

The Regulatory Reform (Fire Safety) Order 2005 is scheduled to come into effect on 1st October 2006, replacing most current fire safety legislation. It requires people with any degree of control in their work premises to take revised steps to reduce the risk of fire and to ensure people can escape safely from any affected areas.

Where does the Order apply?

The Order applies to most premises and covers nearly every type of building, structure and open space. It applies to premises such as:

- offices and shops
- garage premises & workshops
- storage yards
- premises that provide care (including care homes and hospitals)
- community halls, places of worship and other community buildings
- pubs, clubs and restaurants
- schools and sports centres
- tents and marquees
- hotels and hostels
- factories and warehouses
- shared properties (where several households may live)

NB: This Order does not apply to private homes/ residences (including individual flats in a block or house).

What are the main requirements under the Order?

It is necessary to carry out a Fire Risk Assessment, identifying any possible dangers and preventing major risks, such as:

- Identify anyone who may be especially at risk (including employees, visitors or members of the public -- particularly those who may have a disability).
- Remove or reduce the risk of fire as far as is reasonably possible, and provide fire precautions to deal with any possible residual risk.
- Ensure there is protection if flammable or explosive materials are used or stored at the premises.
- Create a plan to deal with any emergency and, in most cases, keep a record of findings. Information and training must be supplied for staff and any others affected.
- Review findings regularly, and whenever circumstances change.

Who is responsible for meeting the Order?

- Under the Order, anyone who has control of premises or anyone who has a degree of control over certain areas or systems may be a 'responsible person', including:
- The employer responsible for the premises.

- The managing agent or owner for shared parts of premises or shared fire safety equipment (such as fire alarm systems or sprinklers).
- The occupier, such as self-employed people or voluntary organisations.
- Any other person who has some control over a part of the premises.

Although in many premises the responsible person will be obvious, there will be times when a number of people have shared responsibility. The onus is on the occupiers of commercial premises to coordinate the total response to fire safety.

How are the requirements of the Order met?

The 'responsible person' must make sure that a fire risk assessment is carried out, although this task can be passed on to a 'competent person'* if need be. However, the 'responsible person' will still be responsible by law for meeting the Order.

A 'competent person'* is someone with enough training and experience or knowledge to be able to implement these measures properly.

Many 'responsible persons' may not have the expertise or time to carry out their own assessments, and there is specific provision within the Order to allow external providers to be appointed.

How to choose a Fire Risk Assessor?

It is recommended that any assessor is asked to provide evidence of competence, and this will usually be in the form of registration with a suitable third-party approvals body. There are several of these, such as the Institution of Fire Engineers, the Building Research Establishment (BRE) and the Association of Building Engineers. Organisations such as the Fire Services College and the Fire Protection Association only employ suitably qualified assessors.

In all cases, suitable Professional Indemnity insurance should be in place.

Further guidance

The best 'one stop shop' is the official Department for Communities and Local Government (DCLG) website, from where detailed information can be downloaded at no charge:
www.communities.gov.uk/index.asp?id=1162101