



Trident Group



TORT Policy

Department: Enter department here

Version:	V1.0
Author:	Attel Oliver
Issue Date:	October 2024
Review Date:	October 2025
Access Reference:	Operational Policies/Property Services/H&S/Fire & Building Safety
Staff Affected:	Housing services/ Voids/Estates
Approved By:	Director of Property Services
Lead Officer	Attel Oliver

Uncontrolled version if printed or emailed.

If you are viewing this document from your personal drive or as a hard copy it may not be the latest version.

Contents

Section Number	Section Name	Page Number
1.	Introduction	3 – 4
2.	Scope	5
3.	Roles and Responsibilities	5
4.	Legislation	5 – 6
5.	Keeping Communal Areas Safe	6 – 7
6.	Version Control	7
Appendices		

1. Introduction

1.1. Aim of the Policy

The Aim of this policy is to outline Trident Group's approach to proactive management of Communal Areas, this is in conjunction with the Fire Safety Policy.

- This Policy is to assist Trident Group compliance with our legal obligations as a Social Landlord and meet the statutory requirements of the Regulatory Reform (Fire Safety) Order 2005.
- This policy will provide a clearly defined management approach for the delivery of suitable and sufficient controls and monitoring measures for all the communal areas throughout our high- and low-rise premises.

1.2. Policy Statement

The policy objectives are:

- To provide safe housing for our residents and satisfy our legal obligation to manage the safety of communal areas in blocks that we own or have management responsibilities for.
- To adopt a zero-tolerance policy for the management of items within communal areas. This will ensure a clear, consistent approach to the prevention of storage of items in communal areas in order to reduce the risk of fire and ensure clear, hazard free, escape routes. This policy also ensures that our approach is consistent with what our tenancy agreements and leases say with regards to residents' responsibilities in ensuring that communal areas are kept clear.
- Good housekeeping is fundamental to reducing risk in communal areas. Controlling the presence of combustible materials and ignition sources not only reduces the potential of accidental fires (including trip hazards), in common parts but also reduces risk of deliberate fires and ensures that emergency escape routes are kept clear. Consequently, Trident Group therefore have a "zero tolerance" approach to communal areas to ensure clear and concise expectations to staff and residents.
- This zero-tolerance policy will apply to all communal areas which are defined as shared areas in and around properties such as, but not restricted to: corridors, entrance halls and doorways, landings, staircases, lifts, bin stores, bin chutes, cycle storage areas, car parks and meter cupboards. Private balconies and ground floor enclosures are also included as actions or items stored in these areas can affect neighbouring properties.

1.3. Aims of Zero Tolerance

Trident Group have adopted a 'zero tolerance' approach for several reasons including:

- For residents to enjoy a safe, clean and tidy environment.
- To reduce un-necessary risks and comply with our duties under primary legislation including fire safety laws and the Housing Act 2004, and all subsidiary legislation.
- To ensure compliance with fire authorities preferred practice of managing communal areas
- To ensure we meet our regulatory responsibilities
- To reduce the risk of accidental fires in common parts whilst ensuring there is clarity in the enforcement of a zero-tolerance approach
- To aid a hazard free escape route
- To ensure there is clarity as to roles and responsibilities
- To ensure residents are kept safe and we effectively manage and address residents' concerns regarding fire safety

1.4. Objectives Zero Tolerance

Trident Groups objectives for adopting a 'zero tolerance approach to items in communal spaces is:

- 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 communal areas.
- That goods left in communal areas are removed promptly, following the necessary notice procedures by taking a corporate approach that involves all departments that visit our estate / schemes.
- To ensure there is no ambiguity regarding what is allowed and therefore residents know exactly what's expected / required.

2. Scope

This policy applies to all communal areas in and around properties owned or managed by the Trident Group; including social and market rent properties, leaseholders, sheltered and supported schemes.

3. Roles and Responsibilities

This section will cover the management of Risk within the Trident Group

3.1. Fire Risk Assessments

The Senior Management Team will have the responsibility to ensure that this policy is adhered to and that there is monthly performance reporting of all key activities, e.g. estate inspections, FRA's conducted, actions implemented.

