



James Dornan MSP
Convener
Local Government and Communities Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Our ref: A30483757

20 October 2020

Dear James

I am writing to update the Local Government and Communities Committee on our plans to strengthen fire and smoke alarm standards, including new obligations on local authorities and impacts on home owners, that are currently due to come into force from 1 February 2021.

Recent marketing campaign issues by AICO, which carried the Scottish Government logo, has led to considerable correspondence and commentary on this legislation. It is regrettable that an error in due process led to government officials giving permission for the use of the logo – this was not signed off by Ministers. I can appreciate that this could be taken as an endorsement of specific products. However, the Scottish Government does not endorse any particular suppliers or products. We have therefore asked AICO to withdraw the Scottish Government logo from further advertising material.

Improving fire safety remains a key priority for the Scottish Government. The tragic events at Grenfell Tower emphasised how important building and fire safety is, which is why, following consultation, we announced in 2018 that the standards that already existed in the private rented sector would be applied to all homes. As you will know, legislation was made on 16 January 2019 and listening to feedback from stakeholders, I agreed that there would be a two-year lead-in time to allow people sufficient time to install the necessary alarms.

Additional alarms reduce the risk of injury and death in house fires and the Scottish Government is keen that people are able to install the alarms at the earliest opportunity. However, I also appreciate that some home owners will have difficulty organising work during the restrictions due to the COVID-19 pandemic, or are concerned about having

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people coming into their homes. The pandemic has also impacted on our original plans for communicating with the public about the upcoming changes.

In light of this, I will be asking parliament to approve a 12 month delay in the deadline in carrying out this important safety work. This will be subject to the usual parliamentary processes including committee approval for the amended order I have now asked officials to progress.

Our intention in bringing forward these changes is that everyone should benefit from the same level of protection, whether they own their home or rent from a social or private landlord. As with other housing standards, it will be the responsibility of the homeowner to meet the new fire and carbon monoxide alarm standard. However, it should be noted that the legislation does not create a direct duty on home owners. The legal duty rests with the local authority to ensure homes in its area are meeting the standard. Homes that don't have the right alarms will clearly not be meeting the safety standards, but nobody will be breaking the law if they are not able to comply.

The Scottish Government has already made over £15m of loan funding available for Social Landlords to procure and install the necessary alarms which should help ensure that social tenants are safe in their homes. The Scottish Government has also provided additional funding of £870,000 in each year for the last two years to the Scottish Fire and Rescue Service to support their Home Safety Visits for vulnerable and high risk people. We will continue to look closely at ensuring people have the support, information and advice they need to make changes in line with strengthening fire safety in advance of the new standards coming into force in February 2022.

I will shortly be writing to all MSPs clarifying the position and setting out our intention to delay implementation of this legislation, subject to parliamentary approval. I will also update Parliament following the current recess period. I would be happy to provide more information or to discuss directly with the Committee should you find that to be useful.

Kind regards

KEVIN STEWART

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