



Student Accommodation Health & Safety Policy

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Introduction

This health and safety policy applies to all of the Megaclose housing portfolio.

Megaclose currently houses around 850 tenants. The tenant base is primarily postgraduates and international students.

Megaclose currently has 357 dwellings within its portfolio and tenants are housed in a diverse portfolio ranging from small houses, flats to new build accommodation, Megaclose's smallest dwelling consists of a small single occupancy studio and its largest single building has 105 students all in self-contained studios.

In line with current legislative and policy development Megaclose's approach to Health and Safety (whilst maintaining its statutory legal obligations) relies on a risk based health and safety method which identifies hazards, apportions risks to those hazard outcomes and seeks, wherever possible, to minimize those risks within the bounds of practicability.

Within health and safety routines considerable weight has been placed on the integration of certain core routines into the property inspections carried out by dedicated housing management staff.

The Legislative Environment

There are a number of important sources that Megaclose uses to determine the legislative environment within which it works in respect of health and safety, which are:

The Housing Health and Safety Ratings System

The condition of all housing is subject to Part 1 of the Housing Act 2004 and the evidence based risk assessment process of the Housing Health and Safety Rating System (HHSRS), on which local authorities now base enforcement decisions. This applies to all types of residential premises, whether or not any amenities are shared.

HHSRS risk assesses twenty-nine categories of housing hazard. Technical assessment is a two-stage process, addressing first the likelihood of an occurrence and then the range of probable harm outcomes. These two factors are combined using a standard method to give a score in respect of each hazard.

HHSRS does not provide a single score for the dwelling as a whole or, in the case of multiple occupancy dwellings, for the building as a whole.

Hazards are scored in bands, from band A, the most severe, to band J. Category 1 hazards are those rated in bands A-C. Category 2 hazards are those rated band D and lower.

Category 1 hazards trigger a local authority's duty under section 5 of the Act to take the appropriate enforcement action.

Licensing Under Part II of the Housing Act 2004

Standards in respect of management, amenity level and health and safety matters are required when houses in multiple occupation require a licence. The definition of house in multiple occupation (HMO) is contained in section 254 of the Housing Act 2004. The definition is complex, and for detailed understanding then the Act itself should be studied. For Megaclose's purposes, however, the key definition of an HMO is that the living accommodation is occupied by persons who do not form a single household.

The categories of HMO which fall within mandatory licensing are prescribed in The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006. These are all HMOs comprising three storeys or more and occupied by five or more persons living in two or more separate households.

Whilst shared houses fall within the legal definition of an HMO and are licensable, it is recognised that they can often present a lower fire risk than traditional bedsit-type HMOs due to their characteristics.

Megaclose primarily lets flats on a shared basis normally between occupants who rent the whole house on a joint tenancy and in a very limited number of cases, lets individual rooms in houses and flats.

Local Government Regulation (formerly LACORS) Housing - Fire Safety Guidance on fire safety provisions for certain types of existing housing

Fire safety within the home is an extremely important issue, especially in mixed use premises and where unrelated occupiers, who live independently from one another, share common areas of the same building. This area of law is covered by both the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005.

This guidance helps to manage the relationship between the Housing Act 2004 and the Fire Safety Order by offering advice and assistance to enforcers, landlords, managing agents and tenants, amongst others, on ways to make residential buildings safe from fire, regardless of which piece of legislation is relevant.

At its core, this guidance also relies on carrying out a fire risk assessment to ensure that a property has adequate and appropriate fire safety measures in place.

The guidance also takes into account the impact of the Regulatory Reform (Fire Safety) Order 2005 which imposes a legal obligation to carry out a formal risk assessment of the common parts of a property when the property is let on a shared occupancy basis.

The guidance applies to all types of property except purpose built halls of residence and properties or those dwellings constructed or converted to a standard in compliance with the Building Regulations 1991 or later.

Framework for the Health and Safety Policy

A risk based approach to health and safety is based on an HHSRS assessment of each individual property. That risk assessment, however, falls within various categories reliant upon the type of property and the nature of its occupation.

In order to simplify Megaclose's health and safety approach, health and safety policies are based on the following categorisation:

a) a house or flat in multiple occupation

For the purposes of this policy is an HMO where rooms within a property have been rented out to separate tenants via individual AST's

b) a house or flat in multiple occupation where the whole property has been rented out by an identifiable group of student sharers - a shared house

A shared house, for the purposes of this policy is an HMO where the whole property has been rented out by an identifiable group of student sharers as joint tenants. Each occupant has their own bedroom but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. All the tenants will have exclusive legal possession and control of all parts of the house, including all the bedrooms. They will, in the main, have rented out the house as one group. There is a single joint tenancy agreement.

Where no explicit distinction is made between these categories in the policy, a common policy applies to both categories.

Gas Safety

The annual testing and approving of all gas appliances and installations (cookers, gas heaters, gas fires, hot water and heating boilers and associated pipe work) is set out within a regulatory framework. All properties are tested annually for gas safety purposes in accordance with the Gas Safety (Installation and Use) Regulations 1994.

Following satisfactory inspection, the pass certificates are returned to Megaclose where they are kept on file by property. A copy of this certificate is placed in the property. Gas servicing is carried out as and when required.

Each gas safety certificate is completed and signed by a Gas Safe registered engineer and the certificate displays the Gas Safe Register logo and registration number of the engineer clearly.

Gas safety is further increased by Megaclose using, where permitted Gas combination and condenser boilers rather than separate water and space heating. This reduction in the number of gas appliances provided within a property automatically reduces the risk of a fault occurring.

Gas Cookers and Flame Supervision Devices (FSDs)

In 2008 the Institute of Gas Engineers and Managers issued IGE/G/5, recently clarified in a CORGI Technical Bulletin 218 which gave guidance that has to be followed by registered gas fitters. The guidance relates to cookers and flueless gas water heaters but Megaclose does not have any separate or flueless gas water heaters in its portfolio.

