

Policy Committee Decision Report

Title of Report: Operational Arrangements for Housing Fire Safety Responsive Repairs

Date of Decision: 19th September 2024

Report To: Housing Committee

Report Of: Chris Ellison – Interim Housing Director

Report Author: Luke Simpson – Housing Fire Safety Service Manager

Executive Summary: Changes to Regulations and inspection regimes has resulted in a substantial increase in the number of fire safety responsive repairs being identified and remedial works required.

Our internal Repairs and Maintenance Service currently do not have the capacity to deliver the large number of fire related responsive repairs and there is a significant risk of repairs not being closed within defined timescales. This could put residents and visitors at risk.

To allow SCC to effectively manage these number of fire repairs, it is recommended that we procure and commission a competent contractor to deliver fire safety remedial works on behalf of Sheffield City Council Repairs and Maintenance service managed by the Housing Fire Safety Team.



Council Plan outcomes:

[Great neighbourhoods that people are happy to call home](#)

Policy Committee remit:

This report is to be considered by the Housing Policy Committee as its remit includes

- Takes decisions on any reserved matter.
- Is responsible for regular monitoring of data including performance and financial information and for monitoring the performance of services.
- Is responsible for working within the budget framework agreed by Council, including taking timely action to address any overspend within services.
- Is responsible for delivery against the Corporate Plan and any associated Annual Plans and reporting performance to Strategy and Resources Policy Committee.
- Must keep its work programme under review at each meeting.
- May consider any matters referred by an Area Committee.

[Part 3C - 3.3 Matters Delegated to Committees May 2024.pdf \(sheffield.gov.uk\)](#)

Does the report contain confidential or exempt information?

No

Recommendations:

The Housing Committee is recommended to:

1. Agree the proposal for the operational arrangements for managing responsive Housing fire safety remedial works
2. Approval to procure and commission a competent third-party fire safety contractor to undertake responsive repairs related to fire safety. Moving from an in-house model to an external solution to allow SCC to discharge its duties.

Approval from the Housing Policy Committee is required as the decision sits outside of the officer delegate authority of a £250k spend. The recommendation to move to an outsource model will be covered by existing budget arrangement as defined in the Housing Revenue Account business plan.

Financial Implications: Approved by: Paul Foster (20/08/2024)

Legal Implications: Approved by: Tracy Beal & Rebecca Lambert (28/08/2024)

Equality and Inclusion Implications: Approved by: Ed Sexton (30/08/2024)

Equalities Impact Assessment completed with EIA number: ID 2808

Climate Change Implications: Approved by: Nathan Robinson (30/08/2024)

Background Papers: N/A

Appendices: N/A

1. Background to the issue

Background

The Regulatory Reform (Fire Safety) Order 2005 places a duty on the “Responsible Person” (Sheffield City Council) to take general fire precautions to ensure, so far as is reasonably practicable, the safety of people on the premises or in the immediate vicinity.

Article 9 of the (Fire Safety) Order requires every “Responsible Person” to make a suitable and sufficient assessment of the fire risks to which relevant persons are exposed to, with respect to premises within their control. Management of fire safety rests with the “Responsible Person”, and Article (4)1 of the (Fire Safety) Order states that the “Responsible Person” must make “general fire precautions” in relation to the premises which include measures:

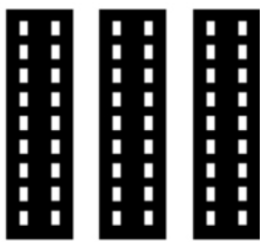
- a) to reduce the risk of fire on the premises and the risk of the spread of fire on the premises.
- b) in relation to the means of escape from the premises.
- c) for securing that, at all material times, the means of escape can be safely and effectively used.
- d) in relation to the means for fighting fires on the premises.
- e) in relation to the means for detecting fire on the premises and giving warning in case of fire on the premises; and
- f) in relation to the arrangements for action to be taken in the event of fire on the premises, including:
 - a) relating to the instruction and training of employees and
 - b) to mitigate the effects of the fire

Sheffield City Council (SCC) operates the following inspections regimes:

1. **Fire risk assessment (FRA)** – *Completed Annually*
2. **Fire safety inspections (FSI)**– *Completed Monthly*
3. **Flat fire door inspection programme** – *Completed Annually*
** All programmes are currently up to date*

Landlords of residential buildings have a legal duty to make sure that fire risk assessments are carried out and remove any fire risks and hazards, or to reduce these as far as possible.

