

Building Safety Compliance Policy

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1.0 INTRODUCTION

- 1.1 Nottingham City Council (NCC) is the local authority for the unitary authority of Nottingham in Nottinghamshire, England. It consists of 55 councillors, representing a total of 20 wards, elected every four years.
- 1.2 Nottingham is a city with strong, vibrant and diverse communities, where people have a sense of belonging in the place they live and get on well together. People are proud of where they live and play an active role in their local community. They are connected physically, through clean and green shared spaces and places to enjoy and digitally, to opportunities, training, local services and support when they need them.
- 1.3 NCC Housing services have the responsibility for ensuring that all of the properties it manages meet current regulations.

2.0 OUR COMMITMENT

- 2.1 Nottingham City Council is committed to establishing, implementing and maintaining a policy of continuous improvement and performance of its Compliance related obligations with regards to Gas Safety, Fire Safety, Control of Legionella Water Hygiene, Asbestos, Electrical Safety, Lifting Equipment and Structural surveys.
- 2.2 NCC will aim to ensure the health, safety, and welfare of all its residents, staff, stakeholders and end users it holds a responsibility for in order to prevent accidents and ill-health, and to have processes in place to provide measures to protect them from injury or ill-health within its properties (managed or otherwise) or as a result of its undertakings protect them from injury or ill-health within its properties (managed or otherwise) or as a result of its undertakings.
- 2.3 To achieve this, NCC is committed to complying with its legal and other compliance performance; and the services that it provides. NCC will ensure that those undertaking Compliance related tasks are appropriately qualified and/or competent. This will be evaluated through regular inspections and audits external and internal providers including any outsourced services and providing and ensuring on-going training for NCC employees takes place obligations and strives to achieve best practice and continuous improvement in its
- 2.4 The organisation is committed to providing adequate resources to carry out regular assessments, monitoring, auditing and reviews to determine compliance and conformance with the obligations placed on NCC; and its policy of continuous improvement, contractor management and Compliance performance. NCC is committed to keeping accurate and up-to-date documented information, which includes the storing of data, risk assessments, surveys, servicing certificates, maintenance records and action completion records. NCC have developed an 'Asset Risk Compliance Management' process that details how documented information will be stored.

3.0 WHAT WE WILL DELIVER

NCC will deliver the following areas via a designated Management Process which will outline how each area is operationally delivered: The overarching responsibilities set out in the 1974 Health and Safety at work etc Act HASWA are taken on board in the overall policy.

3.1 ASBESTOS

The main legislation relevant to this subject matter is The Control of Asbestos Regulations (CAR) 2012 and supporting Legal Guidance 143 (Second edition), Managing and Working with Asbestos, Approved Code of Practice and Guidance.

To ensure NCC's conformity with these regulations NCC will:

- a) Have an Asbestos Management Plan (AMP) and Logbooks to include an asbestos register detailing the location, type, and condition of any known asbestos containing materials for all non-domestic properties and offices. This approach will also extend to communal areas and non-public areas within properties and offices.
- b) Ensure that all properties, are subject to a Management Survey as defined in Health and Safety Guidance (HSG) HSG264: The Survey Guide to determine the presence of Asbestos Containing Materials (ACMs), so far as is reasonably practicable.
- c) Ensure that all domestic properties are subject to a Management Survey (as b above) when Stock Condition Surveys are carried out.
- d) Inspect annually as a minimum all known ACMs in non-domestic properties, offices and communal areas and keep documented information pertaining to the completed inspections.
- e) Manage all ACMs identified in surveys according to its material and priority assessment score. The Management of ACMs may include the removal, enclosing, encapsulation or temporary isolation.
- f) Where buildings are known to contain ACMs, NCC will ensure that an appropriate Refurbishment & Demolition Survey is undertaken, and its findings addressed prior to undertaking any refurbishment or intrusive works (construction work) to the relevant fabric of the building or part thereof.

Detailed information relating to our management of Asbestos is provided in the Asbestos Safety Operational Policy.