The guidance requires that all new cookers fitted after 1st January 2008 have to be fitted with FSDs. Only a limited range of cookers can be fitted because most cookers do not have such devices built into them. Megaclose does not have any gas cooking appliances installed in any of its properties.

Electrical Safety

Many of the relevant regulations dealing with electrical safety and installation refer to "*a Competent Person*" and this means, an electrician that has been approved by a government-approved scheme as sufficiently competent to self-certify that its work complies with the Building Regulations Part P (Design and Installation of electrical installations) and is designed, installed, inspected and tested to the standard required by BS 7671.

The predominant regulations affecting electrical safety and standards are the current Institution for Electrical Engineers Wiring Regulations, BS7671: 2008 (as updated), the Electricity at Work Regulations 1989 and the Health & Safety at Work Act 1974. Electrical testing has to be carried out by a Part 'P' registered Competent Person.

There is a statutory requirement that all HMOs (both licensable and not licensable) must have their mains installation inspected every five years, by a person qualified to undertake such inspection and testing and a certificate provided by that person specifying the results of the test. The standards set for non HMO rented accommodation are recommendations only and the Health & Safety at Work Act deals solely with obligations for employees with some effect on residential accommodation where employment liabilities are incurred.

Megaclose ensures that electrical safety within its property portfolio is maintained in a number of ways:

a) All *new electrical installations* are certified as safe by a professionally competent electrician, preferably one that is registered with NICEIC. An Electrical Installation Certificate (compliant with BS 7671) is handed over by the contractor or developer for property and landlord supply within 12 weeks of the building being completed.

The certificates are kept in the Megaclose office and tenants are able to view the documentation if they request to do so.

b) For *existing installations* a periodic electrical testing and inspection regime is carried out for each dwelling and landlord supply. A report is issued by a professionally competent electrician which provides an overall summary of the electrical fixed wiring system's compliance with relevant regulations and an assessment that the installation is satisfactory and, if unsatisfactory, outlines what work is required.

Test Result certificates for every property are kept in the Megaclose office and tenants are able to view the documentation on request

Periodic Inspection and Testing takes place on all of Megaclose's properties, whether HMOs or not, every five years (unless a Report recommends a shorter or longer interval in which case the recommended interval is used for the next inspection).

c) *Minor Works* take place from time to time within the portfolio. Following certain minor alterations or additions to existing electrical wiring systems within the property portfolio a Minor Works Certificate to BS 7672 is obtained and filed in the Megaclose office.

Minor Works Certificates are not obtained for every adjustment or replacement made as part of an existing electrical installations and these are checked within the periodic inspections routine outlined. Examples of work where a Minor Works Certificate is not required are:

- replacing accessories such as socket-outlets, control switches and ceiling roses
- replacing the cable for a single circuit only, where damaged, for example, by fire, rodent or impact
- re-fixing or replacing the enclosures of existing installation components
- providing mechanical protection to existing fixed installations
- installing or upgrading main or supplementary equipotential bonding
- work that is not in a kitchen or special location and does not involve a special installation and consists of adding lighting points (light fittings and switches) to an existing circuit. Adding socket-outlets and fused spurs to an existing ring or radial circuit.

Minor Works Certificates are obtained where more substantial electrical additions and adjustments have taken place and where Part P to the Building Regulations 2005 applies. Examples of works where Megaclose will require a Minor Works Certificate would be:

- alterations made in "wet" area (kitchens and bathrooms)
- fitting of new (but not replacement) extractor fans in wet areas
- wiring connected to installation of new central heating boilers
- significant changes to the installation.

d) Megaclose also assesses *electrical safety* as part of carrying out its inspection routine. Inspections occur several times within each academic year, both during and after tenancies. Staff use the inspections to check the following:

- visual evidence of cracking, damage, scorching etc to socket outlets and switches
- visual evidence of damage to light fittings and free standing lamps
- visual evidence of over occupants over-loading the power outlets
- evidence of unsafe practices by tenants

Results from these inspections are noted and any electrical repair work required is commissioned from a competent electrician. Certification is required in accordance with this policy.

e) The 17th Edition of the IEE Wiring Regulations (BS 7671:2008) came into effect on the 1st July 2008. All new commercial, domestic and industrial wiring installations after that date must be designed, constructed, inspected, tested and certificated to meet the requirements of BS 7671: 2008. In some cases, where certain alterations are made to an electrical installation, that installation may need upgrading to meet the 17th Edition standard.

This has some implications on retesting, particularly relating to the extension of the requirement to provide Residual Current Devices (RCDs) on power circuits (Chapter 41) and changes to the provisions required for bathrooms (Section 701).

All properties currently use consumer units with electronic circuit breakers (generally known as Mini Circuit Breakers - MCBs) in place of ceramic and wire fuse cartridges. These trip out when an unsafe appliance or a fault on a circuit occurs and are fully re-settable once the problem has been resolved. These consumer units protect against serious damage from electric shocks from all appliances used in the property, including the majority of those appliances which belong to tenants.

Portable Appliance Testing (PAT)

Megaclose does not undertake portable appliance testing in its portfolio, unless required to do so by insurers. Where PAT testing is required certification, details are logged in a Health and Safety Database to ensure that all relevant properties comply with these requirements.

The existing provision of implementation of MCB and more recently RCD protection throughout its portfolio is reducing the risk of electrocution or fire from unsafe appliances. That risk stems mainly from tenants' own appliances brought into the building which are outside of Megaclose's obligations and control.

Visual checks on all electrical appliances are undertaken by staff as part of their inspection routine. Tenants are requested to remove certain appliances from the property that might constitute a hazard.