Sheffield City Council has three categories for residential multi occupancy blocks:



High-Rise

18 meters (or 7 storeys) & above in height



Medium-Rise

Between 11 meters & 17.9 meters in height



Low-Rise

Residential buildings with 2 or more domestic premises sharing common areas (Less than 11 meters)

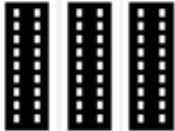
Fire Risk Assessments (FRA)

SCC fire risk assessors will conduct a non-destructive type 1 FRA of the common parts of the building only, and not the individual dwellings. Below outlines the current FRA timescales and scope of works.

	<p>Completed: Annually</p>	<p>Scope:</p> <ul style="list-style-type: none"> • 24 tower blocks • 32 sheltered schemes
	<p>Completed: 3 yearly</p>	<p>Scope:</p> <ul style="list-style-type: none"> • 24 Mini Towers • 32 Sheltered Scheme • 41 Sundries • 2815 Maisonettes blocks
	<p>Completed: 2 yearly</p>	<p>Scope:</p> <ul style="list-style-type: none"> • TARA offices

Fire Safety Inspections (FSI)

The Housing Fire Safety Team undertakes monthly Fire Safety Inspection (FSI) to all high-rise building across the city this includes:



High-Rise

Completed:
Monthly - a visual check but not testing of the system

Includes:

- rising mains
- smoke control systems
- fire suppression systems
- fire detection and fire alarm systems, including any systems linked to other fire safety equipment, such as smoke control systems
- evacuation alert systems
- automatic door opening or closing systems linked to fire detection and fire alarm systems


Scope:

- 24 tower blocks
- 32 sheltered schemes


Flat fire door inspection programme

Flat fire door inspections are conducted annually on both entrance doors to individual flats and fire doors in common parts of blocks. These doors include cross-corridor fire doors, store doors, electrical intake cupboard doors and similar.

In checking these doors, SCC must ensure that the doors are effectively self-closing. The doors should fully close into their frames when the doors are opened at any angle and released, overcoming the resistance of any latch on the door.



High-Rise



Medium-Rise

Completed:
Flat doors:
Annually

Communal:
Quarterly

Scope:

- 24 tower blocks
- 32 sheltered schemes
- 24 mini towers
- 6 Sundries
- 304 Maisonettes blocks

5,707 flat entrance doors

The installation of all fire doors, either FD30s or PD60s must be undertaken by trained operatives and have a robust certification process in place to ensure compliance. All fire doors need to be globally tested and for any fire doors in premises above 11 meters require an annual inspection to ensure full compliance. These requirements are covered in the Fire Safety Act.

Issue

Through the range of fire risk assessments and inspections the Council can identify risks, issues and repairs that allows the Council to implement general fire precautions to keep residents and visitors safe. These inspection regimes has resulted in a substantial increase in the number of fire safety responsive repairs being identified and associated remedial works.

Residents can also report fire repairs via the normal reporting channels which are picked up as routine repair jobs. These fire repairs relate predominantly to damaged fire door replacements, where the integrity of the fire door has been compromised, or component replacements where door fixings have failed, mainly letter plates, door seals and door closures.

Our internal Repairs and Maintenance Service (RMS) currently do not have the capacity to deliver the large number of fire related responsive repairs and there is a significant risk of repairs not being closed within defined timescales.

On average **4,500** fire door repairs are reported each year and **800** fire door replacements are ordered. These door repairs are predominantly letter places, door seals and door closers, identified via the FRA process.

As of July 2024, there are **406** overdue replacement doors and **626** fire repairs which are overdue and therefore non-compliant with the regulatory standard. Out of the **406** overdue replacement doors outstanding **279** are either on order or are in the RMS stores waiting to be installed. Of these **406** outstanding door replacements, **30** are for leasehold.

The current position is that in house Repairs and Maintenance Service does not have the capacity to deliver the large number of fire related responsive repairs and there is a significant risk of jobs not being closed within defined timescales to allow SCC to discharge its duties. It is anticipated that under the current trend that the number of overdue fire repairs will increase if action is not taken and therefore be non-compliant with the regulatory standards. The Council, as a responsible landlord is obliged to meet its statutory obligation in providing safe, decent and warm homes for its tenants.

2. Proposal

The proposal seeks approval to utilise the already approved Housing Revenue Account funding to procure and commission a competent third-party fire safety contractor to undertake responsive Housing repairs related to fire safety. Under this proposal it is recommended that the contract will be managed by the Housing Fire Safety Team within the Housing and Neighbourhoods portfolio, under Fire Safety compliance and assurance workstream.

The competent contractors will be responsible for the delivery of all Housing fire safety repairs and will ensure that all repairs meet regulations and that all operatives are trained to the required standards to allow works to meet Building and Fire Safety requirements. The project will capture both revenue and capital expenditure covered through existing budgets.

