

POLICY DOCUMENT CONTROL

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Description	The safety of everyone who live and work in or around our buildings, owned or managed by Nehemiah Housing Association (NHA) is our number one priority. This policy sets out how (NHA) proposes to meet this priority, the requirements of the Building Safety Act, the Fire Safety Act 2021
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BUILDING SAFETY POLICY

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1. Purpose of the Policy

The safety of everyone who live and work in or around our buildings, owned or managed by Nehemiah Housing Association (NHA) is our number one priority.

This policy sets out how (NHA) proposes to meet this priority, the requirements of the Building Safety Act, the Fire Safety Act 2021 and other legislative and regulatory changes introduced and proposed following the Grenfell tragedy. This policy details how the NHA approach to Building Safety will ensure that we comply with the legislation and how we will ensure that buildings that are in the scope of legislation are effectively managed to ensure all occupants are kept safe. This policy will be supported by individual policies and procedures as necessary that will provide the detailed approach (i.e. effective Fire Safety and Health & Safety policies are already implemented which will also support this policy).

The objectives of this policy are to:

- Effectively manage all risks identified and to ensure effective action plans are in place to reduce the risks as soon as reasonably practicable for all residents living in these buildings, employees who will work in and around these buildings and members of the public
- Develop and introduce effective policies and procedures to help mitigate these risks ahead of the implementation of legislation to ensure that NHA complies with its legal requirements and the requirements of the Regulator and the Building Safety Regulator
- Ensure we effectively engage with all customers via a Customer Safety Engagement officer and ensure this engagement considers individual needs across all age groups and diversities which will be delivered in a number of ways (for example face to face, letters, website information)
- Provide clear lines of responsibility across NHA for the effective management of Resident and Building Safety in our 2 blocks which potentially meet the (requirements)
- Demonstrate that NHA is at the forefront of industry with regards to Resident and Building Safety.

2. Scope of the Policy

This Policy applies to all employees of NHA and is applicable to all high-rise blocks as defined in the Building Safety Act (BSA) which currently defines high-rise (also referred to as higher risk) buildings as those of 18m+ in height, or 7 storeys and above. This includes all tenures including leasehold, shared ownership, social, affordable, market rent and privately rented accommodation.

It is anticipated that in future years the buildings that are within the scope of the BSA may change (for example to include buildings over 11m+ in height) and this

policy will be reviewed and updated should these changes fall within the scope of future changes to the BSA to ensure this policy remains fit for purpose.

The Fire Safety Regulations apply to multi-occupied residential buildings in England and impose rules for: Non-high-rise buildings. Buildings over 11 meters/ 5 stores and. Buildings over 18 meters

Based on the require current requirements of the BSA the building that this policy apply to are.

We do not own or manage any high-rise buildings over 18+ meter storey high.

However, this policy will apply to the four buildings that are six storey buildings that were initially within the scope of the original draft Building Safety Bill Nehemiah Court, Sycamore Court, Henry Court, Whilst the BSA will not apply in its current form to these buildings, we will include these properties.

3. Definitions

External Wall Assessment, also referred to as a FRAEW (Fire Risk Assessment External Wall) in PAS9980. This is an assessment that is required on buildings with any attachments to the external wall such as cladding/balconies completed by a Chartered Fire Engineer. The assessment requires an external invasive inspection at various locations to inspect the materials present in the external wall which will require access equipment to safely reach these areas.

Fire Risk Assessment (FRA) - A building assessment that identifies any fire hazards, evaluates the risk of those hazards, and recommends action that should be taken to remove, reduce or manage the risk.

4. Consultation

Consultation has taken place with our insurance company with feedback reviewed and our fire policy updated to reflect this.

5. Background and Context

The Building Safety Act (BSA) takes forward the Government's commitment to the fundamental reform of the building safety system. The BSA gives effect to policies set out in the Building a Safer Future consultation response, published in April 2020. This detailed how the Government intended to deliver the principles and recommendations of Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety, published in May 2018. The BSA contains 143 individual clauses that are spread across 6 parts:

- i. Part 1 – Overview of the act
- ii. Part 2 - The regulator and its functions
- iii. Part 3 - Building Act 1984
- iv. Part 4 - Higher-risk buildings

- v. Part 5 – Other provision about safety, standards etc.
- vi. Part 6 – General

The BSA will establish a new building safety regime in England with the introduction of a new Building Safety Regulator and sets out a new legislative framework for the design and construction of new buildings and those undergoing significant refurbishment. In addition, the Act introduces new roles, such as the Accountable Person and require that landlords apply for building registration and licensing via the submission of Building Safety Cases for all in-scope buildings.

The Act requires the creation of a Resident Engagement strategy and will place a legal obligation on the Accountable Person to ensure residents are involved in the decisions that concern the safety of their building. They will be required to:

- Produce and implement a resident engagement strategy that promotes residents' engagement and involvement in decision-making about safety issues
- Establish a complaints system that ensures residents' safety concerns are heard and dealt with.
- Residents will also have the ability to escalate complaints to the Building Safety Regulator.

In addition, residents will be under an obligation to:

- Not act in a way that creates a significant risk of fire or structural failure
- Not interfere with a relevant safety item
- Comply with a request by the Accountable Person for information reasonably required to perform their duties to assess and manage building safety risks.

The Building Safety Regulator will sit within the Health and Safety Executive (HSE) and will have the following roles:

- Overseeing the safety and performance of all buildings
- Promoting the competence of professionals, tradespeople and building control professionals working on all buildings. This has two elements:
 - 1) Working with industry to promote competence
 - 2) Improving the competence of building control inspectors to assess, inspect, monitor, and enforce

The Regulator is also responsible for:

- The delivery of the new, more stringent regulatory regime of buildings in scope

- The Regulator will also work with local authorities and fire and rescue authorities in delivering its role as the regulator and building control authority for in scope buildings.

6. Policy Detail

This policy details how NHA will meet the requirements of the Fire Safety Act and BSA.

NHA has already started to view on the requirements of the BSA and Fire Safety Act to ensure we are preparing to deliver on the requirements of the legislation that is anticipated, we will:

- Appoint an Accountable Person.
- Who will be Head of Building Safety who will be responsible to the implementation of the policy and the development of procedures to support this policy.
- Develop and implement a Resident Engagement Strategy (Your Voice on Customer Safety) which will be approved by Customer Services Committee
- Develop and implement the Risk Prioritisation Matrix (RPM)
- Develop an External Wall Assessment Policy that details how we will inspect any outbuildings with cladding.
- Ensure current responsibilities allow for training for Building Safety Manager and a Building Safety Coordinator.

In addition, Nehemiah will, as a minimum ensure that:

- Achieve compliance with legislation ahead of this being enacted. Performance is monitored by the Building and Fire Safety Core Group and tracked via the Service Improvement Plan (SIP)
- Ensure our residents safety is enhanced to ensure a whole building approach is undertaken across our buildings of 18m+ (or 7 storeys)
- Develop resident and building safety focused relationships with the Groups Primary Authority Partners at West Midlands fire and Rescue and local fire authorities.
- Carry our regular reviews of applicable buildings to identify and resolve any hazards by taking corrective action.
- Ensure general precautions are undertaken, such as the regular inspection of communal areas and all fire doors throughout all buildings in line with proposals in legislation being developed.
- Develop our approach to effective fire door management to include all fire doors in applicable buildings such as flat front doors, cross-corridor doors, riser cupboards doors etc.

- Introduce appropriate arrangements for the effective planning, control, monitoring, and review of building safety which considers each building and resident needs including those with disabilities.
- Develop and retain specific building information to be “digital by default” and further ensure this meets the “golden thread” of information requirements.
- Understand the future requirements of Building Safety Cases and ensure the applicable, accurate, information is readily available, stored in one central location to ensure these can be effectively produced.
- Ensure we continue to effectively engage with all customers via a Customer Safety Engagement Strategy (Your Voice in Customer Safety Framework) and ensure this engagement considers the individual needs across all age groups and diversities which will be delivered in a number of ways (for example face to face, letters, website information)
- Deliver this approach consistently across all tenures in applicable buildings.
- Ensure that all staff who work in or around the buildings applicable to this policy are competent to do the work required (see Competency section).
- Consider the impact of all projects where there will be a direct impact on individual residents. In all cases we will ensure that each residents individual needs are considered. For example, reasonable adaptations may be required to help people with disabilities (see section on PCFRAs) stay safe in their home or alternative arrangements may be required to accommodate specific resident’s needs (i.e., those who are pregnant) when works directly affect their home. Effective resident engagement will be key in identifying these needs and working with residents to ensure their needs are considered.

7. Building Safety Projects

As summarised in this policy, there are several projects that have been delivered or are currently being delivered to ensure NHA meets the requirements of the BSA and the Fire Safety Act 2021. These are summarised as follows:

- **Risk Management Health & Safety Group**

These meetings bring together the Risk management team, Health & safety team, and the Operations team. The meetings are chaired quarterly by Property Services Manager attended by key stakeholders from across the business. The meetings focus on the projects detailed in this policy and the key risks to ensure suitable progress is made on identifying and managing any risk mitigation across our 18m+ buildings. The representatives review each of our buildings and review outcomes of the Risk Prioritisation Matrix and other specialist reports, such as Fire Engineer surveys. The Group reviews findings and agrees suitable action plans to ensure any risks are reduced, with progress against these action plans reviewed in future meetings.

The meetings also include standard agenda items to update key stakeholders on fire safety.

- **Resident Engagement**

The resident voice and resident engagement are key areas of the BSA and the Social Housing White Paper. A new Resident Engagement Strategy (Your Voice on Customer Safety) will be approved which:

- Dovetails with Customer Voice Framework
- Includes how we will share greater information with customers.
- Provides a route to enable customers to raise safety concerns formally.
- Includes the ability to capture formal and informal feedback.
- Seeks the ability to monitor repair calls to identify areas/trends for concern on an ongoing basis.
- Details the ways in which we will engage with Customers and how we will ensure we consider their individual needs across all age groups and diversities which will be delivered in a number of ways (for example face to face, letters, website information) to ensure we effectively engage with all customers.
- Acknowledges the role of residents & their responsibilities to support safety.

- **Building Reviews**

There are a number of different ways that we currently review the performance of our buildings relating to resident and building safety and this policy. These are summarised as follows:

- **Risk Prioritisation Matrix (RPM)**

The RPM will be developed and implemented to deliver a greater understanding of our key buildings to provide us with insight into our properties, their construction and overall building safety.

- **Fire Risk Assessments (FRAs)**

FRAs are conducted every two years across all buildings in the scope of the BSA and this policy. Future FRAs will see to escort assessors on each FRA to ensure suitable access is available, to share feedback and evidence on completed works and to ensure any urgent issues identified are recorded and raised for mitigation immediately.

- **Building Risk Reviews**

The Secretary of State for Housing issued a directive for all Fire Rescue Services across England to undertake an inspection of all buildings of 18m and above (or 6 storeys and above) in height, to be completed by 31st December 2021. This required an audit of each building with a series of questions asking for extra information such as the detail of the external wall system and cladding and information on regular inspections and servicing. All Nehemiah buildings within the scope of this directive have been inspected.

- **External Wall Assessment Policy**

Nehemiah Housing Reviewed all its stock on high rise 7m+ buildings and confirmed no ACM cladding.

However, updated guidance issued by MHCLG, superseded by the Fire Safety Act 2021, requires that all Responsible Persons complete further detailed reviews to consider the risk of fire spread across the external façade on all buildings irrespective of height.

We have liaised with our FRA assessor to view this when carrying out FRA reports.

- **Balcony reviews**

We completed a review of all buildings with balconies and walkways across our portfolio in December 2021. We found only one site Father Jo Taffe, with balconies on ad hoc floor. We decided to remove the keys from the tenants and keep these balconies permanently closed.

- **Building Management and Information**

How we manage our buildings and the information that we need to retain to demonstrate how we keep our residents and buildings safe is critical to a number of key projects for Building Safety. These are summarised as follows:

- **Fire Door Survey and Management**

Regular Inspections of fire doors are already completed by scheme managers and property services officers as part of their regular scheme visits to conduct other compliance related activities such as fire alarm tests etc.

This ensures that any issues identified can be received quickly. In addition to this, when conducting type 3 fire risk assessments, fire risk assessors undertake a 10% sample of flats which reviews the flat entrance doors with any actions recorded.

We are also commencing a programme of surveys across all buildings to inspect 20% of all fire doors. This project will commence from April 2024 with a pilot across one of our blocks, to review the results before we continue.

- **Premises Information Boxes (PIB)**

We will be starting a programme to have installed a PIB in our 7m+ blocks which do not currently have one. We will ensure all vulnerable person's information will be installed.

A PIB is designed to securely hold information regarding a building, its facilities and where applicable occupants reside and is used by the Fire and Rescue Service in the event of a fire. The provision of PIBs was recommended in the Grenfell Inquiry Phase 1 report and included in the Fire Safety consultation which ended in October 2020. We will make sure information within PIB is reviewed on a quarterly basis.

- **Wayfinding signage**

Whilst the requirement introduced in changed to Approved Document B in November 2020 does not apply retrospectively (it only applies to new buildings).

we are reviewing the signage within our other 7m+ blocks and where required we are upgrading this in-line with this new standard, with further surveys to commence in April 2024. This will ensure consistency across both new and existing buildings. The project will initially be undertaken on 7m + buildings, and once completed we will review and plan how this approach can be delivered to properties.

- **Contractor Management**

We are reviewing and updated the current contractor management procedure specifically focused on building safety. This has included how we propose to ensure contractors are competent to undertake the specified works and competent to work in 7 storey/18m+ buildings and will include regular reviews of their competence throughout all applicable works. This review also includes the requirements for both a permit to work system and also a hot works process.

- **Customer Evacuation Strategies**

We are delivering a project that will ensure all residents who live in our multi-occupancy blocks are aware of their correct evacuation strategy for their block. Once the project is completed residents will have:

- Been informed of the emergency evacuation plan for their home
- Signed to confirm they have received and understand this
- Had an opportunity to notify us where they may have difficulty in self-evacuating from their home in the event of an emergency and where they have made us aware, we will undertake a Person-Centred Fire Risk Assessment
- Had an opportunity to confirm they do understand the emergency plan. Where they advise they do not understand this we will take steps to explain it to them for example by arranging to visit them and to talk through this and answer any queries.

- **Person Centred Fire Risk Assessments (PCFRA)**

Where we are informed that a resident may have difficulty in safely evacuating their home, we are now reviewing PCFRAs. PCFRAs help to identify residents who are at higher risk from fire in their own home, whether this is due to their behaviours or their ability to respond and escape from a fire for example residents with disabilities. The PCFRA focuses on three key areas.

- An increased fire risk
- Ability to react to a fire or alarm
- Ability to respond and escape a fire

PCFRA's have been conducted across our Supported buildings and will now commence in our General Needs blocks as residents make us aware, following receipt of the emergency plan information, of any concerns they have in self-evacuating in the event of an emergency in line with our internal PCFRA procedure and reviewed annually.

- **Building Safety Cases**

One of the key requirements in the Building Safety Act is that RPs will have to provide a Building Safety Case for each of their 18m+ blocks every 5 years. The Safety Case will demonstrate how RPs ensure their buildings are safe and will be required before the Regulator issues a licence, this licence is needed for the building to be occupied.

A project has been initiated to determine what information is already retained, what information we need to obtain and how we record our current information. We are working with a provider to produce this information where we don't currently retain this which will allow us to complete our own reports ahead of the legislative requirements. The first Safety Cases are expected to be required within two-years of the Building Safety Bill becoming an Act of Parliament in May 2022.

- **Primary Authority Service (PAS)**

Nehemiah Housing has been an active member of the West Midlands Fire Authority and this has proved to be an invaluable service. The PAS ensures the Nehemiah receives consistent advice across all areas that we operate. This partnership will be even more important as we implement new policies and procedures as new legislation is released.

8. Responsibilities under this Policy

The roles and responsibilities for key stakeholders across Nehemiah Housing is detailed below:

- **Chief Executive** will need to ensure adequate resources are made available to ensure we are able to comply with the requirements of legislation. The Chief Executive will discharge their responsibilities to the Director of Operations who will cover all Building Safety Matters.
- **Board Members** will review reports that provide progress updates to ensure that Nehemiah Housing is meeting the requirements of the Building Safety Act and Fire Safety Act 2021, and this policy.
- **Director of Operations** (Accountable Person) will work closely with the Property Services Manager to ensure the Nehemiah is compliant with legislation.
- **Property Services Manager (PSM)** is responsible for the overall implementation of this policy and the development and delivery of the

projects detailed within. The P will monitor and track performance to ensure Nehemiah remains compliant with current legislative requirements and that projects are on track to ensure we are ready for the implementation of future legislation and guidance. The PSM will work closely with all departments across Nehemiah to deliver the requirements of this policy and to ensure buildings within the scope of the BSA remain safe. The PSM will provide regular progress updates to the Risk Safety Health and safety group.

- PSM is responsible for managing all compliance activities and informing the team of any compliance related issues which may affect the safety of buildings in scope.

9. Risk Management

The risks of not following this policy are that Nehemiah will not comply with the requirements of the BSA and the Fire Safety Act 2021 and other legislation such as the Regulatory Reform (fire Safety) Order 2005 (RRFSO), relevant codes of practice and good practice guidance. This may result in:

- Prosecution by the Health and Safety Executive under Health and Safety at Work Act 1974
- Prosecution by the Fire and Rescue Service under the Building Safety Act 2022, RRFSO and/or Fire Safety Act 2021
- Prosecution by the Local Authority under the Housing Act 2004
- Prosecution under Corporate Manslaughter and Corporate Homicide Act 2007
- A judgement of serious detriment by the Regulator of Social Housing
- Reputational damage
- Loss of confidence by stakeholders in the organisation

10. Data Protection, Record Storage and Retention

The information retained as part of current projects does not refer to individual properties. However, as the golden thread of information is developed this information may make reference to individual flats but will not record any personal information on the residents.

Details will be retained of engagement and communication with residents regarding Building Safety and specific information that applies to their building. Individual responses to these communications will be retained.

11. Equality and Diversity

This Policy will be applied in a way which ensures equality of treatment for all customers without discrimination, or victimisation on account of any protected characteristic as defined within the Equality Act 2010. In drafting this policy NHA has

had regard to its public sector equality duties under s149 of the Equality Act 2010, namely the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under the Act.
- advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The policy pays regard to diversities around access to and delivery of any services.

An Equality Impact Assessment (EIA) has been undertaken on this policy and copies of the EIAs are available upon request.

On request NHA will provide translations of all its documents, policies and procedures in various languages and formats including computer disc, braille, large print, and tape.

12.0 Communication and Customer Engagement

This policy will be communicated internally to staff via SharePoint Key stakeholders and key staff where this policy has specific impact will be briefed individually or collectively as required.

This policy will be available to customers on request as part of the information that we will make available to customers as defined in the BSA.

13.0 Learning and Development

A key area of the BSA is to ensure that anyone undertaking works is competent to work in buildings that are in-scope of the BSA. Therefore, there will be learning and development requirements to ensure that the relevant qualifications, skills, and experience can be always demonstrated.

Staff in specific roles may require additional training and qualifications – for example those that we determine will be responsible for the inspection of fire doors.

14. Review of this Policy

This policy will be reviewed every three years, or sooner if required by statutory, regulatory, best practice, emerging developments, or circumstances arising from reviews of other company wide policies. Additional secondary legislation will be issued through to 2024 and therefore this policy will need to be reviewed and amended as this is released.

A full review of this policy will be completed May 2027.