Light Drops and Bulbs

All lamps located within the property are replaced, on request, by the maintenance staff.

Periodic checks are made, as part of an inspection routine, of communal areas, corridors, stairwells where bulb replacement is the responsibility of Megaclose.

In communal areas illumination is provided at regular intervals so that a single lamp failing does not constitute a hazard.

Where practical, Megaclose uses low energy lamps.

Components and Appliances

All appliances are installed in accordance with the manufacturers' instructions and function in accordance with manufacturers' operational limits and are capable of being operated in a safe manner. Appliances are regularly visually inspected for wear and tear and any defects remedied

Megaclose does not purchase reconditioned or second hand appliances, although appliances can be relocated within the portfolio for reuse. When replacing fridge/freezers those appliances meet the A or B rating on the EU Energy Label system which primarily shows energy efficiency.

Instructions for the safe use of all electrical appliances provided by Megaclose are available to tenants by contacting the Megaclose office.

Fire Safety

The current standards Megaclose uses for its properties are based on *Local Government Regulation (LGR) Housing - Fire Safety Guidance on fire safety provisions for certain types of existing housing* which covers obligations under both the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005.

This guidance does not apply to large student halls of residence and the standards Megaclose uses for these larger buildings are based on specific advice received from the Fire and Rescue Services in designing and running each building, the requirements of the Regulatory Reform (Fire Safety) Order 2005 and the detailed fire safety guidance contained in the *HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide*.

Risk Assessment

The Regulatory Reform (Fire Safety) Order 2005 (also known as the RRO) makes it necessary, in certain circumstances, to carry out a specific risk assessment for fire risk.

In the case of buildings covered by the LGR Guidance it is not necessary to carry out a specified risk assessment for domestic properties or for properties rented by groups of occupants on a "shared house" basis (normally indicated by the whole house being let to a single group on a single tenancy).

A risk assessment is required when a property is let in parts on individual agreements. For Large Halls of Residence or buildings containing 2 or more flats, a risk assessment is always required.

Megaclose carries out a specified risk assessment:

- on all properties where rooms are let on single tenancies.
- On all buildings containing 2 or more flats.
- On all larger developments, which are regarded as halls of residence. *The Government Approved National Codes of Practice* (issued under Section 233 of the Housing Act 2004) definition of a "larger development" is used which is 15 or more bed spaces.
- For properties managed by Megaclose such an assessment is to be provided by the owner of the building or agreement is in place for Megaclose to undertake such an assessment, on behalf of the owner.

The purpose of these fire risk assessments are to:

- identify the fire hazards
- reduce the risk of those hazards causing harm to as low as reasonably practicable
- decide what physical fire precautions and management arrangements are necessary to ensure
- ensure the safety of people in the premises if a fire does start.

Assessments take the methodology recommended in *Part D* of the LGR Guidance which, in turn, is based on the methodology outlined in the HM Government Fire Safety Risk Assessment Sleeping Accommodation Guide. The risk assessment is recorded in the same format as the *Example form for recording significant findings from the fire assessment* in *Appendix 3* of the LGR Guidance.

All risk assessments are reviewed annually by Megaclose staff with specific responsibilities in this area.

Fire Safety and Precautions

Current practice regarding student accommodation fire safety centres on compartmentalization and automatic fire detection together with the minimization of false alarms. All of the systems deployed through the Megaclose portfolio meet or exceed the statutory requirements for fire protection.

Overall fire safety within the portfolio is achieved by a combination of detection systems, firefighting equipment, layout design and tenant education. The integrity of these fire systems is then maintained by a structured testing and monitoring regime.

Fire Fighting Equipment

All properties are provided with a fire blanket complying with BS EN3:1996. These are located in the kitchen of the property. Some properties also feature additional water or foam filled extinguishers to communal areas, depending on fire service advice at the time of conversion or development or as subsequently updated.

Where possible additional extinguisher equipment is not installed as following anything more than a small fire tenants should be encouraged to call the fire service.

In smaller HMOs Megaclose is not required to fit fire extinguishers but 2Kg Dry Powder Fire extinguishers are fitted in the kitchens of all properties.

Where fire extinguishers are required, every attempt is made to avoid placing them in common areas where responsibility for tampering can be difficult to ascertain. Wherever possible, extinguishers are located within flat units where responsibility for use can be ascribed to a specific group of tenants. In some larger buildings which have CCTV any tampering with fire equipment can be identified and this is followed up in a meeting with the relevant tenant/s.

Where fire extinguishers are fitted they are serviced annually and certification of such servicing, together with the remedying of any defect is kept on file. In dwellings where fire extinguishers are fitted, fire blankets are also inspected.

Replaced Fire Blankets are returned to Megaclose and are appropriately disposed of.

Layout/Fire Integrity

All Megaclose properties are designed or converted to ensure that the layout and fire integrity of the building is coordinated with the overall fire strategy of the property.

The basis of these strategies is to provide either

- a safe exit from the property in the event of a fire or

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- a safe refuge from fire which will maintain its integrity long enough to allow the fire to burn out or for the automatic detection system to activate so that the fire service can be called to assist.

Within HMOs each habitable room is given a 30 minute protection. This is achieved via standard construction methods and fitting 30 minute fire doors and where smoke detection is fitted in bedrooms. These doors or frames are also fitted with intumescent strips or brushes and 25mm rebates (known collectively as "cold seals"). The integrity of these doors needs to meet BS476: Part 22: 1987 and the smoke sealing must meet BS476: Part 31.1.

Self-closers are fitted on all kitchens and living rooms in line with LGR advice or where risk assessment or Building Regulations requires this. Rooms with self-closers are checked as part of the housing management inspection process to ensure that doors are fully closing properly and remedial action is taken where this is not the case.