3. How does this decision contribute to the Council Plan?

3.1 Council Plan outcome

The proposals will contribute to the Council's Corporate Plan outcome of 'Great neighbourhoods where people are happy to call home and seek to deliver against the priorities that have been identified over the next three years.

- Increase the availability, quality and range of housing stock in our neighbourhoods.
- High quality neighbourhoods which are clean, green, resilient and safe, and where people can live healthy lives.

The proposals seek to provide the Council with the reassurance that fire safety repairs are completed within defined timescales and are undertaken by competent trades to ensure SCC can discharge its duties.

4. What community or partner engagement has been undertaken and how has it informed the proposal?

The proposal recommends the procurement of a competent third-party fire safety contractor to undertake fire safety repairs for the Council housing service. Where works are required on communal areas and there are leaseholders within the residential building, full consultation will be undertaken, and section 20 will be initiated. This will be done on a case-by-case basis as not all repairs will require this level of consultation and is only necessary where leaseholder have been identified and related to common areas within the building.

5. What alternative options did we consider?

Alternative Option 1:

Do nothing – Not an option

The Council must be able to discharge its duties. Do nothing is not a viable option and not only puts the council at risk of financial penalties but could put residents at unnecessary risk and in some case could pose a significant threat to life if repairs are not completed in a timely manner.

Alternative Option 2:

Increase Repairs and Maintenance Resource – Not an Option

Our internal Repairs and Maintenance Service currently do not have the capacity to deliver the large number of fire related responsive repairs and there is a significant risk of jobs not being closed within defined timescales. The Service explored increasing the resource however the time taken to recruit and train operative to the required standard will further increase the backlog of repairs.

6. How has equality, diversity and inclusion been actively considered?

An EIA has been completed and the information updated, this will continue to be reviewed and updated as and when changes occur within the project. There are no specific negative implications on any of the protected characteristic groups. It is anticipated that there will be positive implications arising from the proposal on all protected characteristic, as SCC will be in a better position to provide timely fire safety repairs across the Housing Stock thus ensuring residents are kept safe.

7. Financial and Commercial Implications

The project aims to use existing budgets set out within the Housing Revenue Account business plan to fund the revenue elements of the proposal. The existing funding is proposed to be used to commission a competent third-party Fire Safety Contractor to undertake responsive repairs related to fire safety. At this stage it is anticipated that there will not be any additional overspend resulting from the recommendations within this report. Should any significant implications arise, a further decision paper will be required.

The contract(s) will be procured, ensuring compliance with the Public Contracts Regulations 2015 and must also comply with the Council's Contract Standing Orders.

8. Legal Implications

The Social Housing (Regulation) Act 2023 (2023 Act) received Royal Assent on the 20th of July 2023. The 2023 Act brings forward a stronger and more proactive regulatory regime to improve standards in the social housing sector and to hold Landlords to account. The Act also provides the Regulator of Social Housing with additional powers needed to deliver an enhanced consumer regulation role.

One of the key changes introduced by the 2023 Act are the Regulator of Social Housing, new Consumer Standards which came into effect on 1st April 2024. The new Consumer Standards form a key part of the new regulatory framework for Social Housing. They set out the outcomes that landlords must deliver.

Of the 4 new Consumer Standards, the relevant one here is:

- **Safety and Quality Standard** – which requires landlords to provide safe and good quality homes and landlord services to tenants.

The five required outcomes relevant to the new Safety and Quality Standard are as follows:

1. Stock quality
2. Decency
3. Health and safety

4. Repairs, maintenance and planned improvements
5. Adaptations

In addition to the above and specifically relevant to this Report is the principal fire safety legislation applicable to England as follows:

- **The Regulatory Reform (Fire Safety) Order 2005 (the 'Fire Safety Order')**
- **The Fire Safety (England) Regulations 2022**
- **The Fire Safety Act 2021**

The Fire Safety Order has a broad scope and applies to virtually all premises other than single residential dwellings. It applies to the common parts of blocks of flats and houses in multiple occupation. It applies to the building's structure, external walls and any common parts.

It was amended by the Building Safety Act 2022 to ensure residents are provided with fire safety information they can understand, that co-operation between those responsible for fire safety is improved and that record keeping throughout a building's lifespan is continually held.

The Fire Safety (England) Regulations 2022 make additional requirements for fire safety measures in blocks of flats.

Relevant requirements under the Fire Safety Order

- To carry out a 'suitable and sufficient' fire risk assessment. A record of this must be kept.

