

# **Consultation on Practical Fire Safety Guidance for existing Specialised Housing and similar premises**

**Analysis of responses**

**Final Report**

**January 2020**

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# Executive Summary

To strengthen fire safety in Specialised Housing and similar premises, the Scottish Government has drafted a new, comprehensive fire safety guidance document (“the Guidance”). For the purpose of the Guidance, Specialised Housing includes:

- Sheltered housing;
- “Very sheltered” or “extra-care” housing;
- Supported housing

The Guidance is primarily aimed at those who are responsible for Specialised Housing and similar premises and for those who provide care and support services in such premises. The Guidance is also relevant and useful to commissioners of care services, building owners, managing agents, fire risk assessors and others.

The Guidance is structured around two assessment methodologies which determine the fire risk level in Specialised Housing: the premises based fire safety risk assessment and the person-centred fire safety risk assessment.

The premises-based assessment involves the assessment of building-wide fire risks by a competent person to ensure adequate fire safety measures are in place. The person-based assessment determines the risk faced by individual residents from fire in their own private accommodation and results in an action plan tailored to the individual’s needs. The person-based assessment is not a legal requirement, but is strongly encouraged as good practice in the Guidance. Both assessments are to be regularly reviewed.

In addition, the Guidance includes Appendices that provide templates to carry out the person-based and premises-based assessments and further information, for example, more detailed guidance on the storage and use of mobility scooters.

To gauge the views of stakeholders and other interested parties and improve the Guidance, the Scottish Government carried out a consultation from 31 July 2019 to 22 October 2019.

The consultation received responses from a total of 38 respondent organisations. The responses came from local authority housing providers (8), Housing associations (6), Independent/private sector housing providers (1), Care and support providers (1), Scottish Fire and Rescue Service (1), Advice agencies (15), Consultants/contractors carrying out fire safety risk assessments (2) and people with views on the subject, including those with relatives living in Specialised Housing (3), Managing agents or facilities managers (1). No residents or tenants responded to the consultation.

The Scottish Government Fire and Rescue Unit engaged with key groups in a number of consultation events throughout the summer of 2019 to discuss the key elements, promote participation in the consultation and to seek early views to help shape the structure and content of the Guidance.

## **Public Consultation Responses**

The Guidance was, in general, well received and deemed necessary and useful by all respondent groups. In addition, no respondent group voiced concerns of being disproportionately affected. As such, most comments sought further clarification e.g. on the types of dwellings in scope or to use less technical language. Further editorial suggestions included providing weblinks to relevant legislation, a succinct description of landlord/housing provider responsibilities and a summary of the Appendices. Ideas for disseminating the Guidance included distributing it to all social landlords and to have it disseminated by the Fire and Rescue Service and other stakeholders, such as the Care Inspectorate.

In terms of impact, many respondents agreed that improved safety is a key benefit of the Guidance. Financial benefits related to a reduced number of fires/reduced insurance premiums. A number of respondents expect increased costs, such as from additional staff training or the need to hire external experts to carry out fire safety risk assessments.

Few respondents gave information on how many premises and people would be affected. Nevertheless, the information provided reflected a considerable number of premises (ranging from 3 to 5,000) and people (ranging from 70 to 8,000). The low response to these questions may also be explained by the high number of respondents that are not housing providers, such as advice agencies. For the purpose of this report, advice agencies have been defined as organisations that may be involved in interest representation such as trade associations<sup>1</sup> and national associations, as well as (non-fire safety) scrutiny bodies and charities.

In terms of content, the premises-based and person-based methodologies were deemed helpful by the respondents. There was no clear commitment from respondents that they would carry out person-based assessments, with the exception of one Independent/private sector housing provider (150 premises and 8,000 people) and one local authority housing provider (no further information). The Appendices were seen as useful.

Based on the consultation responses, the Guidance has been positively received by stakeholders and interested parties. Many respondents will still need to assess what the Guidance will mean for them in practice, particularly regarding additional costs and the number of premises and people affected. One Independent/private sector housing provider and one local authority housing provider indicated their intention to carry out a person-based assessment, but this does not mean that

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<sup>1</sup> Including those with links to care and housing providers

others may not do so as well, possibly following the completion of further impact assessments. In addition, a person-based risk assessment may not be required for all residents.