Within larger buildings additional fire protection is provided. The integrity of each individual flat unit is for either 1 or 2 hours. This compartmental approach includes protecting all ductwork which rises through the building so that fire and smoke cannot spread between floors.

Fire Detection Systems

All Megaclose dwellings are covered by a minimum of a mains-wired fire detection system to BS5839: 1988. The type of detection system provided depends upon the type, occupant type and layout of the property. Standards in Appendix B generally apply but may differ from property to property.

Mixed Use Developments

There are a small number of developments in the Megaclose portfolio which are described as "mixed use". Mixed use as defined in the Building Regulations, Part B, is simply a building containing living accommodation together with occupancies other than residential.

In these situations, Megaclose undertakes a thorough fire risk assessment (taking advice from the fire and rescue authorities before complying as necessary with building regulations for this type of accommodation).

Megaclose ensures that:

- separate entrances are provided to the accommodation
- appropriate measures are taken to ensure that there is both vertical and horizontal fire protection to maintain the integrity of the means of escape in accordance with BS: 5588: Part D
- any automatic fire detection system and alarm system with which the main part of the building is fitted also covers all of the accommodation. In the developments currently managed by Megaclose, this will include a fully addressable fire system to BS: 5839: Part 6: Grade A: LD (2) with detection in all risk and common areas together with Emergency Lighting to BS: 5266: Part 1. In three of the developments there is also an automatic smoke extraction system
- any security measures in place will not prevent escape at material times.

Megaclose will ensure that the testing regime for fire detection and emergency lighting will follow that for larger buildings as previously described.

Avoiding False Alarms

Megaclose strives to ensure that fire systems are as individual to a dwelling as possible based on a risk assessment of that building. An increased sense of tenant ownership greatly decreases the occurrence of false alarms and engenders a more responsible attitude to fire safety. Successful ways of achieving this individualisation include:

- where a fire system is shared in a sub-divided building, a detector activation only triggers the alarms within that dwelling for a set period (agreed and prescribed by the fire authority). This allows the individual tenants the opportunity to reset the fire system in the event of a false alarm. If the alarm is real the system will 'cascade' or 'step' to adjacent units so evacuation can take place.
- where possible manual call points ('break glasses') are moved to final exit points within individual dwellings rather than in communal areas. This reduces malicious false alarms.
- in larger developments, systems are individualised as much as possible, often with separate mini monitoring panels being installed within individual dwellings. These are then monitored by an overall central monitoring station (in order to check for faults and false or malicious activations) that can identify persistent problems and address them.

Escape from the Property

Where the property is an HMO all external doors are fitted with a mortise lock with an internal thumb turn allowing escape from the building without the use of a key.

Testing Regimes

All properties have their fire systems tested annually to comply with BS 5839: 1988. This involves testing every detector, battery backups and the general functioning of the system at least once a year.

The testing regime is as follows:

Shared Student Flat Complexes

Fire systems are tested twice-yearly (depending on the size of the complex). The results are logged in test certificates which are filed at the Megaclose office. The contractor is a specialist fire engineer.

In addition, a manual test of the call points is carried out on rotation by staff to ensure that the system is working correctly. This also allows in-house staff to check that the control panels are not showing any faults which may have occurred since the previous contract testing. Staff also inspect means of escape on these visits.

Sub-Divided Buildings

Fire systems are tested twice yearly by a specialist fire engineer. This is a higher level of servicing than for standalone properties as the fire system is shared between dwellings so presents a higher risk. The results are logged in test certificates which are filed at the Megaclose office. The contractor

is a specialist fire engineer.

Stand Alone Properties with Dedicated Fire Detection Systems

These properties are serviced one a year by a specialist fire engineer. The results are logged in test certificates which are filed at the Megaclose office.

Additional Visual Inspections

Staff carry out a number of checks during their property inspections.

Emergency Lighting

Emergency lighting is a self-descriptive term and is lighting for an emergency situation when the main power supply fails. The loss of mains electricity could be the result of a fire or a power cut and the normal lighting supplies fail. In larger buildings the provision of emergency lighting is an integral part of the safety regime of the building and is fitted at the time of construction or conversion.

In other off street properties emergency lighting may be required, particularly in larger HMOs, where a risk assessment identifies that a protected escape route is not provided with adequate background lighting either natural or borrowed from street lighting to ensure the safe movement of occupants to the final exit door(s). In these cases emergency lighting is fitted to address the particular risk identified.

As part of Megaclose's HHSRS and RRO inspection routines, the need for emergency lighting is identified and revised on a regular basis.

Emergency lighting systems need routinely inspecting and testing in accordance with recommendations made in BS 5266 and following Lacors guidance (Local Government Regulation).

Large developments and complex houses of multiple occupation

Should be serviced and maintained in accordance with BS5266-8:2004. Complex HMO's can be described as over 5 or 6 storey's, no borrowed light, complex escape route, particular risk of vandalism.

Daily

Indicators of central power supply visually inspected for correct operation. Does not require a test of operation.

Monthly

- a) A simulation of a failure of supply to ensure all luminaires (lamps & signage) are luminated whilst in emergency mode. The period of simulation should be sufficient for the purpose of this clause, whilst minimising damage.
- b) Check that all luminaries and all lamps are clean, undamaged and the lamps are not blackened.

Annually:

- a) A full rated duration test, in accordance with the manufacturer's guidelines by a competent service engineer.
- b) The supply of normal lighting shall be restored and any indicator lamp or device checked to ensure that it is showing normal supply has been restored.
- c) The charging arrangements should be checked for proper functioning.
- d) The date of the test and its results shall be recorded.