The fire risk assessment should consider:

1. The fire hazards and the adequacy of measures to prevent an outbreak of fire as a result of them.
2. Measures to protect people from a fire when it occurs.
3. Arrangements for fire safety.

The Fire Safety Order requires adequate fire procedures and where identified as being needed, signage of escape routes, fire detection and alarm systems, firefighting equipment and fixed firefighting systems.

Information

The Fire Safety Order requires that comprehensive and relevant information on the risks, fire safety measures and who will assist in an evacuation and with firefighting is provided to employees, to other employers with employees working in council premises and to any self – employed people. The fire procedure is also required to be provided.

There is a requirement to provide certain prescribed information to residents in buildings containing two or more sets of domestic premises.

Maintenance

The fire safety measures provided for the purpose of compliance with fire safety legislation must be maintained regularly and must be kept in an efficient state, efficient working order and good repair. This requirement also applies to any equipment installed under legislation such as the Building Regulations for use by, or the safety of firefighters.

As such, there needs to be regular inspection, testing and servicing of all fire safety systems and equipment. Defects should be repaired as soon as practicable. Where anyone is appointed or tasked to carry out testing and maintenance, they must be competent to do so.

In most premises, arrangements for inspection or testing, and servicing, the following systems and equipment if they are provided need to be put in place:

- fire alarm systems
- emergency lighting
- fire doors
- fire extinguishers

In some premises, there will be other fire safety systems that must be inspected or tested and serviced. These include:

- door release mechanisms that enable self-closing fire doors to be held open, but to close automatically on operation of the fire alarm system
- sprinkler systems and any other fire suppression systems
- smoke control systems, including fire dampers
- rising mains by which the fire and rescue service obtain water for firefighting
- lifts designed to be used by the fire and rescue service to assist with firefighting and lifts designed for evacuation of disabled people
- equipment designed to assist disabled people in the event of fire (e.g. evacuation chairs and emergency voice communication systems in refuges for disabled people)

The fire risk assessment should ensure that there are suitable arrangements for this work to be carried out.

Where any essential fire safety equipment is found to be faulty or out of service, this would require immediate assessment of the risk and identification of the remedial actions that are required. Where the premises is a high-rise residential building falling within the scope of the Fire Safety (England) Regulations 2022 (over 18 metres above ground level in height or with at least seven storeys), and the fault cannot be rectified within 24 hours, the person responsible under this legislation is required to inform their local fire and rescue service of the defect, as well as its subsequent repair.

Specifically with regard to fire doors of which a substantial amount of the work is specified as being required within this Report, Reg 10 of The Fire Safety (England) Regulation 2022 requires that

- In a building containing two or more sets of domestic premises and of which is over 11 metres in height, **best endeavours** should be made to check the fire doors at the entrances of individual premises at least every 12 months.
- The communal doors **must** be checked every 3 months.
- A record **must** be kept of the steps taken to comply with the inspection requirement for individual premises including where it has not been possible to gain access to check the doors during the 12 month period.

Given all of the above and what is at stake should the Local Authority not comply with the relevant legislation, it is imperative that there are resources available to undertake the inspections required and that where it is found that any fire safety systems or equipment are not sufficient, not working or are in disrepair, that there are resources to rectify these issues as soon as practicable and within the statutory time frames where they apply.

9. Climate and Environmental Implications

There are no direct climate implications from the proposals set out within this report. The proposal is to commission a fire safety contractor to undertake responsive repairs.

Commissioning a fire safety contractor – we want to be working with providers who are aware of and are addressing their own impacts in delivery of services. This needs to be considered of in the commissioning process, where more detailed CIAs would need to be undertaken. The contractor's climate and environmental aspects will be reviewed during the procurement process.

10. Other implications

There will be a need to manage and resource these proposals over the next three years. This will be subject to the normal resource approval requests.

11. Reasons for decision

The decision to utilise the already approved Housing Revenue Account (HRA) funding to commission a competent third-party Fire Safety Contractor for responsive fire safety repairs is essential to ensure compliance with regulatory standards and to mitigate significant risks to residents and visitors.

The internal Repairs and Maintenance Service currently lacks the capacity to manage the volume of fire safety repairs, posing a serious risk of non-compliance with the Regulator of Social Housing's requirements. Without timely action, the number of overdue fire safety repairs is likely to increase, jeopardizing the Council's ability to meet its statutory obligations as a landlord.

Moving to an external partner solution rather than an in-house model will allow SCC to discharge its duties. By commissioning an external contractor, the Council can effectively address the current capacity shortfall, maintain compliance with regulatory requirements, and fulfil its duty to provide safe and decent housing for its tenants.