

# THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

## The New Fire Safety Order and Fire Authority Inspections



# WHAT IS THE NEW ORDER?

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- § The government, supported by industry, commerce and the Fire Service, aimed to simplify all fire legislation under one Order.
- § It brings almost ALL types of premises, places and occupancy under the Order.
- § For the first time the self-employed and the voluntary sector are also covered by one law.
- § It provides for all persons lawfully on and in the vicinity of the premises.
- § Certain domestic premises occupied as private dwellings are not covered.
- § It aims to regulate only where necessary to suit modern business.



# WHAT DOES THE NEW ORDER REPLACE?

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- § It replaces: -
- § The Fire Precautions Act 1971
  - § No longer need fire certificates or to apply for one
- § The Fire Precautions (Workplace) Regulations 1997 (as amended).
- § Many other local Acts that contained references to fire safety.



# WHAT DOES THE ORDER MEAN?

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- § The responsibility for the safety of occupants and people who might be affected rests with a defined Responsible Person.
- § For employers, there is little change since they already had to comply with current fire safety legislation (FPA '71, FP (Wkplce) Regs etc).
- § The self employed and persons working in the voluntary sector must now comply with the new Order.
- § It does apply to the common areas of HMO's and flats, but not the flat itself.
- § The Order does not apply to domestic premises, (or people working in domestic service in a private household).



# WHAT WILL THE NEW ORDER DO?

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- § Bring almost everyone under the Order.
- § Identify who the responsible person is
- § Ensure that a fire risk assessment is completed and acted upon.
- § Take account of all persons, employees, visitors and the public.
- § Ensure that all reasonable steps are taken to reduce the risk of fire.
- § Ensure all persons can make their escape if there is a fire.



# WHAT ARE THE DUTIES IN THE ORDER?

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## The main duties of the Order

- § Means to reduce the risk of fire or the spread of fire
- § Measures in relation to Means of Escape
- § Measures for securing the Means of Escape can be used at all material times
- § Fire fighting
- § Detecting fire and giving warning
- § Arrangements for the actions to be taken in the event of a fire including: -
  - § The instruction and training of employees
  - § Measures to mitigate the effects of fire



# WHO WILL BE AFFECTED?

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- § Whoever is the responsible person will be accountable for compliance with the Order.
- § Appointed competent persons who assist the responsible person.
- § Persons having by contract or tenancy an obligation for the repair or maintenance, or the safety of any premises.
- § Where premises are shared, responsible persons must inform co-operate and co-ordinate with others in the premises.
- § Employees at work.





# RESPONSIBLE PERSON

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- § This is the person who has control of premises.
- § Anyone who has a degree of control over certain areas or systems.
- § In a workplace, this will always be the employer.
- § Otherwise the person who has control of the premises as occupier and is in business.
- § The owner where no other person has control for instance to the common parts.
- § A person responsible (under contract or tenancy) to maintain systems and the safety of the premises.
- § There may be a number of responsible persons.



# RESPONSIBLE PERSON

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- § In practice this means;
- § The employer will be the responsible person.
- § If the employer does not have control of the whole premises (e.g. the common means of escape), the person having control of that part of the premises will be the responsible person.
- § In multi-occupied buildings, the occupier of their premises (part of the building) will be responsible person for some articles such as the risk assessment and training, and
- § The owner, managing agent or contractor is the responsible person for those common areas and systems such as staircases, fire alarms and fire fighting equipment.



# COMPETENT PERSON

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- § A competent person is someone with;
  - § Sufficient training and
  - § experience or knowledge and other qualities
- § To enable them to properly assist and advise the responsible person undertake the;
  - § Preventive measures and
  - § Protective measures
  - § That are necessary as a result of the risk assessment.
- § They may complete or assist in the completion of the risk assessment.
- § However, the responsible person retains the responsibility to comply with the Order.



# COMPETENT PERSON

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- § In simple premises, someone employed by the responsible person and has knowledge of the work activities and management of the premises, and
- § Has experience of the risks within a premises and how to control them is the preferred choice.
- § Such a person may require some further training to ensure understanding of what is required.
- § In complicated premises or where there are high risk processes, an external specialist may need to be engaged.
- § Such a specialist should be able to prove their competence by registration with a certifying body, or have specific qualifications that can be examined.