3.2 ELECTRICAL SAFETY

The Electricity at Work Regulations 1989 (as amended) require precautions to be taken against the risk of death or personal injury from electricity in work Activities. Duties are imposed on duty holders in respect of systems, electrical equipment and conductors, and in respect of work activities on or near electrical equipment. BS 7671-2018 including Amendment 3 (2024) requirements for

electrical Installations is also known as the Institution of Engineering and Technology (IET) Wiring Regulations and are non-Statutory regulations which 'relate principally to the design, selection, inspection and testing of electrical installations, whether permanent or temporary, in and about buildings:

To safeguard all persons that may be affected by electrical installations under its control; NCC will:

- a) Carry out an Electrical Installation Condition Report (EICR) every 5 years (unless b applies).
- b) New Build Properties and properties that have been re-wired will have an EICR carried out after 10 years and then every 5 years thereafter.
- c) Any 'Category 1' (C1 'Danger present) & 'Category 2' (C2 'Potentially dangerous) findings found while an EICR is being carried out will be made safe or rectified immediately and any follow up remedial works required will be rectified within 28 days. 'Category 3' (C3 'Improvement recommended') observations will be reviewed and assessed in conjunction with Asset stock condition reports and data uploaded onto management systems such as C365.
- d) Carry out a new EICR every time a property becomes void or change of occupancy where a mutual exchange has been authorised.

We will carry out portable appliance testing (PAT) on any electrical appliances such as white goods that we provide as part of the tenancy retesting white goods every 5 years in low-risk domestic environments, unless a risk assessment indicates a need for more frequent inspection or upon a change of occupancy such as in temporary accommodation. Tenants are responsible for making sure that any of their own electrical appliances are safe.

Detailed information relating to our management of Electrical Safety is provided in the Electrical Safety Operational Policy.

3.3 FIRE SAFETY

The new Fire Safety (England) Regulations 2022 came into force on the 23 Jan 2023 under article 24 of the Regulatory Reform (Fire Safety) Order 2005 (Fire Safety Order) and will implement most of the recommendations made to government in the Grenfell Tower Inquiry Phase 1.

These regulations will make it a requirement in law for responsible persons of high-rise blocks of flats to provide information to Fire and Rescue Services to assist them to plan and, if needed, provide an effective operational response. Also, the regulations will require responsible persons in multi-occupied residential buildings which are high-rise building (As defined in The Fire Safety (England) Regulations as a building at least 18 metres in height or at least seven storeys), as well as those above 11 metres in height, to provide additional safety measures.

In all multi-occupied residential buildings, the regulations require responsible persons to provide residents with fire safety instructions and information on

the importance of fire doors. The regulations apply to existing buildings, and requirements for new buildings may be different. In high-rise residential buildings, NCC are required to:

Building Plans: provide the local Fire and Rescue Service with up to date

- electronic building floor plans and to place a hard copy of these plans,
- alongside a single page building plan which identifies key firefighting equipment, in a secure information box on site.

External Wall Systems: provide to their local Fire and Rescue Service information about the design and materials of a high-rise building's external wall system and to inform the Fire and Rescue Service of any material changes to these walls. Also, they will be required to provide information in relation to the level of risk that the design and materials of the external wall structure gives rise to and any mitigating steps taken.

Lifts and other Key Fire-Fighting Equipment: undertake monthly checks on the operation of lifts intended for use by firefighters and check the functionality of other key pieces of firefighting equipment. They will also be required to report any defective lifts or equipment to their local Fire and Rescue Service as soon as possible after detection if the fault cannot be fixed within 24 hours, and to record the outcome of checks and make them available to residents.

- **Premises Information Boxes (PIB):** install and maintain a secure information box in their building. This box must contain the name and contact details of the Responsible Person and hard copies of the building floor plans.
- **Wayfinding Signage:** to install signage visible in low light or smoky conditions that identifies flat and floor numbers in the stairwells of relevant buildings.

