

Keeping Communal Areas Safe Policy



Reference:	HS_POL_HOU_COM_5.0	Author:	Housing Services Manager
Scope:	Housing Solutions	Approved by:	Executive Team
Legislation:	Torts [Interference with Goods] Act 1977 Housing Act 2004 Equality Act 2010	Date of approval:	March 2024
Regulatory/ Governance:	The Regulatory Reform (Fire Safety) Order 2005 Fire Safety (England) Regulations 2022 RSH Regulatory Framework	Date of next review:	March 2027
Related policies:	Health & Safety Policy Fire Safety Policy Fire Risk Management Policy Mobility Scooter Policy ASB Policy CCTV Procedure Neighbourhood Management Policy		

1. Policy Statement

- 1.1 This policy has been developed in line with statutory requirements and guidance from the Local Government Association on fire safety in purpose-built blocks of flats to support the appropriate management of all Housing Solutions communal areas from a fire safety perspective .
- 1.2 Housing Solutions prioritises the safety and wellbeing of all residents and has a legal obligation to manage the safety of communal areas in blocks it owns or for which it has management responsibilities.
- 1.3 Good housekeeping is fundamental to reducing fire risk in blocks of flats. Limiting the presence of combustible materials and ignition sources not only reduces trip hazards but also the potential of accidental / deliberate fires starting in common areas. Housing Solutions therefore adopts a “zero-tolerance” policy to the storage of any items or belongings in communal areas of accommodation to ensure resident & staff safety. This zero-tolerance policy for managing communal areas ensures a clear, consistent approach to preventing the storage of items in communal areas, reducing the risk of fire, and ensuring clear, hazard-free escape routes. This policy also ensures that our approach is consistent with residents’ requirements under Tenancy Agreements and leases in relation to residents’ responsibilities in keeping communal areas clear and free from obstruction.

This zero-tolerance policy will apply to all Housing Solutions communal areas, which are defined as

shared areas in and around properties Housing solutions own or manage such as, but not restricted to:

- Corridors
- Entrance halls and doorways
- Landings
- Staircases
- Lifts
- Shared balconies
- Deck access points
- Bin stores and chutes
- Cycle stores
- Car parks
- Landlords' cupboards
- Play areas
- Private balconies and ground-floor enclosures

1.4 The aims of our zero-tolerance policy are:

- For residents to enjoy a safe, clean and tidy environment;
- To reduce unnecessary risks and comply with our duties under fire safety and housing legislation;
- To comply with fire authorities' recommended practices for managing communal areas;
- To ensure we meet our regulatory responsibilities;
- To reduce the risk of accidental fires starting in shared areas while ensuring there is clarity in the enforcement of a zero-tolerance approach;
- To ensure a hazard-free escape route;
- To ensure there is clarity on people's various roles and responsibilities;
- To keep residents safe and ensure we manage and address residents' concerns regarding fire safety effectively.

1.5 The objectives of zero-tolerance policy:

- To have a well-defined corporate approach to keeping communal areas free from combustible materials.
- For residents to be aware of their responsibilities and our zero-tolerance approach to keeping communal areas free from obstructions.
- The prompt removal of items left in communal areas, in line with the necessary notice procedures, by taking a corporate approach involving all departments that visit our estates/blocks/flats.

- To ensure there is no ambiguity regarding what is allowed, so that residents know exactly what is expected/required of them.

1.6 The roles and responsibilities relevant to this policy are:

Board	Supports the organisation in the fair and consistent application of this policy.
Executive Team	Responsible for approving this policy and any amendments which may be needed from time to time. Responsible for recommending the policy's strategic direction as it feeds into operational delivery for residents
Senior Management Group	Responsible for applying this policy and the monthly performance reporting of all key activities, e.g. estate inspections, Fire Risk Assessments (FRAs) due and undertaken and FRA actions (maintenance and management)
Health & Safety Panel	Providing guidance as supplied by Housing Solutions' retained health and safety advisers (currently Cooper Bassett) and fire safety advisers (currently Savills)) as well as our local fire & rescue services
3rd Party fire risk assessors	Savills undertakes the fire risk assessments as a 3 rd party.
Fire Safety Manager	The fire safety manager is responsible for managing the 3 rd party contract, FRA actions & allocations.
Housing Officer	The Housing officer is responsible for proactively completing block inspections, identifying fire safety concerns, and raising any concerns immediately to the fire safety team. The Housing officer is responsible for ensuring that residents are aware of the fire guidance / information provided by Housing Solutions. They will work closely with the estates services team to identify and remove any items within the communal areas.
All Staff	Responsible for proactively identifying fire safety concerns and raising these immediately to the fire safety team. Responsible for identifying and alerting the Housing officer of any items identified across our estates in breach of our zero-tolerance approach.
Residents	Responsible for keeping communal areas clear and storing goods/belongings inside their homes as per the terms of their tenancies or leases, and for following the fire safety advice detailed in this policy. In addition, to support the safety of all residents in their blocks, residents are encouraged to report any fire risk concerns in communal areas to both their local fire and rescue service and Housing Solutions.

2. Keeping Communal Areas Safe

- 2.1 Items in communal areas are potential health and safety hazards, and/or pose a serious fire risk. The Regulatory Reform (Fire Safety) Order 2005 requires Housing Solutions to assess the risk of fire within all communal areas, and to take adequate precautions to reduce this risk.
- 2.2 We have a legal duty to keep all fire escapes clear at all times. It is therefore

important to ensure there are no obstructions in communal areas which could:

- Contribute to the spread of fire or combustible materials creating accidental fires.
- Prevent/reduce residents' ability to escape in the event of fire.
- Produce smoke
- Hinder the emergency services in carrying out rescue duties
- Injure people by presenting trips and fall risks

2.3 Obstructions in communal areas include, but are not limited to, rubbish and large items awaiting disposal, bicycles, motorised cycles, scooters, wheelchairs, pushchairs, household items such as unwanted furniture, clothing, toys, decorative items and unauthorised CCTV units installed by a resident.