# COMPETENT PERSON

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- § The competent person will need
- § A basic knowledge of buildings and how fire spreads.
- § Fire hazards and sources of ignition.
- § Processes and their risk to cause a fire.
- § Basic understanding of fire legislation.
- § The occupants of the premises.
- § Fire policy such as staff training, fire drills and the testing and maintenance of protective installations.



# RISK ASSESSMENTS

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- § Risk assessment is the foundation for the new Order and must be completed.
- § There are many ways to complete a risk assessment.
- § Although not new, many premises are lacking in completing a risk assessment.
- § Many appear to consider them complicated.
- § If completed, they are generally adequate, but need further guidance on detail.
- § There are guides available that provide methods of completing risk assessments.



# RISK ASSESSMENTS

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- § Large or national concerns have risk assessments that are in most cases “suitable and sufficient”.
- § Smaller concerns need to concentrate upon keeping records – even where there is no requirement.
- § All must have in place management policies that continue the results of the risk assessment.
- § Risk assessments are ‘Live’ documents and should be reviewed and used – not left on the shelf.
- § One method on how to complete a risk assessment will be discussed later during the morning.





# No Risk Assessment?

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- § Since the risk assessment is the foundation stone FRS will expect to see evidence of one.
- § Where no risk assessment has been completed, the Responsible person will be encouraged to do one.
- § Education and advice will be offered, together with information and a generic method.
- § Failure to complete may result in serving an enforcement notice.
- § Failure to comply with an enforcement notice may result in prosecution.

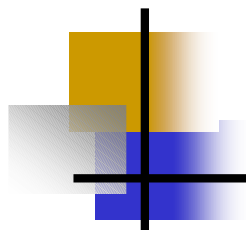


# ENFORCEMENT

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- § Any areas of non-compliance will be pointed out to the responsible person.
- § Necessary protective, preventative and management measures to comply with the Order will be discussed.
- § Such advice will be appropriate to the risk present.
- § Alternatives may be given or accepted, the object is safety.
- § Time frames will be discussed to possibly integrate necessary work into business plans.
- § Any court action will be taken against the responsible person.





# THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

## RISK ASSESSMENT





# RISK ASSESSMENT

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- § In simple premises this is not complicated.
- § Follow simple rules.
- § There is guidance available.
- § You can check your compliance on-line.
- § This will provide you with areas that you need to concentrate on.
- § You can send this electronically to your local FRS who may contact you to discuss this further and offer education and advice.



# RISK ASSESSMENT

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## § Step 1 – Identify Fire Hazards

### § Identify sources of ignition

- § Smoking materials and your smoking policy.
- § Naked flames – cooking, hot work such as welding, boilers
- § Electrical – lighting, computers, vending machines, heaters and other appliances
- § Machinery with hot surfaces or processes.





# RISK ASSESSMENT

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- § Identify sources of fuel
  - § Furniture and fittings such as curtains.
  - § Waste products such as paper, timber, cloth.
  - § Flammable liquids and chemicals.
  - § Plastics such as foam in seating and carpets.
  - § Personal possessions of employees and visitors.
  - § Packaging.
  - § Flammable gases such as LPG and aerosols.





# RISK ASSESSMENT

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- § Identify sources of oxygen
  - § The air, is ventilation natural or mechanical such as air conditioning units or blowers.
  - § Chemicals used or stored, are they oxidising substances.
  - § Oxygen supplies from cylinders or used in processes.
  - § Pyrotechnics such as fireworks or air bag initiators.





# RISK ASSESSMENT

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- § Step 2 - Identify people at risk.
  - § Staff both permanent and temporary.
  - § Visitors and contractors
  - § Members of the public, will they be influenced by the premises such as sleeping in hotels, consuming alcohol in pubs and clubs, crèche facilities.
  - § Children and young persons.
  - § People with individual needs such as mobility, vision or hearing impairment.
  - § People in the vicinity of the premises.



# RISK ASSESSMENT

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- § Step 3 – Evaluate, remove, reduce and protect.
  - § Evaluate the risk of a fire starting, accidental – smoking materials or lighting and heaters too close to flammable materials; act or omission – not maintaining electrical equipment, management of waste; deliberate – arson both internal and external.
  - § The risk to people, who may be affected, their location and how the fire may spread by conduction, convection and radiated heat.





# RISK ASSESSMENT

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- § Step 3 – Remove or reduce the hazards.
  - § Remove sources of ignition such as having a smoking policy, replace radiant heaters, and restrict portable heaters.
  - § Ensure electrical and gas installations are properly maintained
  - § Operate “permit to work” systems for any hot work carried out.
  - § Do not overload electrical sockets and ensure circuit breakers are installed.
  - § Take precautions to avoid arson – security and local knowledge.





# RISK ASSESSMENT

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- § Step 3 – Remove or reduce the sources of fuel.
  - § Separate combustible materials from sources of ignition such as boilers, radiant heaters and machinery.
  - § Reduce the amount of combustible materials used in any process, only have the minimum available and keep the remainder in purpose built storage.
  - § Employ a system of waste disposal and cleaning of systems and premises.
  - § Reduce stock to minimum levels whilst capable of business continuity.
  - § Keep flammable liquids, solids and gases in suitable storage.





# RISK ASSESSMENT

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- § Step 3 – Remove or reduce sources of oxygen
  - § Close doors and windows
  - § Close down unnecessary air handling and ventilation units.
  - § Remove storage of oxidising substances from ignition sources by separation in fire resisting stores.
  - § Control and regularly inspect for leaks on piped oxygen or compressed air systems.



# RISK ASSESSMENT

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- § Step 3 – Remove or reduce the risks to people.
  - § This is the management of the premises and the installation and maintenance of protective measures.
  - § Install fire warning systems and consider automatic detection.
  - § Install appropriate fire fighting equipment.
  - § Check escape routes, are they adequate for the numbers of people and available at all times.
  - § How long will it take to evacuate people, consider shorter travel distances and alternative routes.





# RISK ASSESSMENT

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- § Step 3 – Remove or reduce the risks to people.
  - § Do persons need assistance to escape, consider persons in drink, or with impairment.
  - § Install escape lighting in case of mains failure.
  - § Ensure the escape routes clearly marked with signs and notices on what to do in case of fire.
  - § Complete regular checks on the systems, daily for means of escape, weekly for fire warning systems and more detailed checks annually.



# RISK ASSESSMENT

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§ Step 4 – Record, plan, inform instruct and train.

§ Record the significant findings and the action taken.

§ This may take the form of a simple plan with all the details indicated, or in more complicated premises, a separate folder detailing the findings and actions.

§ Complete an emergency plan for dealing with a fire situation based upon your risk assessment.

§ Inform your staff of the significant findings and instruct them in what to do in case of fire.

§ Co-operate and co-ordinate your findings with others such as the owner or other occupiers.





# RISK ASSESSMENT

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- § Step 5 – Review and amend if necessary.
  - § Constantly monitor your risk assessment.
  - § Amend it when you use different materials or there is a change of use.
  - § Alterations to your premises.
  - § Significant changes to people using the premises or the amount of stock held.
  - § Changes to work activities, your organisation or new equipment is introduced.



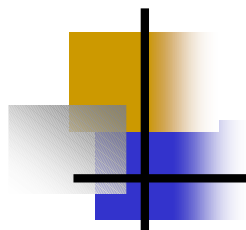
# RISK ASSESSMENT ??



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Bradford Area OH Forum Seminar





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## ARSON



# ARSON – THE COST

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- § Arson costs peoples lives and industry.
- § Every week in England and Wales
  - § 2 people are killed
  - § 33 people are injured
  - § 20 places of education are destroyed or damaged.
  - § 262 homes are destroyed or damaged.
  - § 360 commercial or public buildings are destroyed or damaged.
  - § 1402 vehicles are destroyed or damaged.



# ARSON – THE COST

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- § In 2004, the latest government figures for fire are: -
- § Total cost of all fires £7.03bn.
- § This equates to 0.78% of the gross value of the economy.
- § Total cost of arson is estimated at £2.44bn.
- § It is known that most firms do not recover and cease trading after a fire.
- § This causes unnecessary unemployment and loss of business to the UK.





# ARSON - PREVENTION

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- § A growing problem that, in most cases, can be prevented with common sense.
- § Security – lock all access routes including windows and roof lights.
- § Remember boundary fences and gates.
- § Consider shutters, CCTV and warning notices.
- § If at high risk, consider suppression systems.





# ARSON - PREVENTION

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- § Reduce the amount of flammable materials present at any one time.
- § Arrange regular collection of flammable waste.
- § Waste disposal – away from premises and in secured containers.
- § Records – keep separate records of your business so you have something to start with if originals are destroyed.

