are the enforcing authorities of the Fire Safety Act and Fire Safety Regulations
- The Compliance Team attend regular meetings with London Councils and London Housing Directors (LHD) Fire Safety sub-group which includes regular updates from LFB, National Fire Chiefs Council (NFCC), London Greater Authority (LGA), Health & Safety Executive (HSE), Department for Levelling Up Housing & Communities (DLUHC), and the Joint Inspection Team, to keep updated with current and potential issues raised by those organisations.
- The LFB have indicated that they will take a pragmatic approach to enforcement. They acknowledge that they have issues with resourcing and understand Councils are in the same position.
- There has been the recent standardisation of templates and procedures for information sharing to Fire & Rescue Services (FRS) and mandatory reporting which we can upload and update via a portal provided by the LFB.
- During the Building Safety Forum, The NFCC highlighted that the request for external wall system information is for a External Wall System Report – not FRAEW/PAS9980 level assessment – which should be able to be carried out by an in house fire safety team.

Croydon Councils Relationship with LFB

Croydon have a historically good relationship with Croydon LFB. Regular Fire Safety Board meetings have lapsed but have been reinstated since 28th November 2022.

A post Sycamore House fire incident meeting with the Borough Commander was held 6th December with subsequent debriefs on lessons learnt.

The Compliance Team have diarised monthly meetings at Croydon's Old Town station with the Station Commander and his deputies. The last meeting was cancelled at short notice due to unavailability of LFB

The Croydon LFB Station Commander has requested during a scheduled meeting that Fire Risk Assessments (FRA's) are to be reviewed to take into account deficiencies in knowledge regarding external wall systems. We have done so.

On 10th January the compliance team discussed with LFB what format they would prefer required information in, a spreadsheet was agreed. LFB were confident they had all relevant info on their system already, but would still update from spreadsheet. We highlighted that some tasks that will not be completed for the 23rd Jan enforcement date and that we have a plan and timescale to resolve those issues.

These slides show the Councils response to the Requirements of the Fire Safety Act & Fire Safety Regulations

The new Regulations that apply to Croydon Council are;

1. Fire Reg 4 - Install Secure Information Boxes (SIB). Completed
2. Fire Reg 5 – Share info regarding external wall systems with LFB. Completed – will also do via LFB Portal
3. Fire Reg 6 – Share plans electronically & in SIB with LFB. This now needs to happen via LFB Portal
4. Fire Reg 7 – Monthly checks of lifts for the use of fire fighters, fire-fighting equipment and the reporting of faults. We have been reporting lifts via email, but now need to use the LFB Portal
5. Fire Reg 8 – Wayfinding signage. Signage is present, but upgrades to meet new standards required.
6. Fire Reg 9 – Information to residents. Two pages of the last (Open House) Newsletter was dedicated to fire safety. We will also compliment the resident engagement work being carried out for the Building Safety Act.
7. Fire Reg 10 – Fire door (quarterly) & Flat Entrance Doors inspections (annually). The first quarter's checks on Fire Doors have been completed by the Compliance Team, with the more urgent works having been instructed and already being carried out.

These slides show the Councils response to the Requirements of the Fire Safety Act & Fire Safety Regulations

Specifics on two elements of the Regulations:

Fire Reg 9 – Information to residents

We are working on a resident engagement strategy within the Building Safety Act workstream and will ensure that the information to residents as required by the Fire Safety Act compliments this.

Fire Reg 10 – Fire door (quarterly) & Flat Entrance Doors inspections (annually)

We have completed the first round of Fire Door inspections and have identified that there are a number of options in which we can carry this out going forward:

- 1) Internal Housing Staff
- 2) Fixed term contracts for external staff
- 3) Sub-contract this out
- 4) Ask our caretakers to conduct the inspections