Dispersed houses with normal risk

Most average sized premises with normal risk: an annual discharge test in accordance with the requirements of BS5266:8. This must be carried out by a competent person, usually a lighting engineer under a maintenance contract. It entails a full rated duration test to ensure compliance with

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the standard and should be recorded in a log book with a periodic inspection and test certificate issued.

Other Emergency Lighting

Following the installation of RCDs under Electrical Safety, to address the risk identified of tenants needing to go into a dark cellar, often down uneven steps, to reset an RCD, we ensure that an emergency light is installed next to any consumer unit located in a cellar of an HMO.

As emergency lighting is not designed to be used to assist in the route of escape, the testing regime is as follows:

Annually

- a) A simulation of a failure of supply to ensure all luminaries (lamps & signage) are luminated whilst in emergency mode by Megaclose staff on inspection. The period of simulation should be sufficient for the purpose of this clause, whilst minimising damage.
- b) Check that all luminaries and all lamps are clean, undamaged and the lamps are not blackened.

Once every 3 years

A full rated duration test, in accordance with the manufacturer's guidelines by a competent service engineer.

A comprehensive list of emergency lighting is maintained by Megaclose.

Disabled Refuge Systems

Under current Building Regulations, all new non-domestic buildings with more than one storey provide "refuge" areas. A refuge area is a relatively safe place where a person/people who cannot easily use fire escapes and evacuation lifts can call for assistance and wait until help arrives.

In the event of a fire or emergency, disabled people are evacuated to the Refuge Area, where a remote unit can be activated.

Megaclose doesn't currently have any buildings that are equipped with a Refuge System.

Soft Furnishings

All soft furnishings provided by Megaclose within its portfolio meet the requirements of the *Furniture and Furnishings (Fire) (Safety) Regulations 1988* (as amended in 1989 & 1993). This legislation covers items such as mattresses, sofas, cushions and seat pads.

Megaclose is not liable for any items that are non-compliant if they are brought into the property by a tenant or tenants. Where a non-compliant item is suspected (identified as part of a normal property inspection) Megaclose advises the tenant of any potential danger and makes a strong recommendation that the item should be removed from the dwelling.

Tenant Education

Tenants receive information regarding fire safety in their building in the following ways:

- in their arrival information
- in the relevant Tenant Handbook (either paper based or electronic)
- from a "Safe and Secure" notice placed on the notice board in all student bedrooms in larger

developments

- from a "Fire Instructions" notice placed on the notice board in all student bedrooms in larger developments in larger developments from a "Fire Instructions" notice placed next to any fire control panel in off street properties which contains instructions for operating the panel. This allows tenants to interpret the information being provided and to react appropriately following a simple checklist.

The "Fire Instructions" notice gives clear instructions on what to do if the fire alarm sounds, how to report any fault and how to react if a fire is discovered.

The presence of all relevant notices, as detailed above, are checked as part of the inspection process.

Security

Every Megaclose property is fitted to ensure that suitable security provision is provided for the occupants. It is very important to keep dwellings secure against unauthorised entry thus avoiding fear of a burglary and the stress and anguish that burglary and possible injury can cause.

The level of the security provided varies depending on individual locations and circumstances of each property but the following standards are provided throughout the portfolio:

Burglar Alarms

All properties (including flats in complexes) where any doors or windows are accessible to the public on the ground floor are provided with a digital burglar alarm. Alarm systems are designed to ensure all potential entry points to the property are covered by PIRs or door contacts. None of the burglar alarms are key operated but work off a four-digit number which can be changed if necessary. Numbers are periodically changed from time to time in any event.

Each alarm system is inspected as part of the housing management inspection procedure and tenants are also urged to report any malfunctions. All alarms have battery back-ups which permit activation if the power supply is cut off and these batteries are replaced from time to time, as necessary.

Each alarm system is thoroughly tested every three years by a competent alarm engineer. All alarms are fitted with a 20 minute cut off device.

Protection of Accessible Ground Floor Windows

Where the windows to bedroom rooms are located on the ground floor or lower ground floor, plain net curtains to a minimum density of 1.5 x width of window are fitted or the windows are covered with a reflective film. This is to stop passers-by seeing into the room and also deters the potential threat of speculative theft.

Where the threat of theft appears to be particularly high, warning stickers are placed on opening windows to encourage tenants to close all windows when not occupying the room.

In some circumstances, accessible windows are fitted with metal window grilles. Where the windows form part of the fire escape strategy for the building, the grilles are fitted internally with a quick release mechanism.

External Doors

The type of security fitted to external doors varies across the portfolio because of varying factors of security, fire safety, location, mail delivery and occupancy type. As such it is not possible to categorize sections of the portfolio as up to a certain standard. However, a number of minimum standards and general considerations are taken into account as listed below:

Door Construction

External doors to all properties are of solid core construction. Where there are glazed sections to the doors, the glazing is either Georgian wired or laminated for increased security. The door frames are strong and well secured to the jambs

Door Entry Systems

Flat complexes where there are more than two flats served by a central entrance and staircase are fitted with door entry systems. These feature a call button to a handset in each flat and a remote door release mechanism. This avoids the problem of the front doors being propped open to allow access to visitors.

All door entry systems operate either a servo operated mechanical latch or electro-magnetically locking door. Where servo operated mechanical latches are used they are of a high security specification.

Residents gain access either with a key, a proximity reader which identifies a key fob kept with the residents key or a digital number punch. Tenants receive information about avoiding "tailgating" into buildings by unknown persons.

Letter Plates

Where letter plates are fitted in external doors these comply with BS2911/1974 (1980) and are located a minimum of 400mm away from any locks. All letter boxes fitted to HMOs are fitted with restriction devices to prevent access to the locking system internally via the letter aperture.

Where several letter plates are fitted in external doors they comply with BS2911/1974 (1980) and the mail is collected in individual key lockable compartments for each dwelling so that mail cannot be stolen by other residents from within the building.

