

Regulatory Reform (Fire Safety) Order

1. Background

In 2004 fire and rescue services in England and Wales attended over 33,400 fires in non-domestic buildings in which 38 people were killed and over 1,300 injured. A serious fire can be costly and many businesses do not recover. Fire losses in 2004 were estimated at £2.5 billion.

2. Regulatory Reform (Fire Safety) Order 2005

The Regulatory Reform (Fire Safety) Order (RRFSO) came into force on the 1st October 2006. It is the biggest overhaul of fire safety legislation in decades and was primarily introduced to:

- Rationalize and simplify fire safety legislation which has largely been consolidated into one document, reducing the burden on business and overlap of enforcing authorities.
- Align fire safety legislation with health and safety law and reduce prescriptive requirements.
- Place the onus for fire safety firmly upon persons in control of premises or activities.

Fire certificates have been abolished and no longer have legal status.

3. Where does it apply?

The RRFSO applies to almost all non-domestic premises in England and Wales and covers nearly every type of building, structure and open space. Separate legislation applies in Scotland and Northern Ireland.

4. What does it require?

The RRFSO requires dutyholders to take reasonable steps to reduce and manage fire risks and ensure that people can escape to safety in the event of a fire.

5. Who must comply?

Under the RRFSO anyone who has control over premises or activities may be designated as a 'responsible person'. Generally the employer will be the principal dutyholder but others may have responsibilities including:

- Managing agents and owners for shared parts of premises or shared fire precautions.
- Self-employed people, voluntary organisations and other occupiers with any control.
- Any other person with control.

In shared premises the RRFSO requires occupiers to co-ordinate and co-operate on fire safety.

6. How do I comply?

To comply dutyholders must:

- Undertake a fire risk assessment.
- Remove or reduce fire risks as far as is reasonably practicable.
- Provide adequate fire precautions to deal with any remaining risk. This will include suitable means of escape, emergency lighting, safety signs and fire fighting and detection equipment.
- Take additional measures to ensure fire safety where flammable or explosive materials are stored or used.
- Prepare an emergency plan. In most cases this should be documented.
- Provide adequate fire safety information and training to all occupants and visitors.
- Ensure effective planning, control, monitoring and review of fire safety arrangements.

7. Competent persons

Persons assisting compliance must be competent to do so. Whilst fire risk assessment and other tasks may be delegated the responsible person will ultimately remain responsible in law for compliance.

It is therefore important to ensure that employees and any external persons or organisations used possess suitable knowledge (including training and qualifications), experience and understanding to carry out their responsibilities.

8. Fire risk assessment

The RRFSO puts great emphasis on fire risk assessment which must be suitable and sufficient. It should comprise the following five steps:

- Identify fire hazards - sources of ignition, fuel and oxygen.
- Identify people at risk.

Consider everyone who might be on the premises including employees, visitors and the public. Particular attention is required to the needs of people who may have a disability or otherwise need special help.
- Evaluate fire risks and review existing controls to determine whether these are adequate or any further action is needed.
- Record the significant findings of your fire risk assessment and action taken. This is a legal requirement for employers of five or more people.
- Review your fire risk assessment regularly and keep it up to date.

The inclusion of simple floor plans within your fire risk assessment and emergency plan may be useful to illustrate structural and occupancy features, fire hazards and precautions.

9. Fire protection equipment

Fire protection equipment must be fit for purpose and properly installed and maintained in accordance with the manufacturer's instructions and other relevant standards.

The use of fire protection products and related services approved under third party certification schemes will indicate quality, reliability and safety standards that non-certificated products and services may lack.

Third party quality assurance will ensure fitness for purpose and thereby demonstrate compliance with the law.

Where a company you employ sub-contracts work to others you should ensure that sub-contractors are subject to the same level of quality control.

10. Enforcement

Local fire authorities are the principal enforcement agency for all fire safety legislation in most non-domestic premises.

11. Action point summary

- Responsible person(s) to undertake a fire risk assessment and record the main findings.
- Appoint competent people to assist with compliance.
- Remove and reduce risks and provide adequate fire precautions.
- Prepare an emergency plan.
- Provide adequate fire safety information and training.
- Monitor and review your fire safety arrangements regularly.

12. Further information

Department for Communities and Local Government (DCLG) Fire Gateway website at www.fire.gov.uk. Includes an online compliance self-assessment form and contact details for your local fire authority.

DCLG free guidance publications can be downloaded at www.communities.gov.uk/fire

13. Contact us

For further guidance and details of our fire safety consultancy services and how these can benefit your organisation please contact us:

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