



**Name of Policy: Fire Detection System No Access Policy  
(Ref:PS/25)**

**Purpose of Policy:** The purpose of this Policy is to ensure access can be gained to all occupied properties to complete installation / renewal of interlinked fire detection systems.

Policy Monitoring Details	
<b>Department</b>	Property Services
<b>Author</b>	Ward Linney
<b>Status</b>	Association
<b>Date Board Approval</b>	30 August 2023
<b>Update</b>	
<b>Planned Review Date</b>	August 2028
<b>Regulatory Outcomes Being Achieved</b>	Conformance with: Health & Safety at Work Act 1974 Management of Health and Safety at Work Regulations 1999 Housing (Scotland) Act 2001
<b>Tenant Consultation Required</b>	Published on web page and highlighted in tenant Newsletter
<b>Equalities Impact Assessment</b>	Not Required
<b>HRA Implications</b>	Article 8 Right to Respect for Private Life, Family Life and the Home Article 14 Prohibition of Discrimination
<b>Relevance to Association Values</b>	<ul style="list-style-type: none"> <li>▪ Committed</li> <li>▪ Agile</li> <li>▪ People-Focussed</li> <li>▪ Professional</li> </ul>

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## **1 Introduction**

- 1.1 The purpose of this policy is to ensure access can be gained to all occupied properties to install interlinked fire detection systems where one does not exist, or replace systems within their renewal date.

## **2 Aims and Objectives**

- 2.1 The Fire Detection System No Access Policy has been prepared :
- To outline a process of events to ensure all properties have a fire detection system that meets LD2 standard or above and has their fire detection system renewed within its lifecycle.

Forcing access should always be a last resort.

## **3 Policy**

- 3.1 To ensure we install / renew systems and maintain continuous cover we must follow a regimented and recorded process of notification and actions.
- 3.2 We apply a 3 stage process detailed in the 'No Access Procedure for Fire Detection Systems' procedure, culminating in forced access where required.
- 3.3 The process will start immediately where a system is not in place, otherwise in year 9 of the current lifecycle to ensure completion before the 10 year anniversary date of the existing installation.

## **4 Legislative Information**

- 4.1 The Housing (Scotland) Act 2001 legislates that all of our socially rented properties meet SHQS standard. Section 11 of that standard requires that properties should have "Smoke, Heat and CO alarms" and further updated in February 2022 to include requirements to have these be interlinked. The Scottish Housing Regulator has stated that to demonstrate compliance, landlords must have interlinked Smoke Heat and CO alarms installed and renewed every 10 years.

In May 2023 the SFHA produced a document, drafted by TC Young, called "Gaining Access to Meet Legislative Requirements". This document advises that as social landlords have a legal duty to have interlinked fire detection

systems in their properties, they can use the powers in the 2001 Act to force access to carry out the relevant works.

The document advises that to force access, the landlord should follow a similar process as for gas safety checks and that the tenancy agreement contains a clause stating that we have the right to force access if the tenants refuse access.

All SST tenancy agreements contain the following clause;

*5.12. We have the right to come into your house to inspect it and its fixtures and fittings or carry out repairs to it, or adjoining property, during reasonable times of the day. We will give you at least 24 hours' notice in writing.*

*We have the right of access to your house in order to lay wires, cables and pipes for the purposes of telecommunications, water, gas, electricity, providing we give you reasonable notice in writing.*

*We have the right of access to the common parts at any reasonable time.*

*If you refuse us entry, we will have the right to make forcible entry provided we have given you every reasonable opportunity to let us in voluntarily.*

The SFHA/TC Young advice also states that it is essential that RSLs have such a policy in place and follow it to the letter. Forcing access should always be the last resort.

## **5 Procedure**

- 5.1 This policy will be actioned by the Property Services Team through the **No Access Procedure for Fire Detection Systems.**

## **6 Reporting**

- 6.1 The policy outcomes will be reported quarterly in the SMT compliance report.

## **7 Publishing**

- 7.1 This Policy will be published on the MEHA website and highlighted in the tenant newsletter.