Wherever possible, mail is delivered directly to each flat and posed through a letter box in the front door.

Locks

Locking provision requires a balance between providing adequate security but maintaining ease of escape in the event of a fire. In line with the LGR Guidance, where the property is an HMO all external doors are fitted with a mortice lock with an internal thumb turn allowing escape from the building without the use of a key.

Additional Door Security

Doors are sometimes fitted with either tower bolts or thumb turn bolts.

In some locations, particularly where properties have unobserved back entrances or where there is a history of break-ins, additional security is added to the door in the form of hinge bolts, anti-jimmy bars to door edge ("London bars") and frame edge or in extreme cases, metal sheeting to door faces.

Internal Lighting

All stairwell and communal areas shared by several separate dwellings are well lit to deter intruders.

External Lighting

Where lighting from adjacent street lighting provides insufficient external illumination, properties within the portfolio are fitted with 'dusk 'til dawn' lighting to enhance security.

To the rear of properties, where a security risk is identified, additional lighting is fitted to deter intruders.

In developments, major thoroughfares are well lit via high power lamps to provide a secure environment for tenants. Where any potentially vulnerable dark areas around the perimeter of sites exist, specific lighting is introduced to reduce the risk of intruders.

Although Megaclose inspects all external lighting regularly to address any faults or lamp replacements, it relies upon tenants to report lamps that are malfunctioning.

Use of CCTV

In general, CCTV is currently installed to larger developments. Megaclose plan to install CCTV in areas where practical and able to cover multiple properties, this work is ongoing with a target date for installation in all practical locations by end of 2019.

In larger new developments, CCTV is normally fitted.

CCTV is currently fitted at:

Royal House

150-188 Mansfield Road Flats/Houses

Victoria House

Hockley Point

Byron Works

136-158 North Sherwood Street Flats/Houses

Megaclose offices

Where CCTV is fitted, the systems are checked weekly by maintenance staff to ensure that cameras are operating properly. Maintenance staff check recording devices, are functioning correctly once a month.

In order to increase awareness of CCTV coverage and to encourage faults to be reported as soon as possible flat screens are being introduced in key communal areas showing the signals from CCTV cameras, thus raising tenant awareness of this facility and encouraging the early identification of non-working cameras.

All CCTV systems utilise Digital Video Recorders (DVR) which allow approximately one week's footage to be retained and saved to CD Rom if required.

Garden Maintenance

Wherever possible, sight lines from the adjoining areas to the property are maintained to provide passive surveillance. Garden maintenance ensures hedges are kept trimmed low and trees are pruned so as not to obscure the properties.

Where low maintenance gardens are laid, the use of gravel or stone chippings as loose aggregate around the building perimeter provides a useful audible warning of any intruders on the property.

External Planning

On large sites, circulation and landscaping is designed in such a way that there are a minimal number of 'rat-runs' and cul-de-sacs. This ensures that any intruders are easily identifiable. It also means that it is difficult for any intruder trying to leave the site to escape without using one of the few entrances.

In individual properties railings are frequently used to define public/private space for security. Unobserved rear yards are fully protected with locked 1800mm high railings where necessary while lower railings and gates, simply to delineate the space, are suitable to front elevations where appropriate. Where practical, external gates are fitted with a lock this is suited to the house main locking system ensuring that a single key fits all locks.

Tenant Information

All tenants receive a variety of information about security. This information incorporates sections about personal safety. Safe and Secure posters are displayed in amenity areas in large complexes giving full details of the security provisions at that site. In smaller properties, Safe and Secure notices are being introduced to all properties, to be displayed in the hallway or kitchen. This process will be complete by October 2019.

Out of Hours

Megaclose operates an out of office hours help service. An external call centre handles all calls and responds to telephone enquiries outside of Megaclose office hours. The help service is an emergency call centre who can raise contractors to attend to emergency repairs and respond to lock-outs.

Lifts

The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) contains the requirements for the safe provision and use of lifting equipment. Regulation 9 of LOLER requires that all lifts provided for use in work activities are thoroughly examined by a competent person at regular intervals. We ensure that all passenger lifts are serviced at least six times a year.

As the duty holder of the lifts Megaclose is legally responsible for ensuring that the lift is safe to use and that it is thoroughly examined. These responsibilities include:

- maintaining the lift so that it is safe to use
- selecting and instructing the competent person;
- ensuring that the lift is examined at statutory intervals (every 6 or months) by a competent person;
- keeping the competent person informed of any changes in the lift operating conditions which may affect the risk assessment
- making relevant documentation available to the competent person, e.g. manufacturer's instructions and maintenance records
- acting promptly to remedy any defects;
- ensuring that all documentation complies with the Regulations
- record keeping.

Megaclose has three lifts (2016) and are all on maintenance contracts with specialist lift service companies.

It is important that the thorough examination is sufficiently independent and impartial to allow an objective assessment of the lift to be made. It is therefore important that the same company who performs routine maintenance is *not* used to carry out the thorough examination because they would then be responsible for assessing their own work.

Megaclose uses an external Company (accreditation by the United Kingdom Accreditation Service to the relevant standard BS EN 45004) to carry out a yearly examination. The examination is carried out in the presence of the Megaclose maintenance manager, who ensures that such an examination takes place as well as overseeing the maintenance contracts for those lifts.

After each examination, a report is produced which is delivered to the maintenance manager who takes action, as directed by the report, and records that action on a report response. It is a legal requirement that reports of thorough examination are kept available for consideration by health and safety inspectors for at least two years.

Windows

When replacing windows and doors, Megaclose complies with current thermal performance standards and ensure a certificate is obtained from FENSA or Local Authority Building Control. FENSA enables companies that install replacement windows and doors to self-certify compliance under these Building Regulations without the need for a separate assessment from Building Control.

