



Safety Bulletin 133

Fire safety at work and the Regulatory Reform (Fire Safety) Order 2005

If you are an employer, you should make sure you and your staff know what to do to prevent a fire in the workplace and how to escape if a fire does break out.

If there is a fire - **get out, stay out and call 999** - don't try to tackle fire yourself.

There are three ways to make your workplace a safer place to be.

- ✚ **Know the law:** in October 2006 the government introduced the Regulatory Reform (Fire Safety) Order 2005. The changes were designed to make the law easier to comply with and understand.
- ✚ **Get training:** it makes business sense to improve fire safety in your workplace. Our training courses will help you and your staff reduce fire risks and stay safe.
- ✚ **Tell the Brigade about serious risks:** if you're concerned about a fire risk which may be a danger to life (for instance a company or organisation disregarding fire safety practices) you should contact your local fire safety centre during normal office hours, Monday to Friday 9am to 5pm. Outside these hours, call 999.

Regulatory Reform Order 2005

The Regulatory Reform (Fire Safety) Order 2005 (FSO) came into effect in October 2006 and replaced over 70 pieces of fire safety law.

The FSO applies to all non-domestic premises in England and Wales, including the common parts of blocks of flats and houses in multiple occupation (HMOs). The law applies to you if you are:

- ✚ responsible for business premises
- ✚ an employer or self-employed with business premises
- ✚ responsible for a part of a dwelling where that part is *solely* used for business purposes
- ✚ a charity or voluntary organisation
- ✚ a contractor with a degree of control over any premises
- ✚ providing accommodation for paying guests



Under the FSO, the responsible person must carry out a fire safety risk assessment and implement and maintain a fire management plan.

The Fire Safety Order places the emphasis on risk reduction and fire prevention. Under the Order, people responsible for commercial buildings i.e. the employer, owner, or any other person who has control of any part of the premises, are required to carry out a mandatory detailed fire risk assessment identifying the risks and hazards in the premises. . Further information on what you need to do when carrying out a risk assessment is available in the 5-step fire risk assessment checklist below. The risk assessment must be a written document if you have more than five employees. The responsible person for the premises is also required to:

- ✚ Consider who may be especially at risk.
- ✚ Eliminate or reduce the risk from fire as far as is reasonably practical and provide general fire precautions to deal with any risk.
- ✚ Take additional measures to ensure fire safety where flammable or explosive materials are used or stored.
- ✚ Create a plan to deal with any emergency and where necessary document any findings.
- ✚ Maintain general fire precautions and facilities provided for use by fire-fighters.
- ✚ Keep any findings of the risk assessment under review.

It's important to know that fire certificates are no longer issued and existing certificates are no longer valid. A fairly recent fire certificate however may be a good starting point for your fire risk assessment.

Fire risk assessment

A fire risk assessment helps you identify all the fire hazards and risks in your premises.

You can then decide whether any risks identified are acceptable or whether you need to do something to reduce or control them.

A risk assessment should be carried out by someone who has had sufficient training, and has good experience or knowledge of fire safety.

There are five steps to carrying out a risk assessment.

- ✚ Identify the fire hazards
- ✚ Identify people at risk
- ✚ Evaluating the risks
- ✚ Record your findings
- ✚ Review and revise



Step 1 of 5 - Identifying the fire hazards

For fire to occur there must be a source of ignition, fuel and oxygen. If all three are present and in close proximity, then the fire risk could increase as a result.

In the average premises fire hazards will fall into the first two categories, while the oxygen will be present in the air in the surrounding space. Occasionally oxygen can be found in chemical form (oxidising agents) or as a gas in cylinders or piped systems.

Potential sources of ignition could include:

- ✦ Naked flames: smokers' materials, matches, pilot lights, gas/oil heaters, gas welding, cookers etc.
- ✦ Hot surfaces: heaters, engines, boilers, machinery, lighting (for example, halogen lamps), electrical equipment etc.
- ✦ Hot work: welding, grinding, flame cutting.
- ✦ Friction: drive belts, worn bearings etc.
- ✦ Sparks: static electricity, metal impact, grinding, electrical contacts/switches etc.
- ✦ Arson, for example, deliberate ignition.

Potential sources of fuel: anything that burns is a potential fuel, examples include:

- ✦ Solids: textiles, wood, paper, card, plastics, rubber, PU foam, furniture, fixtures/fittings, packaging, waste materials etc.
- ✦ Liquids: solvents (petrol, white spirit, methylated spirits, paraffin, thinners etc), paints, varnish, adhesives etc.
- ✦ Gases: LPG, acetylene.

Your risk assessment should list the potential sources of ignition and fuels that are present in your premises.

Step 2 of 5 - Identifying people at risk

If there is a fire, the greatest danger is the spread of the fire, heat and smoke through the premises. If this happens, the main risk to people is from the smoke and products of combustion, which can very quickly incapacitate those escaping.

If a premises does not have adequate means of escape or if a fire can grow to an appreciable size before it is noticed, then people may become trapped or overcome by heat and smoke before they can evacuate.



Your assessment of risk to people should include:

- ✦ The likely speed of growth and spread of any fire, and associated heat and smoke (remember some fuels burn much faster and produce more toxic products than others do).
- ✦ The number of people in the area including employees, contractors, visitors, members of the public ('relevant persons' as defined by the Fire Safety Order).
- ✦ Arrangements for giving warning to people if a fire occurs. Will any outbreak be conspicuous or will some form of fire detection and alarm system be required.
- ✦ How they will make their escape (can they make their way out quickly, easily and safely?).

Step 3 of 5 - Evaluating the risks

Once the hazards and the people at risk have been identified, you must assess the effect of any particular hazards, taking account of any existing control measures that are already in place. