

LABSS INFORMATION PAPER INFOP34 - 2022 Version 1 – February 2022**Fire and smoke alarms: changes to the law****Information for verifiers****PURPOSE**

The purpose of this information paper is to highlight changes within the 'tolerable standard' with regards to the minimum provision of smoke and heat alarms and carbon monoxide detectors within all homes in Scotland.

This revised standard comes into force from 1 February 2022.

This link provides further information on this change - [Fire and smoke alarms: changes to the law](#)

LEGISLATIVE BACKGROUND

These requirements are enacted through amendments to the Housing (Scotland Act), refer to [Tolerable Standards Guidance Chapters 16 and 17](#) for more information on the standard.

The changes do not amend any requirement under the Building (Scotland) Regulations 2004. The BSD have confirmed that they have no plans to change the current requirement within the Technical Handbooks.

REQUIREMENTS UNDER THE TOLERABLE STANDARD.

In summary, the new standard requires the following:

- one smoke alarm in the living room or the room used most
- one smoke alarm in every hallway or landing
- one heat alarm in the kitchen

All smoke and heat alarms should be mounted on the ceiling and be interlinked. Devices can be either sealed battery alarms or mains-wired alarms.

If a home has a carbon-fueled appliance – like a boiler, fire, heater, or flue – in any room, there is also the requirement for a carbon monoxide detector in that room. Carbon monoxide detection is separate from the fire alarm system and should not be inter-connected to those devices.

BUILDING WARRANT REQUIREMENT

In normal circumstances, no building warrant is required for the installation of a battery sealed device in any home. However, the installation of mains wired devices in flats, maisonettes and dwellings with a storey above 4.5m, will require a building warrant.

VERIFIER CONSIDERATIONS

This section of the information note is informed by verifier feedback undertaken via the Consortia Technical Working Group.

Work, which is the subject of a building warrant, requires to comply with any relevant mandatory standard, the usual way being to follow the guidance in the Technical Handbooks. The use of a battery sealed device in such situations is considered 'alternative to guidance' and should be justified to the verifier. The extent of such justification should be in line with the risks associated with the works being undertaken.

Where warrantable work to an existing property fitted with battery sealed/interconnected devices is being undertaken, it may be that the existing fire detection system can be accepted as being sufficient on the basis that the work being undertaken does not introduce new risks.

However, should warrantable work introduce new risks, such as the creation of an inner room, or extension to form a new kitchen or conversion to form a new storey, for example, the default position would be that any new devices required should meet the guidance within the Technical Standards, i.e. mains powered interlinked devices. In such situations, battery sealed devices may be considered acceptable, but again this would be 'alternative to guidance' and would need to be justified.

For the verifier to assess any increase in risk, it would be beneficial for applicants and agents to identify any existing mains or battery-operated fire detection and alarm systems on plans submitted with any building warrant application. If such information has not been provided, it may be requested within any subsequent comments letter to the applicant/agent.

When raising any comments after plan assessment, the verifier should reinforce, within the response letter to the applicant/agent, the need for any detection system to be mains powered (unless an alternative approach is being considered).

Where mains powered devices are required, interlinking with any existing devices must be achieved. If it is not possible to interlink battery and mains powered devices, the existing devices will need to be replaced to ensure full interlinking throughout the dwelling, any replaced devices should be mains powered in accordance with guidance.

This information note does not seek to cover all possible scenarios and may be amended in time to cover common questions raised with verifiers.

End.