

Dover District Council

Fire Safety Policy



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1. Introduction

- 1.1 Dover District Council ("the Council") are responsible for fire prevention and fire safety for all properties within its Housing Revenue Account (HRA) including its shared areas. The Council will carry out fire risk assessments and take action to identify, manage and mitigate risks associated with within its HRA. We are committed to working with relevant Fire Services and educating our tenants to create safer places to live.

2. Definitions

- 2.1 For the purposes of this policy:

- "We", 'ours', 'us' and 'landlord' refers to Dover District Council. We are the landlord because we own and manage homes through the HRA tenancy agreement.
- "Staff" refers to members of staff who provide housing related services, including housing management, housing options, strategic housing, and property services.
- "Contractors" refers to third party organisations who provide housing-related services on our behalf.
- 'Tenants' refers to an individual or individuals who have an active tenancy agreement with the Council and live in and rent a Council-owned property.
- "HRA blocks" refers to a building or complex that contains multiple residential units within our HRA.
- "FRA" refers to a Fire Risk Assessment which is an assessment involving the systematic evaluation of the factors that determine the hazard from fire, the likelihood that there will be a fire and the consequences if one were to occur.
- "PCFRA" refers to a Person-Centred Fire Risk Assessment which considers how a person's characteristics, behaviour and capabilities may increase the likelihood of a fire and determines whether a PEEP is required.
- "PEEP" refers to a Personal Emergency Evacuation Plan which is a bespoke 'escape plan' for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in the event of any emergency.
- 'The 'Policy' refers to this HRA Fire Safety Policy.

3. Policy purpose and scope

- 3.1 The purpose of this Policy and its associated procedures is to set out how the Council will maintain equipment relating to fire safety and to provide assurance that there are measures to identify, manage and/or mitigate risks associated with fire within its housing stock through compliance with relevant safety legislation and guidance.
- 3.2 The Council are responsible for the servicing, maintenance and repair of fire prevention, detection and fire-fighting equipment. These include fire alarm systems, emergency lighting, smoke/heat detectors, hose reels, dry and wet risers, auto window/door openers, fire doors, fire extinguishers, fire blankets, sprinkler systems and any other equipment relating to fire safety. In addition to this, the Council are responsible for FRAs and PEEPs where appropriate. The PEEPs are managed by the Housing Team.
- 3.3 We are responsible for maintenance and repairs to our buildings within our Housing Revenue Account (HRA), this includes Council properties with an active tenancy agreement, void/empty properties, and internal and external shared areas of properties owned or partially owned by the Council.

- 3.4 This policy and associated procedures must be used by all Council staff and approved contractors working on the Council's behalf to ensure they understand the obligations placed upon the Council to maintain the safety of our tenants within their homes.
- 3.5 The Policy should be read alongside the following Policies:
- Vulnerable Tenant Policy

4. Policy aims

- 4.1 The aim of this Policy is to take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas (shared areas); the specific aims of the Policy are:
1. Fire prevention, detection and fire-fighting equipment are well maintained to reduce the risk of harm or property damage.
 2. Council staff and contractors are clear and confident about our responsibilities and procedures relating to fire safety in accordance with the guidance.
 3. Tenants understand our obligations to them in relation to fire safety.
 4. Establish a system to record inspections, tests and maintenance activities to monitor compliance with fire safety.

5. Legal duties

Legal duties owed to employees

- 5.1 Health and Safety at Work Act 1974 is the primary piece of legislation covering occupational health and safety. The Act requires employers to ensure their work environments are safe and free from risks to health. It sets out the duties which:
- Employers have towards employees and members of the public
 - Employees have to themselves and to each other
- 5.2 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) is the law that requires employers, and other people in charge of work premises to inform the Health and Safety Executive (HSE) or relevant enforcing authority that a work-related accident or incident has happened. This is so that the HSE can respond to ensure compliance with health and safety law, we must report and keep records of all:
- work-related fatalities
 - work-related reportable injuries
 - diagnosed cases of reportable occupational diseases
 - certain dangerous occurrences (incidents with the potential to cause harm)

Legal duties owed to tenants

- 5.3 The Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order) places the duty of fire safety on the 'responsible person' (in this case, the Council, as landlord). It applies to the common parts of buildings containing two or more domestic premises and requires the Council to:
- Undertake and record FRAs
 - Put in place and maintain general fire precautions
 - Provide employees with adequate fire safety training

FRAs must be reviewed by the responsible person regularly to keep it up to date and particularly if—

- there is reason to suspect that it is no longer valid; or
- there has been a significant change in the matters to which it relates including when the premises, special, technical and organisational measures, or organisation of the work undergo significant changes, extensions, or conversions, and where changes to an assessment are required as a result of any such review, the responsible person must make them.

Arrangements must be made for the safe evacuation of those who may have difficulty escaping.

- 5.4 The Fire Safety Act 2021 amends the Fire Safety Order and it clarifies that where a building contains two or more sets of domestic premises, this Order applies to:
- The building's structure and external walls and any common parts (shared areas). External walls include doors and windows in those walls and anything attached to the exterior of those walls (including balconies).
 - All doors between the domestic premises and common parts (shared areas)

- 5.5 Fire Safety Regulations 2022 seek to improve the fire safety of blocks of flats, in all multi-occupied residential buildings, responsible persons must:
- provide residents with relevant fire safety instructions and information about the importance of fire doors

For multi-occupied residential buildings over 11 metres in height, responsible persons must:

- undertake quarterly checks on all communal fire doors and annual checks on flat entrance doors

- 5.6 The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (as amended 2022) requires landlords to:
- Ensure at least one smoke alarm is equipped on each storey of their homes where there is a room used as living accommodation.
 - Ensure a carbon monoxide alarm is equipped in any room used as living accommodation which contains a fixed combustion appliance (excluding gas cookers).
 - Ensure smoke alarms and carbon monoxide alarms are repaired or replaced once informed and found that they are faulty.
- 5.7 The Housing Act 2004 introduces the Housing Health and Safety Rating System (HHSRS) which identifies whether any specified hazards are present and categorises those hazards according to objective criteria. A hazard is any risk of harm to the health or safety of an actual or potential occupier of accommodation that arises from a deficiency in the dwelling, building or land in the vicinity.
- 5.8 The Social Housing (Regulation) Act 2023 introduced new rules that social housing landlords must comply with regarding the safety and quality of homes. The revised consumer standards set a requirement for social housing landlords to take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal (shared) areas. Registered providers must also provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal (shared) areas for which they are responsible.

Additional legislation, regulations and associated documents

5.9 This Policy also operates in the context of, but it is not limited to:

- Building Safety Act
- Corporate Manslaughter and Homicide Act 2007
- The Management of Health and Safety at Work Regulations 1999
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006
- Gas Safety (Installation and Use) Regulations 1998
- The Furniture and Furnishings (Fire Safety) Regulations 1988
- The Health and Safety (Safety Signs and Signals) Regulations 1996
- Building Regulations (Fire Safety) Approved Document B
- Electrical Equipment (Safety) Regulations 2016
- Construction (Design and Management) Regulations 2015
- Data Protection Act 2018
- Homes (Fitness for Human Habitation) Act 2018
- Equalities Act 2010
- LACORS - Housing - Fire Safety: Guidance on fire safety provisions for certain types of existing housing
- Local Government Association: Fire safety in purpose-built blocks of flats
- HHSRS Operating Guidance - Housing Act 2004: Guidance about inspections and assessment of hazards given under Section 9
- HHSRS Operating Guidance – Housing Act 2004: Addendum for the profile for the hazard of fire and in relation to cladding systems on high rise residential buildings
- Ministry of Housing, Communities & Local Government (MHCLG): Building safety advice for building owners, including fire doors (January 2020)
- Ministry of Housing, Communities & Local Government (MHCLG): Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings (January 2020)
- National Fire Chief Council's Guidance (NFCC) - Fire Safety in Specialist Housing – May 2017, covers sheltered schemes, supported schemes and extra care schemes
- Building a Safer Future - Independent Review of Building Regulations and Fire Safety: Final Report (May 2018)
- PAS 79-1:2020 (Publicly Available Specification)
- PAS 79-2:2020
- HM Government guide fire safety risk assessment: sleeping accommodation
- HM Government guide fire safety risk assessment: residential care
- BS9999:2017 Code of practice for fire safety in the design, management and use of buildings
- BS 5839: fire detection & alarm systems for buildings
- BS EN 62305: protection against lightning.

6. Policy statements

- 6.1 A stay put evacuation strategy will be adopted across all our HRA blocks unless otherwise stated within the recommendations of the competent fire risk assessment. We will also continue to engage with the Kent Fire and Rescue Service to regularly review this evacuation strategy.
- 6.2 Effective communication is essential in the delivery of fire safety and prevention; we will ensure that information about fire safety and fire prevention measures is available to residents and building users via information within welcome packs at the start of a tenancy and through regular ad hoc communication with tenants regarding fire safety. Information regarding fire safety is always available on our website.
- 6.3 We will adopt a sterile approach to fire safety in the shared areas of HRA blocks and will have a managed approach to the removal of tenant's goods from these areas.
- 6.4 We will carry out lightning protection testing and inspection in accordance with the BS EN 62305.
- 6.5 You must not store or charge any battery, petrol or diesel operated vehicles, machinery or toys, in your home or in any shared areas, except for designated areas and where you have our permission.
- 6.6 Tenants must seek permission to store any of this equipment, see the tenant handbook for more information.
- 6.7 We may refer new tenancies and other tenants (via general information) to the Kent Fire and Rescue Service for a free home safety check.

Roles and responsibilities

- 6.8 Staff are responsible for complying with safety legislation, this Policy, and associated processes when inspecting and maintaining fire safety systems. Staff are also responsible for attending training when required as appropriate for their role.
- 6.9 In accordance with our tenancy agreement, the housing management team will provide key support in gaining access into properties where access is proving difficult.
- 6.10 Contractors are responsible for complying with all relevant fire and safety legislation in force at the time.
- 6.11 Cabinet will receive regular updates on the implementation of the Policy and fire safety performance, along with notification of any non-compliance issue which is identified. This is so they have assurance that the policy is operating effectively in practice. This is the same report as detailed in paragraphs 6.46 and 6.47.
- 6.12 We must:
 - Carry out an FRA on all relevant HRA properties for the purpose of identifying the general fire precautions and other measures needed to comply with the Fire Safety Order.
 - Periodically review FRAs in a timescale appropriate to the premises and/or occupation fire risk level.

- Current FRA frequency agreed with appointed contractor is:

Category	Building Use	FRA Frequency
Independent Living Schemes	Independent Living	Annual
General Needs	Buildings Converted into Flats "Conversions"	Annual
	Purpose Built Blocks of Flats (<18m)	Twice a year On completion of the first two-year programme there is scope to reduce the FRA frequency for lower risk premises.
FRA Risk – Substantial or Intolerable	Any	Fire Risk Assessor will make recommendation for the next review

- To ensure PEEPs are created for anyone who needs assistance, as a part of our FRA duties managed by Housing Services.
- Implement all necessary general fire precautions and any other measures identified by a fire risk assessment.
- Put in place a suitable system of maintenance and appoint approved contractors to implement any procedures that have been adopted.

6.13 The Head of Property Assets has strategic responsibility for the management of fire safety and for ensuring compliance is achieved and maintained, they will:

- Oversee the implementation of the Policy.
- Be responsible for overseeing the delivery of the agreed fire safety programme.
- Prioritise and implement any works arising from FRAs.

6.14 As per the Social Housing (Regulation) Act 2023 (amending the Housing and Regeneration Act 2008), our designated health and safety lead has the following responsibilities in relation to the health and safety of tenants:

- Monitoring compliance with health and safety requirements.
- Assessing risks of failing to comply with these requirements.
- Assessing hazards under the Housing Act 2004
- Notifying the Regulator of Social Housing about:
 - Risks of material failures.
 - Actual material failures.
- Providing advice to the responsible body as to how we should address these risks and failures to ensure compliance.

Information on our designated health and safety lead is available on our website.

Inspection programmes

- 6.15 We will establish and manage programmes to deliver servicing and maintenance in accordance with all relevant British Standards and manufacturer's recommendations for all fire detection, prevention and fire-fighting systems and equipment within our domestic properties and shared areas where applicable.
- 6.16 We will implement a data reconciliation process to deal with all changes to stock, including new property acquisitions, disposals and stock transfers, to ensure that properties are not omitted from the inspection programme, and to ensure the programme remains up to date.
- 6.17 We will ensure that each HRA relevant dwelling or block requiring an FRA is PAS79-1 and PAS79-2 compliant (Publicly Available Specification) from the British Standards Institute (BSI) and that the FRA has been carried out by a competent fire risk assessor.
- 6.18 All relevant compliance documentation for new builds will be provided to us at handover.

Fire Risk Assessments (FRAs)

- 6.20 We will ensure that all FRAs are reviewed no later than the review date set within the FRA, and that FRAs and reviews are completed by BAFE accredited contractors.
- 6.21 FRAs will also be reviewed following a fire, change in building use, change in working practices that may affect fire safety, following refurbishment works to the building or if required following an independent fire safety audit, and that this review is carried out by a competent fire risk assessor.
- 6.22 We will ensure that robust processes are in place to implement all mandatory fire precaution measures identified by FRAs.
- 6.23 We will ensure that a full version of the FRA is made available to tenants upon request.
- 6.24 We will carry out a programme of regular property inspections to all properties with an FRA in place to audit that all required management actions are taking place. These inspections will be undertaken at regular intervals by our staff.
- 6.25 We will ensure that a pre-occupation FRA is carried out on all new build properties where required, and that a post-occupation FRA is also commissioned within three months of the first tenant moving in.

Person Centred Fire Risk Assessments (PCFRAs) and Personal Emergency Evacuation Plans (PEEPs)

- 6.26 If we are made aware that a tenant or household member has a vulnerability or disability which could prevent them from evacuating during a fire, we will complete a PCFRA which will determine whether a PEEP is needed. Both will be reviewed annually by a competent person, or more frequently if there is a change of circumstances. The PCFRA and/or PEEP will be closed if no longer required.
- 6.27 There are a variety of ways which we could identify vulnerabilities and disabilities. Tenants should keep us updated of any changes in circumstances and inform us if they have any concerns about fire evacuation or risks.

6.28 A PCFRA may be required where a tenant or household member has:

- Mobility conditions (temporary or permanent).
- Sensory conditions, such as those who are blind or hard of hearing.
- Medical conditions that may affect their ability to use stairs, such as asthma.
- Neurodiverse or mental health conditions, such as anxiety.
- Difficulties comprehending how to act in an emergency.
- Hoarding issues.
- Oxygen cylinders or other hazardous combustible materials in the property.
- This list is not exhaustive.

6.29 **Hoarding**

- A hoarding disorder is where someone acquires an excessive number of items and stores them in chaotic manner, usually resulting in unmanageable amounts of clutter. The items can be of little or no monetary value or kept for sentimental reasons.
- If a tenant is hoarding a lot of items, it can affect fire safety within their home. We will look at each case on an individual basis and assess what can be done from a practical and legal perspective.

6.30 **Access to properties**

- Our tenancy agreement outlines that tenants must allow staff, contractor operatives, or agents acting on our behalf to enter the property at reasonable hours on requests for the purposes of inspecting the property or carrying out any works including FRAs and smoke detector and / or carbon monoxide alarm checks. Unless otherwise agreed or in an emergency, or we are investigating alleged tenancy breaches, we will give tenants at least 24 hours' notice.
- In accordance with our Vulnerable Tenant Policy, if the tenant's vulnerability is preventing the Council from entering the property to carry out and complete repairs and maintenance, we will work with the tenant to make adjustments that are reasonable and justified while allowing us to carry out the repair work.

Follow up work

- 6.31 We will ensure there is a robust process in place for the management of any follow-up works required following the completion of an FRA or servicing and maintenance checks to fire detection, prevention and fire-fighting systems and equipment.
- 6.32 We will ensure that there is a robust process in place for the management of high-risk situations identified during the fire safety programme and to implement all mandatory fire precaution measures identified by fire risk assessments.

Competency and compliance

- 6.33 We will ensure that the manager with lead responsibility for operational delivery is appropriately qualified and experienced, holding one of the following:
- NEBOSH National Certificate in Fire Safety and Risk Management;
 - Level 4 VRQ Diploma in Asset and Building Management Compliance;
 - Or qualification and/or experience of equal standing.
- 6.34 We will fund training as necessary; the manager with lead responsibility for operational delivery gains this qualification and membership. Any new employee will commence any required qualification within 12 months of the start of employment.

- 6.35 The Property Assets team will check relevant qualifications to ensure that all persons are appropriately qualified for the work that they are carrying out. These checks will be undertaken on an annual basis and evidenced appropriately.
- 6.36 We will ensure that only suitably competent contractors and engineers, certified by a UKAS accredited certification scheme or equivalent, are procured and appointed to undertake works to fire safety equipment, systems and installations.
- 6.37 We will ensure that only suitably competent fire risk assessors, certified by BAFE and on a UKAS accredited certification scheme that meets the competency criteria established by the Fire Risk Assessment Competency Council, are procured and appointed to undertake FRAs.

Record keeping

- 6.38 We will establish and maintain a core asset register of domestic properties and shared areas which require an FRA. This register should also identify all fire safety equipment, systems and installations, where applicable, for all relevant HRA properties. FRA inspection records will be kept for at least 5 years.
- 6.39 We will hold accurate records against all relevant properties within our HRA setting out the requirements for servicing, maintenance and repair of fire prevention, detection and fire-fighting equipment. These include fire alarm systems, emergency lighting, smoke/heat detectors, hose reels, dry and wet risers, auto window/door openers, fire doors, fire extinguishers, fire blankets, sprinkler systems and any other equipment relating to fire safety.
- 6.40 We will maintain accurate records of all completed servicing and maintenance checks on fire safety equipment, systems and installations and details of associated completed remedial works.
- 6.41 The core asset register shows the date of the previous and current FRA (where applicable), along with the due date of the next fire risk assessment. The register will also be used to record and track the progress of all fire safety actions required, as identified from the FRA.
- 6.42 We will maintain accurate records of all completed FRAs, FRA reviews and associated completed remedial works from these reports.
- 6.43 We will maintain an appropriate Secure Information Box (SIB) and keep on site where practical, for all high-risk schemes requiring a fire risk assessment. High risk schemes include all Independent Living schemes.
- 6.44 Residents in Independent Living schemes will be offered an annual tenancy risk assessment which offers a PCFRA and PEEP.
- 6.45 We will ensure robust processes and controls are in place to provide and maintain appropriate levels of security for all fire safety related data.

Performance reporting

- 6.46 Robust Key Performance Indicator (KPI) measures will be established and maintained to ensure we are able to report on performance in relation to fire safety. We will also provide further information on our position within our narrative to enable understanding.
- 6.47 KPI measures will be produced and provided to the Corporate Management Team (CMT) and Cabinet on a quarterly basis, and they will determine whether the measures will then be reported at Cabinet. These KPI measures may include reporting on:

Data – the total number of:

- Properties – split by domestic properties and communal installations (installations in shared areas);
- Properties on the FRA programme;
- Properties not on the FRA programme;
- Properties with a valid 'in date' FRA. This is the level of compliance expressed as a number and a %;
- Properties where the FRA has expired and is 'out of date'. This is the level of non-compliance expressed as a number and a %;
- The number of follow up works/actions arising from any FRAs, and the numbers 'completed', 'in date' and 'overdue'.

Narrative - an explanation of the:

- Current position;
- Corrective action required;
- Anticipated impact of corrective action;
- Progress with completion of follow-up works.

Quality assurance

6.48 We will appoint an independent competent person and/or consultant to complete an audit of compliance at least once every two years. This audit will specifically test for compliance with the regulation, legislation and codes of practice and identify any non-compliance issues for correction.

Non-compliance / escalation process

- 6.49 The definition of non-compliance in relation to this policy refers to any incident which results in a potential breach of legislation or regulatory standard, or which causes or has the potential to cause a significant risk to health or safety, including RIDDOR (see para 5.2).
- 6.50 Any non-compliance issue identified at an operational level will be formally reported to the Head of Property Assets and the Designated Health and Safety Lead in the first instance.
- 6.51 The Head of Property Assets will agree an appropriate course of corrective action with the relevant operational team(s) to address the non-compliance issue and report details of the same to the CMT.
- 6.52 CMT will ensure the Portfolio Holder for Housing, Skills and Education is made aware of any non-compliance issue so they can consider the implications and take action as appropriate.

7. Implementation, monitoring and review

- 7.1 Monitoring is necessary to ensure that the Council delivers the aims and objectives set out in this Policy. Senior Managers will be responsible for ensuring that staff are complying with this Policy and national guidance on fire safety.
- 7.2 Staff will be provided with procedures to ensure that they comply with the Policy provisions and both legislation and regulation. The procedures will also ensure that staff provide a consistent approach to fire safety.

- 7.3 This Policy will be reviewed every three years, or in response to relevant changes in legislation, organisational structure, development of good practice, or to address operational issues.
- 7.4 Any minor amendments required will be made by Officers of the Council. Any significant amendments required as a result of changes to legislation or regulation, or Council operations, will be approved by the Council's cabinet. Where significant changes are required, relevant Officers and teams will be consulted before these are implemented.

8. Complaints

- 8.1 The Council's definition of a complaint is:
"An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or a group of residents."
- 8.2 The Council takes complaints made about any service it provides, officers who work for the Council or contractors who provide our services, seriously. If a tenant wishes to make a complaint about the service they have received, a Council officer or contractor, they can be made:
- In writing (letter or email)
 - Using our online complaint form
 - Using the Council's Complaint Leaflets (these are available at the Council's office reception, or our residents can request them to be posted)
 - Via telephone; or
 - In person by an appointment
- 8.3 Reasonable adjustments will be made during the complaints process for vulnerable residents (please see our Vulnerable Tenant Policy).
- 8.4 All complaints received will be dealt with in accordance with the Council's Complaints Policy and Procedure. More information about how to make a complaint can be found on our website: [If you are unhappy \(dover.gov.uk\)](https://www.dover.gov.uk/if-you-are-unhappy).

9. Equality, diversity and inclusion

- 9.1 The Council is committed to promoting equality of opportunity and to eliminating unlawful discrimination on the grounds of race, age, disability, gender, sexual orientation, religion, belief, financial status, and any other difference that can lead to discrimination or unfair treatment considering the principles of the Equality Act 2010. Please see our Equality Policy for more details.
- 9.2 A full Equality Impact Assessment (EIA) was conducted for this policy in accordance with our Public Sector Equality Duty (PSED) when carrying out our duties (s149 of Equality Act 2010). The overall impact for each characteristic is deemed to be positive. Where potential negative impacts to individuals have been identified, particularly in relation to age and disability, mitigative actions have been documented on the EIA.

10. Data protection and confidentiality

- 10.1 We process personal data in compliance with data protection legislation including the Data Protection Act 2018 & General Data Protection Regulation 2016. All processing of personal data will be done in line with the data protection principles and where appropriate the necessary exemption applied.
- 10.2 Full details of how we store and use personal information about our residents can be found on our website and in our privacy statement at www.dover.gov.uk/privacy. This will also contain contact information if you have any questions or require assistance from the data protection/information governance team.

11. Version control

Approval date	September 2025
Approved by	Cabinet
Policy owner	Property Assets
Scheduled review	September 2028

Policy controls sheet		
Date	Summary of change	Author and approver
		Author: Approver:

