

Citizen Participation and Public Petitions Committee

3rd Meeting, 2022 (Session 6), Wednesday
23 February 2022

PE1910: Amend the forthcoming legal
requirement to have interlinked fire and
smoke alarms in small houses

Note by the Clerk

Lodged on 11 October 2021

Petitioner Ian Nicol

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to
introduce an exemption for smaller houses from the requirement to
have interlinked smoke and fire alarms fitted which comes into force in
February 2022.

Webpage <https://petitions.parliament.scot/petitions/PE1910>

Introduction

1. The Committee last considered this petition at its meeting on [1 December 2021](#). At that meeting, the Committee agreed to write to the Scottish Government.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new responses from the Scottish Government, the Association of British Insurers and the Petitioner which are set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).

5. Further background information about this petition can be found in the [SPICe briefing for this petition](#).
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).

Action

The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

PE1910: Amend the forthcoming legal requirement to have interlinked fire and smoke alarms in small houses

Petitioner

Ian Nicol

Date Lodged

11/10/21

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to introduce an exemption for smaller houses from the requirement to have interlinked smoke and fire alarms fitted which comes into force in February 2022.

Previous action

Written to Scottish Government about lack of public consultation about the changes and my views that the changes are onerous. The response from the Government Directorate of Housing and Social Justice stated that a public consultation was prioritised by the Ministerial Working Group overseeing a review of building and fire regulatory frameworks. The consultation closed on 1 December 2017. Details of the new requirements were also provided.

Background information

It is agreed that the terrible fire at Grenfell needed change to high rise properties and homes in multiple occupation. It is argued, however, that the need for multiple linked alarms regardless of the size or type of house is unnecessary and onerous. The costs of sourcing and installing a number of alarms in each house would be substantial. The cost and number of alarms in each property is unnecessary for most 2 and 3 bedroom houses.

An exemption for small houses is required. The sound of multiple alarms sounding at once in small houses, even during a test, or for a minor alarm defect would create annoyance to older residents and unaffected neighbours. Alarms often go off for minor reasons such as burnt toast and there is no need for multiple alarms to go off all over the property. Strategically arranged alarms in circulation areas outside living and sleeping accommodation would surely suffice.

Annexe B

Extract from Official Report of Committee's last consideration of PE1910 on 1st December 2021

The Convener: PE1910, which was lodged by Ian Nicol, calls on the Scottish Parliament to urge the Scottish Government to introduce an exemption for smaller houses from the requirement to have interlinked smoke and fire alarms fitted, which comes into force in just a few months' time, in February 2022.

The SPICe briefing that accompanies the petition explains that the Housing (Scotland) Act 2007 sets out a basic standard of house condition called the "tolerable standard", which will be amended in February 2022 to include ceilingmounted and interlinked smoke and heat alarms. Carbon monoxide alarms are also included, where appropriate. The legislation does not provide for any exemptions from the requirements, although the guidance acknowledges that "it may not be practical to fit fire and smoke alarms to this exact standard", depending on the layout and design of the building.

The Scottish Government's rationale for the new requirements is that interlinked systems alert occupiers immediately to fire in their homes. It acknowledges that, during the daytime, an occupier in a small house would hear unlinked alarms. However, it notes that unlinked systems are not sufficient to ensure that an occupier would be woken quickly during the night. It explains that the new requirement will bring all homes to "the same level of protection" that is currently mandatory "in new build homes throughout the UK and in private rented homes in Scotland."

The petitioner has responded to the Scottish Government's submission and notes a number of concerns, which are that the requirement is not mandatory throughout the UK and it is unclear what the consequences of non-compliance are; that there are shortcomings with battery-operated alarms; and that there are cost implications for home owners that may be particularly challenging for those on low incomes.

Has any of us not been woken in the middle of the night by a battery that has gone flat in such a device and found it almost impossible to disconnect? I think that the newer models are more efficient.

Do members have any comments?

Bill Kidd: I have seen what the Scottish Government has said that its intention is, how it is approaching the matter and to whom it has spoken about it. Even so, it would not do any harm for us to write to the Scottish Government to ask for a review of the effectiveness of the current financial support that is offered to ensure that all occupiers have the capacity to meet the regulatory requirements and be kept safe. I think that there is still some confusion among the general public, and it would not do us any harm to do that.

The Convener: I have a small parallel concern, having spoken to elderly constituents, in particular, who have only just lately become aware of all this. They

are slightly worried about the bona fides of people who might fit such devices. Previously, we have had concerns about the elderly being preyed on by some, and I would like to get an understanding from the Scottish Government of what security there is and whether it feels that appropriate advice on the matter has been given to all households. I know that that does not fall within the scope of the petition, but it is a related point of concern.