In residential buildings with storeys over 11 metres in height, NCC is required to:

- **Fire Doors:** undertake annual checks of flat entrance doors and quarterly checks of all fire doors in the common parts.
- In all multi-occupied residential buildings with two or more sets of domestic premises, NCC is required to:
 - **Fire Safety Instructions:** provide relevant fire safety instructions to their residents, which will include instructions on how to report a fire and any other instruction which sets out what a resident must do once a fire has occurred, based on the evacuation strategy for the building.
 - **Fire Door Information:** provide residents with information relating to the importance of fire doors in fire safety.

Throughout all our Fire and Safety work we will maintain strong relationships with the Fire and Rescue service. The Regulatory Reform (Fire Safety Order 2005) reformed the law relating to fire safety within non-domestic premises. Every workplace, office and communal area of non-domestic property is subject to a Fire Risk Assessment. Industry 'best practice' is that these assessments are carried out using a risk-based approach by a suitably qualified assessor. NCC currently utilise the Publicly Available Specification 79, (PAS 79) as its Fire Risk Assessment evaluation and reporting mechanism. Additional

consideration has been given to available guidance such as that provided by the National Fire Chiefs Council, Fire Safety in Specialised Housing. To comply with the order and relevant guidance, NCC will:

- a) Carry out a Fire Risk Assessment (FRA) at high-risk blocks (buildings over 18m, independent living accommodation, offices and workplaces) annually;
- b) For any other housing determined to have a higher risk – arising from residents' disabilities, the age or construction of the building including houses converted to flats etc. and premises of over four storeys, carry out an FRA annually;
- c) Carry out an FRA of relevant low risk, modern, low-rise housing blocks (e.g., a block of no more than three storeys above ground, built within the last 20 years) every two years.
- d) Carry out recommendations from Fire Risk Assessments within the required timescales in so-far-as is reasonably practicable to remove or reduce the identified risks to an acceptable and controlled situation.
- e) Carry out routine servicing and maintenance of Fire Safety Systems in line with the relevant manufacturer's instructions and British Standards.
- f) Carry out an FRA and monitoring during and after any major refurbishment works.
- g) Ensure all of our properties have hardwired smoke alarms. Testing Smoke Detectors and Carbon Monoxide detectors are to be carried out during the visit for gas servicing.
- h) Carry out a Housing and Safety Rating System (HHSRS) survey when we do a stock condition survey in accordance with the Housing Act 2004.

In addition; NCC will provide FRAs on request.

Sprinkler Systems will be fitted in all new build flats and new build sheltered accommodation. A review of every building will take place; and where reasonably practicable to do so and where risk will substantially be lowered enough by the fitting of a sprinkler system, NCC will seek to retrofit sprinklers where possible.

NCC will also ensure that all Fire Alarms and Emergency Lighting is maintained and check in line with legislation.

Domestic smoke and carbon monoxide alarms:

NCC will ensure the following in all of our homes, in line with the new Smoke and Carbon Monoxide Alarm Regulations 2022;

- a) at least one smoke alarm is installed on each storey
- b) a carbon monoxide alarm is installed in any room with a fixed combustion appliance (excluding gas cookers)
- c) when a new fixed combustion appliance (excluding gas cookers) is installed, a carbon monoxide alarm will be installed
- d) repair or replace alarms once informed that they are faulty (testing will remain the resident's responsibility)

Detailed information relating to our management of Fire Safety is provided in the Fire Safety Operational Policy.

3.4 GAS MANAGEMENT

NCC will adhere to the Gas Safety (Installation and Use) Regulations 1998 and Gas Safety (Installation and Use) (Amendment) Regulations 2018.

An annual safety check is carried out on each gas appliance / flue and carry out these checks within 12 months of a tenancy commencement date, unless the appliances in the property have been installed for less than 12 months (in which case they should be checked within 12 months of their installation date) In accordance with Gas Regulation 36A.- (1) Where a safety check of an appliance or a flue is completed within the period of two months ending with the deadline date, that check is to be treated as having been made on the deadline date. NCC will comply with the regulations by:

- a) Ensuring that all properties with a gas supply have a Landlords Gas Safety Report (LGSR) carried out in line with the above requirements.
- b) Ensuring records of Gas Servicing are kept for a minimum of 3 years.
- c) Testing Smoke Detectors and Carbon Monoxide detectors during the visit for gas servicing.
- d) Capping the gas supply off when a property becomes void and carry out a recommission safety check at new tenancy stage. (On all non-Market Rent Properties)
- e) Market rent properties where an in-date gas certificate is available will be re-commissioned and a gas safety check completed in line with the Gas Safety Regulations.
- f) Ensure a full audit trail of actions in relation to access attempts is available for all properties.
- g) Where access is required for gas safety purposes, and the Gas Team has exhausted all reasonable attempts to gain access, the property will be referred to the Access & Resolution Team for further action. Gas capping will only be used as a last resort, where safety cannot be guaranteed and all other reasonable options to gain access have been exhausted.

Detailed information relating to our management of GAS Safety is provided in the GAS Policy.

3.5 LIFTS

NCC will adhere to the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and the Provision and of Use of Work Equipment Regulations 1998 (PUWER) which apply to its Passenger Lifts and Specialist Lifting Equipment (such as domestic stairlifts and hoists). NCC will comply with these regulations by ensuring:

- a) Routine Maintenance Inspections are carried out to all passenger lifts monthly.
- b) Routine Maintenance Inspections are carried out to all Specialist Lifting Equipment dependent on the manufacturer's recommendations – as minimum hoists are maintained 6-monthly and other forms of lifting such as stair lifts and through floor lifts are maintained 12-monthly.
- c) All passenger lifts are inspected 6-monthly by the Groups insurers and any faults found investigated and repaired within the required timescales.
- d) All specialist lifting equipment is inspected 6-monthly by the Groups

insurers and any faults found investigated and repaired within the required timescales.

Detailed information relating to our management of Lift Safety is provided in the Lift Safety Operational Policy.

3.6 WATER HYGIENE

NCC will conform to the standards set out within the Approved Code of Practice (ACoP) (L8): The Control of Legionella Bacteria in Water Systems. The ACoP recommends that all properties are subject to a Water Hygiene Risk Assessment (WHRA) and control measures put in place depending on the recommendations of the WHRA. To adhere to the principles set out with in the ACoP NCC will:

- a) Carry out a WHRA for all offices, workplaces and non-domestic properties. A WHRA will need carrying out every 2 years or every-time buildings use changes, or any works undertaken on the water system.
- b) Complete a full WHRA as a management review on a selection of properties each year to validate the desktop exercise and review/adjust this rating accordingly.
- c) Ensure that water tanks servicing more than one home receive and annual clean and disinfect. NCC will provide Water Hygiene information to residents in the form of leaflets and publication in newsletters and on the Group website.
- d) Carry out recommendations contained within the WHRAs within the required timescales as set out in the WHRA so-far-as is reasonably practicable.
- e) Ensure effective control measures are in place in line with the WHRA and ACoPs.
- f) Replace all shower heads including hoses and chemically treat every header tank when a property becomes void.
- g) Minimise the use of flexible hoses, limited only to where they part of adaptive equipment
- h) Minimise stored water where possible through the proactive installation of combi-boilers where possible
- i) Carry out annual inspections of our sprinklers systems.

NCC will also install Temperature Mixing Valves (TMVs) in line with Building Regulations and where advised. Type 2 TMVs (designed for use in a domestic environment) will be serviced annually, type 3 TMVs (specifically designed for use in healthcare environments) will be serviced 6-monthly.

NCC will also ensure that all properties connected to the District Heating network receive an inspection every two years.

Detailed information relating to our management of Water Safety is provided in the Water Safety Management Policy.

4.0 STRUCTURAL SURVEYS

The maintenance and structure of a building is imperative to it functioning as

designed in case of emergency (such as a disproportionate collapse through gas explosion, fire or flood). As such; NCC commits to carrying out a rolling 5 yearly programme of Structural Surveys which looks at all Highrise for any structural issues which may impact on the safety and/or design functions of the building.

5.0 TENANT INVOLVEMENT AND ENGAGEMENT

NCC will provide tenants, visitors, employees and contractors with all relevant information and support to ensure people are kept safe in NCC owned or managed buildings.