In order to comply with this obligation, Megaclose will only use FENSA registered window fitters where window replacement is undertaken. Where full property refurbishment takes place, applications are likely to be made with Building Control and as such FENSA certification is not essential.

The FENSA scheme does not cover the following and work should be notified to the local authority:

- New build dwellings
- New domestic extensions
- Any glazing work in commercial and industrial buildings

- Listed buildings or those in conservation areas
- Doors with less than 50% glazing
- Room conversions e.g. bathroom converted into bedroom, new loft conversions
- Communal areas for flats

For the sake of clarity these requirements are not applicable when repairing existing windows, for example. repairing handles, replacing broken or damaged glazing or fitting or adjusting hinges.

Legionnaires' disease

For buildings with centralised water facilities (cold only) we have a contracted maintenance service to undertake the necessary servicing and cleaning of the water system.

Wherever there are tanked water systems it is necessary to take steps to ensure that water is not left standing in parts of the system for any substantial period of time. Water is run on all hot and cold outlets in any flats which have been empty for a month or more which flushes any stale water through.

The Health and Safety Executive publish an Approved Code of Practice (ACOP) and guidance for *Legionnaires' disease: The control of legionella bacteria in water systems*. The main part of the ACOP is a requirement to carry out a two-yearly risk assessment to identify and assess potential sources of exposure to Legionella. This covers all properties, whether large or small. Although the generally high throughput and relatively low volume of water held in smaller water systems reduces the likelihood of the bacteria reaching dangerous concentrations a risk assessment must be carried out. The risk assessments should be reviewed periodically to ensure that any changes to water systems and usage of buildings are taken into account.

All other water systems in Megaclose properties are domestic type systems with a very low risk. According to the HHSRS V2 the average risk in all domestic dwellings is 1 in 1,423,649 with a very low harm outcome. This compares to fire, for example, which has a risk of 1 in 4,760 with a much higher harm outcome.

Any Megaclose property which has been empty for a month or more with a domestic water system has water run on all hot and cold outlets before re-occupation to flush any stale water through.

Megaclose does not manage properties that are fitted with 'Jacuzzi' type baths.

Smoking and the Health Act 2006

Since the 1st July 2007 it has been illegal to smoke or allow smoking in enclosed public areas of properties. The Health Act 2006 provides the framework for smoke-free legislation and also creates a number of criminal offences for those who choose to ignore or break the law. The Health Act 2006 imposes certain obligations on Megaclose as a housing supplier. This policy is also designed to protect employees, tenants, customers and visitors from exposure to second hand smoke.

Student Accommodation Health and Safety Policy (V1-2017)

All public areas in *developments* are smoke free. Common stairwells and entry lobbies serving flats are public areas.

Where public areas are involved appropriate 'no smoking' signs are clearly displayed at the entrances to and within premises in required areas. Signs:

- are at least A5 size
- are durable and properly fixed by contractors
- display the international no-smoking symbol;
- contain, in characters that can be easily read by persons using the entrance, the words: "No smoking. It is against the law to smoke in these premises".

From January 1st 2018, these arrangements will be reflected more clearly in Megaclose tenancy agreements.

Where tenants are *renting the entire dwelling* (including tenants who are renting on a joint tenancy and jointly renting the entire premises) then there are no "public areas" within their premises. The Health Act 2006 allows smoking in their shared living space, because it forms part of their dwelling. However, Megaclose does not permit smoking in any of its properties.

Enforcement

Can be difficult. People smoking tobacco products in prohibited areas are politely asked to desist. Tenants who refuse to desist from smoking in a public area after being asked politely are provided with a letter from Megaclose advising them:

- that their failure to adhere to this policy is a criminal offence, and that, unless the tenant complies with the law, action may be taken against them
- draws the tenant's attention to the clause in their tenancy agreement referring to the need to comply with the requirement to have smoke free areas as defined in The Health Act 2006

If the tenant continues to smoke in a banned area then Megaclose will arrange a meeting with them and if the tenant continues to smoke in a banned area after this meeting then they are sent a standard solicitors' letter.

If no positive response is received to the solicitor's letter Megaclose will move towards possession proceedings.

Visitors who refuse to desist from smoking are politely asked to leave buildings (with the assistance of security staff if necessary).

Outside the building Megaclose has a number of areas that can be used by smokers. These areas are located where they will not cause others to walk through smoke or cause smoke to enter the building through windows. Wall mounted bins are provided for smokers and the areas are well-lit to reduce dangers at night to personal safety.

Gyms

Megaclose has an on-site gym at Hockley Point.

Staff are not insured to act as gym or fitness instructors or directly provide any training, advice or information on how to use the machines.

Staff check during each shift that the gym is clean, tidy and in good working order. Any staff suspecting damage should report this to the Maintenance manager immediately who will contact a service professional to assess the damage.

Property Inspections

Megaclose carries out full property inspections at least twice a year in HMOs and once a year in other properties (although this will be more often if problems are found). The inspection routine checks the property for:

- disrepair
- the quality of previous work undertaken in the property
- management issues relating to tenant behavior
- matters relating to the health & safety regime for that type of property.
- the permitted level of occupancy within the property.

Tenants are given advance notice of the inspection and invited to be present and inspections are not intrusive but are thorough. They form an important part of being a Megaclose tenant.

A record of the inspection or review is kept and a feedback form passed to the tenants. Any observations noted during the inspection are then acted upon.