Thank you for your comments, Mr Kidd. Do members agree with the suggested action?

Members: *indicated agreement.*

Annexe C

Scottish Government submission of 30 December 2021

PE1910/C - Amend the forthcoming legal requirement to have interlinked fire and smoke alarms in small houses

Following review of the above petition by the Citizen Participation and Public Petitions Committee, further information has been requested. I have provided this below.

- Whether the Scottish Government will undertake a review of the uptake and effectiveness of financial support offered to individuals.

We recognise that some owners will have more difficulty, particularly with the option to fit alarms themselves. This is why we have provided £0.5 million additional funding for Care and Repair Scotland to provide help installing alarms for older and disabled homeowners who live in council tax bands A-C and are in receipt of an income or disability related benefit as qualifying criteria. This was in addition to the £1million funding provided to SFRS for its Home Fire Safety Visit programme to owner occupied properties assessed to be at high risk from fire.

Scottish Government funding has enabled Care and Repair to provide free alarms, as well as offering households subsidised alarms which are provided at a discount by the manufacturer. This support will assist those who are least able to fit alarms for themselves. Care and Repair Scotland is providing regular returns to the Scottish Government on the use of the fund and the number of homes that receive free and subsidised alarms, by local authority area. The Scottish Government is reviewing these returns and maintaining engagement with Care and Repair Scotland to ensure that the fund is used effectively and to identify any gaps in support.

- What the Scottish Government is doing to ensure vulnerable homeowners are protected when arranging for new alarms to be

fitted, including whether targeted advice has been issued on this issue and whether an approved traders' scheme exists for this purpose.

We know that some people are concerned about scams. Our advice throughout has been that the best way to avoid scams is to use trusted sources of information, not to deal with cold callers and to be wary of any company that says their products or services have been endorsed by the Scottish Government. We have included messages on the type of alarms to purchase (including BS numbers) and the importance of using reputable and suitably qualified tradespeople including signposting to local government Trading Standards in our extensive media awareness campaign for the new standard, in leaflets distributed through local libraries and on the Scottish Government Fire Alarms website.

Association of British Insurers submission of 26 January 2022 PE1910/E – Amend the forthcoming legal requirement to have interlinked fire and smoke alarms in small houses

I see that the Committee has received correspondence on the above petition which refers to home insurance and interlinked fire and smoke alarms.

https://www.parliament.scot/chamber-and-committees/committees/current-and-previous-committees/session-6-citizen-participation-and-public-petitions-committee/correspondence/pe1910/pe1910_d-petitioner-submission-of-17-january-2022

The Association of British Insurers has published guidance for householders on our website [here](#) and the ABI would encourage people to install interlinked alarms so that they can evacuate their home safely in the event of a fire. Our member firms are aware of the new regulations

coming into force and are unlikely to invalidate a home insurance claim for existing customers who haven't yet complied with the new law in Scotland. Anyone who is unclear on their policy terms and conditions should speak to their insurer.

The ABI also discussed this issue with the Scottish Government and I would refer the Committee to its advice set out below:

Different home insurance policies will have different terms and conditions which a homeowner must comply with in order for their home insurance to be valid. If you are not sure how the new fire and smoke alarm requirements affect your policy, get in touch with your insurer to find out.

<https://www.gov.scot/publications/fire-and-smoke-alarms-in-scottish-homes/>

I hope this is helpful for the Committee and the petitioner.

Petitioner submission of 17 February 2022 PE1910/F - Amend the forthcoming legal requirement to have interlinked fire and smoke alarms in small houses

This is based on common news about the new legislation which suggests that –

1. The public are confused about the precise requirements of the legislation, and that the claimed public consultation does not appear to have been as effective as everyone would have wished;
2. That there appears to be a shortage in the appropriate available equipment required by the legislation due to current demand;
3. That there is also a shortage of skilled trades people to carry out the work, leading to the likelihood of unskilled or even untrustworthy contractors carrying out the work; and

4. There is still confusion about how and what checking of installations will be carried out, and what non-compliance penalties would apply.

I myself bought equipment when I first read about the legislation, had it installed early on, and only subsequently found it did not meet the requirements. Now I have some old alarms that still work adequately, and new equipment that is wirelessly linked but does not meet the new standards.

I feel badly let down by the government and feel the whole issue has been badly handled.

I therefore ask again, that the government review its legislation and in the view of widespread adverse comment either delay, or better still, amend the legislation to better reflect the application of standards and checking, and respond to common sense.