NCC have a programme of 'Regular Tenant Contacts' and have developed a specific Resident Engagement in Building Safety Strategy (REIBSS) for blocks +18m or +7 stories. These will ensure engagement with Neighbourhood representatives and residents covering property safety; as part of these contacts residents are advised on the safety aspects of their building, their responsibilities and what to do in the event of fire. All residents in 'High Risk' blocks (HRB), defined as buildings above 18m or Independent Living Schemes, will receive a visit or phone call at least once per year.

Any customer contacts or complaints which may impact on compliance or building safety will be prioritised; any work that needs doing will be raised as an emergency to at least assess the issue and make safe. Works will be completed as a matter of urgency. Any referrals for works between teams at NCC should be sent urgently and called through; out of hours incidents should be raised to the on-call manager.

6.0 ACCESS AND TENANT RESPONSIBILITIES

It is a tenant's responsibility to give NCC employees, staff and contractors access to their property when reasonably requested; these responsibilities are set out within in resident's tenancy agreements, the Landlord & Tenant Act 1985 and under provisions provided for in the Environmental Protection Act (1990).

Should a tenant not provide access within a reasonable time NCC will take legal action against tenants so NCC can force entry to the property either via an injunction or by seeking a 'warrant of entry' pursuant to Section 80 EPA. In rare cases NCC may seek possession of a property for continual breach of tenancy.

The company access process and procedure outlines the differences between the different avenues to access and which process should be followed for each compliance stream.

Failure by tenants to allow access for any compliance related activity or any action a tenant takes which impacts the safety of themselves, visitors or staff (such as leaving items in communal areas subject to a 'Sterile Environment') will result in the loss of eligibility for any reward scheme.

7.0 LEASEHOLDERS

Leaseholders that live in mixed tenure or 100% leaseholder blocks are required to evidence that they carry out regular servicing and maintenance of

the gas installations within their dwelling and have an annual gas safety check carried out by a Gas Safe registered engineer. NCC will write to leaseholders annually to ask for evidence and a copy of the Gas Safety report or certificate to be sent to NCC. Lease agreements written post 2010 make it a mandatory requirement that Leaseholders produce a Gas Safety Certificate to the Landlord within one month of receiving it.

Leaseholders that sublet their properties are responsible for the landlord's duties under the Gas Safety (Installation and Use) Regulations 1998 and must provide their tenant with a copy of the Gas Safety Check. Leaseholders are also required to carry out works identified in Fire Risk Assessments that are in relation to their properties. NCC will work with leaseholders to ensure work carried out meets the right specification and standards.

Leaseholders are responsible for their own flat entrance door, and to make sure it meets the required safety standard to delay the spread of fire and smoke. We regularly check with leaseholders to make sure their flat front doors meet the necessary fire safety standards.

8.0 PERMIT TO WORK

NCC will introduce a permit to work scheme that will require all third parties needing to work on our HRBs to seek permission to do so before any work is undertaken. This will include making sure that all relevant documentation and safety working practices are in place before a permit is issued. Third parties may be charged for this service if it's deemed necessary.

9.0 POLICY MONITORING AND ASSURANCE

The Housing Compliance Assurance Team will provide:

- A clearly defined second-line assurance function, aligned with statutory duties under the Building Safety Act 2022, Awaab's Law, the Fire Safety (England) Regulations, and the Regulator of Social Housing's Safety and Quality Standard.
- Independent oversight and assurance across the Big 6 compliance areas, with all technical QA/QC and workmanship checks retained within first-line operational teams.
- Robust, defensible performance reporting via compliance system as the single version of the truth, reducing reliance on manual data and improving accuracy.
- Strengthened governance of the Fire Risk Assessment (FRA) programme through a fully outsourced model, managed by the Building Safety Manager, ensuring consistency, auditability, and timely compliance.
- A clearer and regulator-aligned separation of responsibilities between operational delivery (first line), independent assurance (second line), and independent audit (third line), protecting governance integrity and reducing conflicts of interest.

The Building Safety Compliance Policy shall be reviewed on an annual basis.