# Background

Following the tragic Grenfell fire in London in 2017, a Ministerial Working Group (MWG) was set up by the Scottish Government. The Group oversaw a review of building and fire safety regulatory frameworks, and other relevant matters, in order to help ensure that people are safe in Scotland's buildings. As part of this work, there was a 'Review of the Fire Safety High Rise Domestic Buildings in Scotland'<sup>2</sup>. This resulted in six recommendations, one of which was the introduction of fire safety guidance for Specialised Housing.

While no major gaps in legislation were identified, it recommended that fire safety guidance for specialised housing was needed to protect vulnerable people and that it should be person-centred.

Specialised Housing includes:

- Sheltered housing, defined as “providing self-contained residential accommodation for older people, and where some form of assistance is available at all times, though not necessarily from persons on the premises”,
- “Very sheltered” or “extra-care” housing, defined as involving “managed on-site care and support service, commonly on a 24-hour basis. This includes premises described as very sheltered housing, “housing with care”, “assisted living” and “integrated care and housing (ICH)” or, where support is linked to a care home, “close care housing”.
- Supported housing, defined as dwellings “designed for vulnerable people with common characteristics, living as part of a community with support that is normally, but not necessarily, provided on a 24 -hour basis. This includes housing for groups of people with learning or physical disabilities and mental health issues, but not "hostel"-type accommodation for groups such as homeless people, victims of domestic violence or ex-offenders. Residents may live independently or as a single group.

In addition to the above, the Guidance also applies to similar premises where vulnerable people live, such as small care homes and it will also be useful for people living in “general needs” housing who receive a “care at home” service.

Protecting vulnerable people from fire is the aim. Having accessible and effective fire safety guidance is therefore key. The Guidance advocates both a person-centred and a premises-based approach. The person-centred approach is based on a risk assessment of individual residents within their own private accommodation, taking account of personal characteristics and results in a person-

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<sup>2</sup> Scottish Government (2018), *Scottish fire safety regime for domestic high rise property: final review*

specific action plan. The premises based approach assesses the building-wide related fire risks which may pose a risk to life safety.

Some premises which fall within the scope of the Guidance are subject to fire safety legislation, such as small care homes and some forms of supported housing. For them, the premises-based risk assessment is a legal requirement

The Guidance has Appendices that include templates for fire risk assessments, a matrix of responsibilities and examples of fire safety advice and fire action notices, as well as more detailed guidance on the storage of mobility scooters, which can be a significant fire hazard.

The Guidance is primarily for those responsible for specialised housing and similar premises and for those who provide care and support services in such premises. In this context, individuals and stakeholders affected by the Guidance include:

- Residents / tenants
- Independent/private sector housing providers
- Housing associations
- Local authority housing providers
- Managing agents or facilities managers
- Care and support providers
- Local authority service commissioners
- Enforcement Officers in local housing authorities
- Enforcement Officers and Community Safety staff of the Scottish Fire and Rescue Service
- Advice agencies
- Consultants/contractors carrying out fire safety risk assessments
- Other people with responsibility for Fire Safety
- Anyone else with views including relatives of people who live in specialised housing

Gathering the views of housing and care providers, care commissioners and regulators, is therefore important.

The Fire and Rescue Unit of the Scottish Government's Safer Communities Division, launched a consultation that ran from 31 July 2019 to 22 October 2019. It received responses from 38 respondents: Local Authority housing providers (8), housing associations (6), Independent/private sector housing providers (1), Care and support providers (2), Enforcement Officers and Community Safety staff of the Scottish Fire and Rescue Service (1), Advice agencies (15), Consultants/contractors carrying out fire safety risk assessments (2) and people with views on the subject, including those with relatives living in Specialised Housing (3), Managing agents or facilities managers (1).. Two housing associations provided a joint response.

It should be noted that it could not be determined whether the responding local authorities are housing providers or service commissioners. For the purpose of this report, therefore, all local authority responses were categorised as housing provider responses. No residents or tenants responded to the consultation.

The Scottish Government Fire and Rescue Unit engaged with key groups in a number of consultation events throughout the summer of 2019 to discuss the key elements, promote participation in the consultation and to seek early views to help shape the structure and content of the Guidance:

- Presentation/Workshop with Coalition of Care and Support Providers in Scotland (CCPS) Housing Support Enabling Unit on 27 August 2019,
- Presentation and questions with SFRS on 18 September 2019,
- Presentation and questions with Wheatley Group and other care/support agencies on 8 October 2019.

## **(i) General Questions on Guidance**

### **1. Is Fire Safety Guidance for Specialised Housing required in your view?**

Nearly all (37 of 38) respondents confirmed that the Fire Safety Guidance for Specialised Housing is required. Further qualifying comments confirmed that there is a need for enhanced fire safety measures for Specialised Housing, particularly due to the vulnerability of residents and an ageing population.

### **2. Is the purpose of the Fire Safety Guidance for Specialised Housing clear?**

The majority (33/38) of respondents felt that the purpose of the Guidance was clear. Nevertheless, a few commented on the clarity of paragraph 9 (application of the Guidance to small care homes) and 28 (simultaneous evacuation strategy for shared group homes). An individual and a housing association queried the applicability of the Guidance to Specialised Housing where children reside. This included comments about children's care homes not being mentioned in the definitions (paragraph 9) or Glossary.

Another housing association suggested that the responsibilities of "duty holders" should be further defined, with regard to 'Care at home', lease agreements and tenancy agreements. The information provided in the Glossary was generally welcomed, with a joint response suggesting an additional Appendix with more detail on different types of Specialised Housing. Similarly, a joint response from three Consultants/contractors carrying out fire safety risk assessments recommended placing the Glossary earlier in the document to make reading and understanding the Guidance easier. In addition, one local authority suggested that the types of housing in scope of the Guidance could be more clearly presented by using graphics and charts.

### **3. Is it clear who should use the Guidance?**

The majority of respondents (29 out of 38) answered "yes". This included five local authority housing providers who confirmed that the intended audience was clearly defined.

Fourteen advice agencies confirmed that the Guidance is mainly clear on who should use it. It was suggested that reference be made to the potential role of personal assistants under self-directed support, social care providers and other enforcing authorities. The agency answering 'no' suggested including all relevant responsibilities for each group in paragraph 22

While the majority were clear on who the Guidance was aimed at, three local authorities felt the division of responsibilities between parties could be made clearer. In contrast, four of five housing associations confirmed that the Guidance was clear on this.

Other comments included:

- a) One local authority housing provider suggested adding a clear statement that housing providers are responsible for premises based fire safety risk assessments and care and support providers are responsible for person-centred assessments.
- b) Another local authority requested clarification on who should take the lead in completing a person-centred risk assessment.
- c) One housing association asked to what extent the Guidance applies to amenity housing (which is included in the definition of Sheltered Housing in the Glossary section of the Guidance).
- d) One care and support provider felt that the person-centred risk assessment may lead to confusion and prompt housing providers to carry out assessments for every tenant and that the housing provider is responsible for evacuation. The other care and support provider objected to one of the key points in Chapter, which states that: "Fire safety design of supported housing is usually based on the same principles as dwelling houses". The care provider insisted that this does not apply to residential child care homes.

## **(ii) Scope of the Guidance**

### **4. Are there other premises that the Guidance could usefully apply to in addition to those stated?**

Many respondents (24/38) did not feel the Guidance could apply to other premises. Here, it should be noted that few respondents answering “yes” or “no” gave any further comment. Therefore, only those further comments which were provided by at least two respondents are highlighted below.

Other premises suggested were student accommodation (two advice agencies), and further clarifying the definition of “small domestic care homes” (one advice agency, the Scottish Fire and Rescue Service). In addition, homeless shelters and any type of accommodation where some residents may not have the physical or mental capabilities to follow fire safety procedures were suggested.

### **5. Are there premises that the Guidance currently includes in scope, that it does not usefully apply to?**

Most (31/38) respondents answered “No”. This includes all advice agencies and housing associations as well as seven local authorities. The local authority answering “yes” was more concerned with clarifying definitions of premises than pointing out premises which should not be in scope. No further details were provided.

One individual pointed out that council tenancy agreements do not reflect levels of support required by a resident. This may blur the lines between Specialised Housing and other housing types.

### **6. In your view, will this Guidance be useful for vulnerable people receiving care services in general needs housing, and their families and carers?**

Most (29/38) confirmed that the guidance would be useful. Seven local authority housing providers said the Guidance covers the assistance requirements that some vulnerable people may have in the event of fire. One local authority, an advice agency, a care provider and a Consultant/contractor carrying out fire safety risk assessments emphasised that the Guidance may require specialist and technical knowledge. It was suggested that the Appendices could be summarised in a separate booklet.

## **(iii) Fire Safety Content**

### **7. Are the “person-centred” and “premises-based” approaches helpful in assessing fire safety requirements?**

A large majority (35/38) answered “yes”. This includes all advice agencies, 7/8 local authorities and 5/6 housing associations. The respondents answering “no” said the person-centred approach is too complicated for a lay person. Funding issues related to carrying out these assessments, such as the premises-based assessment, were also raised. The Scottish Fire and Rescue Service and two consultant/ contractors endorsed the checklists and found the approach useful.

### **8. Do you think the range of fire safety measures and benchmarks identified in Parts 1 and 2 of the Guidance are helpful?**

Most respondents (34/38) answered “yes”. This included all local authorities, 4/5 housing associations, the care provider, the Independent/private sector housing provider, and 11/12 advice agencies. Several respondents suggested that if an assessment is not carried out by someone that is not the landlord, the results should be shared with them. In addition, one housing association approved that the Guidance recognises premises may not be staffed at all times. A “no” answer came from a housing association, who commented on the section covering suitability of accommodation (i.e. specialised housing), which highlights that residents in specialised housing may become so vulnerable over time that they have to be transferred to a care home. The housing association queried how this would be assessed in relation to the provisions of the Guidance and if this approach could be used by multi-disciplinary agencies, where health, social, fire and housing experts would jointly assess risk.

### **9. Is it clear in the Guidance which premises are legally required to undertake a fire safety risk assessment under existing fire safety legislation?**

Many respondents (25/38) answered “yes”. Among these were nine advice agencies, five housing associations (the sixth did not answer the question), the care provider and managing agent, and 4/8 local authorities. Two advice agencies and one local authority asked for further clarification on the premises listed in paragraph 478 of the Guidance, which provides more detail on relevant premises, i.e. premises in scope to which relevant fire safety law applies. One local authority pointed to a potential for confusion over duties and obligations, due to the strong recommendation to carry-out person-centred assessments even though they are not mandatory.

A joint response by three contractors suggested adding a quick reference table in Figure 16 (Application of Fire Safety Law) to show whether a fire risk assessment is mandatory or best practice.

## **10. Do you think the Guidance clearly points the reader towards other existing guidance where appropriate?**

Most respondents (31/38) answered “yes”. This included ten advice agencies (two did not respond to this question), all housing associations and all local authorities as well as the Independent/private sector housing provider.

One consultant/contractor, two advice agencies, one care provider and one managing agent or facilities manager requested weblinks to relevant legislation in the fire safety law section (Chapter 7). The advice agency also voiced concerns about the compatibility of the Guidance with the Scottish Technical Handbooks 2019.

## **11. Do you think the Appendices are useful?**

Nearly all respondents found the Appendices useful. One advice agency sought clarification on disability in the context of the “stay put” advice in Appendix 1 and evacuation strategy in Appendix 2. The agency also sought clarity on actions to take where high risk is confirmed in Appendix 3 (Person-Centred Fire Safety Risk Assessment Template). One local authority requested further information on leadership regarding Appendix 6: Matrix of Responsibilities, which lists landlords, housing providers, managing agents and facility managers, care providers and commissioners of services.

## **12. Is there anything missing from the Guidance or further information that should be included?**

Overall, (16/38) respondents felt that nothing is missing from the Guidance. This included all housing associations, but for other respondent groups, responses were mixed. Two local authorities sought a clarification on fire alarm provisions in supported housing, specifically the connection between dwellings and common areas. In addition, one local authority housing provider commented that guidance on firefighting facilities should cover availability of access routes for emergency vehicles and that these areas should be clearly marked.

Another local authority housing provider felt that paragraph 266 on inner rooms may not be in accordance with Technical Handbook guidance or BS 9991 2015, and suggested this could be considered as part of the person-centred risk assessment. In addition, one advice agency suggested an additional Appendix on electricity and gas issues.

The Scottish Fire and Rescue Service suggested that the definition of “small domestic care home” be added to the guidance and queried the use of the word “domestic”. A joint response of three consultants/contractors called for the promotion of multi-sensor detection devices in new fire alarm systems to reduce false alarms. The Guidance highlights that the use of such technology, rather than smoke detectors, may reduce false alarm incidents.

A risk assessment consultant/contractor suggested that hiring a specialist assessor should be encouraged in cases where the competence of staff is in question. Additionally, it was suggested that as many doors as practical should be sampled as part of the risk assessment process to ensure adequate fire resistance/self-closing ability

### **13. Is there anything further you think should be done to improve fire safety risk assessments in Specialised Housing or their impact?**

Half the respondents (19/38) answered “no”.

A housing association reiterated the need to consider mental health issues in a person-centred approach, particularly for people living in general needs housing.

An advice agency raised the issue of the ratio of carers to residents as part of the premises-based approach to evacuation.

An individual and a Managing agent /facilities manager called for expanding the scope of the Guidance to include all types of supported accommodation.

One local authority housing provider commented that good housekeeping should be promoted to reduce fire risk (acknowledged as a key prevention measure in the Guidance).

A joint response by three consultants/contractors advocated the deletion of references to similar professional registration schemes in paragraph 131 in the section Competence of Fire Risk Assessors.

## **(iv) Guidance Accessibility and Clarity**

### **14. Do you find this Guidance straightforward to use?**

The majority of (26/38) respondents find the Guidance straightforward to use. This included four housing associations, nine advice agencies and 4/8 local authorities, as well as a managing agent/facilities manager.

Three advice agencies (one housing association and two local authorities) remarked that the Guidance is quite technical and lengthy, making it difficult for non-experts to use. Another local authority suggested splitting the Guidance by property type. Similarly, the care provider suggested **categorising** by care service to improve clarity. A joint response by three consultants/contractors suggested adding a quick reference table on relevant legislation.

### **15. Do you think the content is clear and easy to understand?**

Over two thirds of respondents (27/38) confirmed that the Guidance is easy to understand, although some felt it was quite technical. For example, the managing agent/facilities manager commented that in Chapter 5 – Risk Management – Fire Protection, is more appropriate for people with relevant expertise and competence in undertaking fire safety risk assessments. This is outlined in detail in Chapter 3 - Assessment of Fire Risk in Premises. A local authority suggested presenting responsibilities more visually, such as in flow charts. Furthermore, a risk assessment consultant/contractor suggested that the Glossary should include a definition of third party certification. It was also suggested an advisory leaflet accompanying the Guidance could be produced.

### **16. Can you suggest ways to let people know this Guidance is available once it is published?**

Suggestions included providing copies to all registered social landlords, disseminating the Guidance to Specialised Housing associations, local authorities and enforcers as well as a general advertising/media campaign. Other suggestions included having the Care Inspectorate, the Scottish Social Services Council (SSSC), and the Scottish Fire and Rescue Service distribute the Guidance to all care providers. Training on the Guidance and hosting tenant/resident workshops was also mooted.

## **(v) Potential Benefits and Costs**

### **17-21 - Do you have data on the number of people/premises you work with that this Guidance will apply to?**

Few respondents (13/38) confirmed that they have, or are able to share, related information. Ten (four housing associations, two advice agencies, one local authority, one managing agent/facilities manager, one care provider and one independent/private sector housing provider) gave figures for people affected, ranging from 70 to 8,000. This does not necessarily imply that the organisations supplying this data are committed to carrying out person-centred risk assessments. The respondents that answered “no” often did not provide reasons. Two respondents stated that more work would be required to gather this data.

Twelve respondents (four housing associations, two advice agencies, three local authorities, one managing agent/facilities manager, one independent/private sector housing provider and one care provider) provided information on premises, ranging from 3 to 5,000 for premises.

### **22 - Proportion of premises and people that have appropriate fire safety measures, taking into account the Guidance**

This question asked respondents to either provide data or make estimates on the number of premises and people that have appropriate fire safety measures, taking into account the Guidance.

A total of thirteen responses were received. Of these, seven were able to provide data. The remaining six gave estimates.

Of the seven providing data, the breakdown was as follows:

#### **(i) Adequate Premises based measures (data)**

- one answered less than 50%,
- three answered 50%-75% ,
- three answered 76%-100%.

#### **(ii) Adequate Person-centred measures (data)**

- one said less than 50%,
- three said 50%-75%,
- three 76%-100%.

Of the six providing estimates, the breakdown was as follows:

#### **(i) Adequate Premises based measures (estimates)**

- one respondent said less than 50%,

- two respondents answered 50%-75%,
- three said 76%-100%.

(ii) Adequate Person-centred measures (estimates)

- one answered don't know,
- one less than 50%,
- one 50%-75%,
- two 76%-100%.

Only a minority of those who took part in the consultation provided data or estimates. Of those who did respond, most indicate that over 50% of their premises and people have adequate fire safety measures. This suggests many will have to carry out assessments in the near future to assess the situation. In addition, it is not clear whether the responses relating to people imply that the fire safety measures are appropriate, as determined by a person-centred risk assessment. Furthermore, it has to be emphasised that many respondents are not housing providers, but advice agencies or persons with views, etc. that may not be able to provide relevant information. However, (5/6) housing associations, (3/8) local authority housing providers, both care providers and the independent/private sector housing provider provided related information.

### **23 - Please provide further information on the number of people or premises that will need additional fire safety measures as a result of applying the Guidance?**

Only two respondents (one independent/private sector housing provider and one local authority housing provider) could provide further information. Of these, the local authority said that they own 220 premises covered by the Guidance. The independent housing provider confirmed that 4,500 residents live in specialised housing or similar premises, but cannot give further information on additional fire safety measures until the person-based risk assessments have been carried out. This very low response rate implies that relevant assessments have to be carried out first.

### **24 - What are the anticipated benefits, including financial, from implementing the Guidance?**

Sixteen respondents highlighted improved fire safety and the reduction of fires and saving of lives as the main benefits. Further benefits include a more structured approach to fire safety in Specialised Housing, the implementation of best practice and fostering a better understanding of resident/tenant needs.

Several respondents (two local authority housing providers, one housing association, one advice agency and the Scottish Fire and Rescue Service), confirmed potential financial benefits resulting from the application of the Guidance

and reduced fire risks. Local authority housing providers expected a positive impact on repair and refurbishment costs for their properties due to fewer fire incidents. The advice agency envisaged a potential reduction of insurance premiums linked to fewer fire incidents.

The housing association expected reduced costs to the Fire and Rescue Service, due to fewer fire incidents. The Fire and Rescue Service confirmed that fewer fire incidents and/or less serious fires and false alarms could free up time for fire prevention activities and the introduction of the guidance. They envisaged financial benefits for housing providers due to reduced fire damage repair costs as well as for the NHS, resulting from the reduced need to treat people injured in fire incidents.

**25 - Please provide information on the types of improvements you anticipate will be needed? It would be useful to know whether these are person-centred or premises based and whether they are basic measures e.g. smokers apron / self-closing device or more significant e.g. individual fire suppressions systems / separation of roof spaces.**

Improvements listed by respondents included improved housing management approaches due to the premises-based risk assessment, installation of storing and charging facilities for mobility scooters and the removal of combustible cladding. One local authority housing provider highlighted the need for the person-based and premises-based risk assessment to be completed first before this could be analysed.

**26 - What other costs will be incurred in applying the Guidance?**

Eleven respondents (five local authority housing providers, two housing associations, two advice agencies, one care and support provider and the Scottish Fire and Rescue Service) anticipate other costs.

One local authority housing provider anticipates additional costs due to increased staff requirements and retrofitting of accommodation. Another local authority, also a housing provider, expressed concern that if accommodation cannot be upgraded in at a reasonable cost, alternative accommodation may have to be found.

In addition, one housing association expects increased insurance premiums, without providing further detail. The care and support provider expects a business impact but is still to assess their premises against the Guidance. Furthermore, one advice agency expects increased costs in building maintenance and management as well as a renewed focus on building design. Another advice agency expected building modification costs -should the use of mobility scooters increase- as a result of the options suggested in Appendix 7 on mobility scooters.

The Scottish Fire and Rescue Service expected additional work to support their partners, as a result of the Guidance. Training will be needed for those that offer advice on the Guidance. Furthermore, housing providers may have to re-assess evacuation procedures, face additional costs and require additional staff.

## **27 - Do you have access to funding sources currently to improve fire safety in specialised housing e.g. from Community Safety Partnerships?**

Just two respondents (one person with a view and one advice agency) confirmed access to funding, but of these, one could not provide further details, while the other referred to internal resources for service provision. One housing association also confirmed the use of their own resources, while not having access to external funding sources. A joint response by two advice agencies called for funding support from the Scottish Government to meet the requirements of the Guidance.

## **(vi) Impact Assessments**

### **28 - Please give information and views on any business impacts you consider the Guidance might have.**

The most common business impact identified was related to additional costs to implement appropriate fire safety measures, voiced by six respondents. The Scottish Fire and Rescue Service saw the potential need for hiring a competent person to carry out a premises-based assessment. Some respondents welcomed the announced Business and Regulatory Impact Assessment (BRIA) and Equality Impact Assessment (EQIA).

### **29 - Please give information and views on groups with protected characteristics (as explained in the drop down below) that implementation of the Guidance might have. This should include both positive and negative**

Several respondents (three local authority housing providers, two advice agencies, the Scottish Fire and Rescue Service and one care and support provider and one individual) agreed that groups with protected characteristics would benefit from safety improvements. The care and support provider confirmed that the language used in the Guidance is non-discriminatory.

One housing association felt that the mobility of older people may be impacted by the guidance on mobility scooters (storage and charging), which could potentially limit the numbers of mobility scooters accommodated. In addition, one advice agency was concerned about a potential impact on Specialised Housing stock, as landlords may wish to avoid additional investments in fire safety.

### **30 - Please provide any further comments you have on the Guidance below.**

Several comments were on editorial changes to the Guidance. One respondent suggested that mobility scooters could be stored and charged in a resident's own premises having a safe fire door, thereby reducing risk to common areas. Another respondent felt that if the Guidance would impact the ability of vulnerable people to live independently at home, this could put pressure on care homes and have further social and health impacts.

## **(vii) Conclusion**

Overall, the Guidance was well received by organisations and individuals that responded to the consultation. Many comments sought further clarification on housing types in scope and to simplify the perceived technical language. Various ideas were forwarded for the dissemination of the Guidance, including making it available to social landlords and for the Fire and Rescue Service to distribute it.

In terms of impact, safety benefits featured prominently. Furthermore, potential financial benefits were attributed to increased fire safety and reduced numbers of fire incidents such as decreased repair costs or lower insurance premiums.. Additional costs are envisaged, related to the carrying out of assessments, possibly by an external expert due to the competent person requirement, particularly in relation to premises based fire safety risk assessments. In addition, potential refurbishment of dwellings may be needed, for instance to store mobility scooters, and a review of housing management procedures could drive improvements.

Few respondents could give further information on the number of people and premises affected by the Guidance. Nevertheless, the information provided reflected a considerable number of premises (ranging from 3 to 5,000) and people (ranging from 70 to 8,000). Similarly, few could advise how many premises already have adequate fire safety measures, taking account of the Guidance. The fact that many respondents are not housing providers may be an explanation for the low response rate overall. For instance, 5/6 housing associations were able to provide related information as were both care providers, the independent/private sector housing provider and 3/8 local authority housing providers.

The person-based and premises-based approaches were seen as helpful by the respondents, as were the Appendices. Two respondents indicated their intention to carry out the person-based risk assessment. As not every person living in Specialised Housing may need a person-centred risk assessment and additional measures, it is not possible to predict exactly how many people this would affect.



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Any enquiries regarding this publication should be sent to us at

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