The Building Safety Team will review all FRA actions to ensure they are properly assigned, managed, and actioned. The team will also have responsibility to ensure there is effective communications with residents and any resident complaint regarding fire safety is reviewed. They will provide guidance and liaise with key stakeholders e.g. the local Fire Services.

Managers/Team Lead/Responsible Person will ensure that The Trident Group's obligations are fulfilled within each scheme. Managers will also ensure that FRA actions allocated to their areas are completed within required timescales.

Housing Officers will carry out estate inspections on communal areas. During each inspection they will identify and organise the removal of items in communal spaces within set timeframes.

Caretaking and Trade Supervisors / Operatives will be responsible for identifying and alerting their supervisors of any items they come across whilst out on the estates to ensure that action is taken to either remove or store such items.

Residents have a responsibility to keep communal areas clear and ensure they store goods/belongings inside their homes as per the terms of their tenancies or leases, and that they adhere to fire safety advice detailed in this policy. In addition, to support the safety of all residents in their block, residents are encouraged to report any fire risk concerns in communal areas to The Trident Group.

4. Legislation

This section will cover the Legislation under which The Trident Group have to operate.

- Any items in communal areas have the potential to be a health and safety hazard and/or pose a serious fire risk. The Regulatory Reform (Fire Safety) Order 2005 replaces previous fire safety legislation and requires The Trident Group to assess the risk of fire within all its properties and take adequate precautions to reduce the risk.

- Fire Safety Act 2021 and Fire Safety (England) Regulations 2022 – National Fire Chiefs – click on link: <https://www.nationalfirechiefs.org.uk/Fire-Safety-Act-2021-and-Fire-Safety-England-Regulations-2022>
- Building Safety Act 2022
- Local Government Association - Fire Safety in Purpose Built Blocks of flats (2012)
- The Housing Act 2004 places a duty on landlords to carry out thorough risk assessments, including fire risk assessments. Please refer to the Trident Group's Fire Risk Management Policy.
- 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. 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 resident allows a period of time (usually 7 days) in which the resident must remove the goods themselves. If the goods remain uncollected beyond the agreed period, they can be legally removed and /or disposed of in accordance with the terms of the tenancy or lease.

5. Keeping Communal Areas Safe

This section covers the approach adopted by Trident Group when considering items left in communal spaces.

The Trident Group has a legal duty to ensure that all fire escapes and fire routes are kept clear at all times. It is therefore important to ensure that there are no obstructions in communal areas that would:

- Contribute to the spread of fire or combustible materials creating accidental fires
- prevent / reduce ability to escape in the event of fire
- produce smoke
- hinder Emergency Services in rescue duties
- injure people by causing trips and falls

Obstructions in communal areas include, but are not limited to, rubbish and bulky 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 the resident.

The Trident Group will keep communal areas safe by:

- Taking a corporate approach to the management of communal areas. This will include regular estate inspections to identify and manage any issues with items being stored in the communal areas, ensuring there is a high standard of repair as well as a high standard of cleanliness and well maintained communal / garden areas.
- Ensuring that all evacuation routes are clear, proper signage is in place, emergency lighting is working, and fire doors / windows are operating as expected.
- Ensuring that at all times Fire Risk Assessments are in place and FRA actions are being managed and reported.

Reserving the right to immediately remove and safely dispose of any item it deems to be a high fire risk if it is flammable material or an ignition source. e.g. petrol fuelled equipment or vehicles, bulk rubbish, sofas, bedding and mattresses

If items found in communal areas are considered to be of value and the owner can be readily identified, a Tort Notice will be placed on the item and posted to the property of the owner informing that the items must be removed. At the end of the Tort Notice period, the items can be disposed of. Where goods are considered to be of no value, they may be disposed of immediately. The Trident Group reserves the right to charge for the storage and disposal of any goods removed to the owner or through the service charge if the owner is unidentifiable.

All residents are expected to keep communal areas safe by:

- Keeping communal areas clear of items, but not limited to, electrical or petrol fuelled items, 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 compartmentalisation of the flat.
- 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.

6. Approved Control

Approval Control:

Version Number:	Date:	Review Completed by	Approved By	Approved Date
1.0	October 2024	Attel Oliver/Tracy Ketteringham	Gareth Price	October 2024