2.4 We will keep communal areas safe by:

- Taking an organisation-wide approach to the management of these areas. This will include regular estate inspections to identify any issues with items being stored in communal areas, ensuring high standards of repair and cleanliness with well-maintained communal/ garden areas.
- Keeping all evacuation routes clear, with proper signage in place, working emergency lighting, and having fully functional fire doors/windows.
- Having UpToDate Fire Risk Assessments in place and managing, resolving, and reporting resultant FRA actions.
- Ensuring we communicate proactively with our residents on fire safety.

2.5 Residents' personal possessions are protected from interference by the Torts [Interference with Goods] Act 1977. This Act allows the sale and/or disposal of uncollected goods, including abandoned goods.

2.6 If items or goods in communal areas are identified as belonging to a particular property or person and provided, they do not present an immediate fire risk, the service of a Tort Notice by a landlord on that owner allows a period (usually 24 hours) in which the resident must remove the goods themselves.

2.7 If the goods have still not been collected after the agreed period, they can be legally removed and/or disposed of in accordance with the terms of the tenancy or lease.

2.8 We reserve the right to remove immediately and safely dispose of any item deemed to be an immediate fire risk if it is made of flammable material or an ignition source. e.g. bulk rubbish, sofas, bedding and mattresses, gas canisters, mopeds, e-scooters and mobility scooters.

2.9 If items found in communal areas are valuable and the owner can be readily identified, a Tort Notice will be placed on the item and posted to its owner telling them to remove it. At the end of the tort notice period, the items can be disposed of.

2.10 Where goods are of no value, they may be disposed of immediately.

2.11 Housing Solutions reserves the right to charge for the storage and disposal of any

removed goods.

Housing Solutions' residents are expected to keep communal areas safe by:

- Keeping these areas clear of items such as buggies, shoes, bicycles, furniture, doormats, pictures, plant pots or other flammable items or trip hazards.
- Not installing camera doorbells, decorative items or CCTV to the front doors of flats as this may potentially compromise the fire integrity of the door.
- Accepting responsibility for all aspects of their Tenancy Agreement, Lease or Licence Agreement.
- Complying with relevant fire safety advice within the home and in the event of a fire.

2.12 Where there are communal spaces, such as designated lounges, hobby or activity rooms or salons, typically in sheltered, supported and Extra Care schemes, we will provide and maintain fixtures and furniture. Personal items must not be left in these rooms without the express knowledge and permission of the Housing Officer, following a risk assessment. Where items are allowed in communal social spaces, they should be always stored safely and correctly.

2.13 Any electrical equipment found within the communal areas which have not been PAT tested by Housing solutions or one of our approved contractors will be removed immediately.

2.14 Charging of scooters is strictly prohibited within the communal areas.

2.15 Housing Solutions will not be responsible for the loss or damage of any items within our communal areas, and under no circumstances will compensation be paid for items which have been disposed of in accordance with our policy and procedure.

2.16 In addition to this policy, our management approach to looking after communal areas is outlined within Housing Solutions' Neighbourhood Management Policy.

3. Legislation

Housing Solutions will comply with the legislation and guidance set out on page 1 of this policy. We will also stay up to date with any changes in legislation, guidance, and best practice.

4. Consumer Standards

By publishing and adhering to this policy, Housing Solutions is upholding the requirements set out in the Consumer Standards published by the Regulator of Social Housing.

5. Equality & Diversity

Housing Solutions recognises the needs of a diverse population and always acts within

the scope of its own Equality, Diversity & Inclusion Strategy and Policy, the Human Rights Act 1998, and Equality Act 2010 to treat all residents fairly and equally in applying this policy. Housing Solutions works closely with its partners to ensure it clearly understands its resident community, with clear and regularly updated service user profiles. Housing Solutions will record, analyse and monitor information on ethnicity, vulnerability and disability to support the fair application of this policy.

6. Confidentiality

6.1 Under the Data Protection Act 2018 and UK General Data Protection Regulation (UKGDPR), all personal and sensitive information, however received, is treated as confidential. This includes:

- Anything of a personal nature that is not a matter of public record about a resident, client, applicant, staff, or board member.
- Sensitive organisational information.

6.2 We will ensure that we only involve other agencies and share information where there is a legal basis for processing the information or we are signed up to UKGDPR compliant Information Sharing Protocol.

6.3 We will treat all information received from complainants in relation to this policy in confidence and will seek residents' consent before sharing any information.

6.4 There may be some instances where Housing Solutions will be obliged to share information with a third party due to legal requirements, such as where there is child protection or vulnerable adults' concerns. Any information would be shared in accordance with data protection requirements.

6.5 We may also share information regarding anti-social behaviour with other partners as part of their commitment to Community Safety partnerships. Section 115 of the Crime and Disorder Act 1998 allows information to be shared in the prevention and detection of crime and disorder. Any information would be shared in accordance with data protection requirements.

7. Review

7.1 We will usually review this policy every three years, or more frequently in response to changes in legislation, regulatory guidance, good practice or changes in other relevant Housing Solutions' policy.

7.2 We will regularly monitor our performance in relation to the delivery of our services and activities set out in this policy through our established reporting mechanisms to our Executive Team, Board, and associated committee.