In larger developments, the communal corridors, stairwells and external areas are checked weekly by staff to ensure

- the sterility of these areas free from litter and unauthorised storage
- that lighting and fire detection systems function properly
- that waste is being properly disposed of, the bins emptied regularly and to maintain clean bin areas
- the standard of garden maintenance
- the correct security arrangements are in place
- all external locking systems and gates are working properly
- cars parked on site are authorised to be present and are road taxed

Housing Act 2004 - Risk Based Assessment and Licensing

As previously mention Part I of the Housing Act 2004 introduced with the Housing Health and Safety Ratings System (HHSRS) which consists of a risk-based assessment and an inspection of a property by a qualified person, normally an environmental health officer.

The officer rates 29 areas of risk and scores them. If the score is above a certain numerical point then

a Category 1 hazard exists and this needs rectifying and the Local Authority can take enforcement action if this action is not taken.

The HHSRS applies to all houses, except Local Authority and RSL stock. This includes owner occupied houses and all private rented housing (whether an HMO, or licensed or not).

The link between the HHSRS and licensing (Part II of the Act) is that if an HMO requires licensing then it is more likely to be inspected under the HHSRS.

Megaclose HMO properties are inspected by the Local Authority Environmental Health Officer every five years. Any new properties entering the portfolio are assessed within the six months of them doing so. This includes properties managed on behalf of other owners.

Housing Act 2004 Part II

Part II of the Act defines an HMO and also defines what properties need licensing. In brief, in student housing, any house that is shared by 3 or more unrelated students is likely to be an HMO.

If a house is an HMO and is on three or more floors (each floor being habitable) and is shared by five or more persons then it is licensable. The license lasts for 5 years (unless a shorter time is granted by the Local Authority) after which a new license is needed.

Licensed HMOs need to meet a set of regulatory standards laid down by statute as interpreted by the relevant Local Authority, in Megaclose's case, Nottingham City Council. Each license states what standards need to be met and Megaclose ensures that those standards are met, if necessary, by a deadline contained in the license. It is also a requirement that training is received about HMOs, standards and management and Megaclose fully complies with this requirement.

All properties in Megaclose portfolio that need licensing have a license. In the case of managed properties entering Megaclose's portfolio, any existing license is transferred into Megaclose's name or Megaclose applies, on behalf of the owner, for a license. Megaclose also ensures that if any changes are made to the property affecting the license then that license is amended.

A central file of licenses are kept in Megaclose's offices and a copy of the relevant license is displayed by the entrance door of each specific property. Licenses are held in the name of Megaclose. Nottingham City Council also maintains a public record of properties licensed under the Act.

Housing Students with Physical Disability

In its methodology HHSRS does not take into account any additional risk or vulnerability.

Where Megaclose is housing a student with a disability, where the chances of hazards is increased, their institution is asked to provide a personal risk assessment for the student which can be acted upon in making reasonable adjustments to the arrangements within the dwelling.

Insurance Cover

Megaclose properties are covered by the following policies:

- Employers Liability Insurance
- Public Liability Insurance
- Buildings cover

Insurance cover is also obtained to cover loss of rental income if a dwelling was unoccupiable to ensure that replacement housing could be provided and paid for.

Health and Safety Responsibilities of Key Staff

Overview

Megaclose has two main Health and Safety Policies, *the workplace health and safety policy and the student accommodation health and safety policy for offices and staff*. These are at the centre of the organisation's health and safety regime and detail the commitments and operational requirements in this area across the whole organisation.

The Director has overall responsibility for *the Health and Safety Policy's*, and is assisted by the Director of Development and Head of Maintenance who has a central role in coordinating and verifying that all systems are being properly followed and recorded.

Megaclose will annually review:

- all operational aspects of *the Health and Safety Policy's*
- raise any difficulties encountered in that operation
- suggest any improvements or changes that need to be made.

The director of development has overall responsibility for the workplace health and safety policy and the head of maintenance is responsible for ensuring that the policy is being correctly implemented and verified, they:

- design, maintain and monitor inspection routines that provide information about future action to be taken in respect of both tenants and the portfolio
- ensure that any safety monitoring systems are maintained
- identify any health and safety issues or problems and following up and rectifying any identified deficiencies
- ensure staff cover, including emergency cover, is maintained for the portfolio
- ensure that when properties are taken into management that all proper health and safety documentation is properly available and filed
- oversee and negotiate maintenance and service contracts
- operate the repairs reporting system
- ensure that Megaclose fully complies with the law in respect of its portfolio under the Housing Act 2004 and is the responsible person in respect of licensing under Part 2 of the Housing Act 2004
- maintain a set of routines to ensure that the standards within the National Code for Larger Student Developments are met

They also have first line responsibilities in respect of the risk assessment for the portfolio ensuring that:

- if the RRO applies they will ensure a full risk up to date assessment relating to fire is kept on file and in the case of smaller properties, that a member of the Maintenance team complete an individual risk assessment at the point that lettings commence and that a copy of that, for each relevant address is kept on file.

Particular attention is paid to the following systems:

- properties are NICEIC inspected and certificated
- gas appliances are serviced annually
- fire extinguishers, fire alarms and emergency lighting are serviced as required
- intruder alarms are serviced
- fire alarm tests and emergency lighting tests are undertaken as required, including maintaining a testing log
- portable appliance testing is undertaken as necessary
- instruction manuals are made available to tenants
- maintains records in respect of planned and preventative maintenance servicing
- maintaining records in respect of examination of lift reports
- ensure that M & E servicing contracts are set up for larger developments
- ensure that Megaclose is controlling any identified risk from Legionella

Senior Staff (Procurement and Co-ordination)

Megaclose Senior Management assists where needed to ensure that all of Megaclose's:

- properties are NICEIC inspected and certificated
- gas appliances are serviced annually to Gas Safe standards
- fire extinguishers, fire alarms and emergency lighting are serviced as required
- intruder alarms are serviced
- fire alarm tests and emergency lighting tests are undertaken as required

and that up to date verifiable records are maintained in an easily accessible and well-ordered manner for all these matters.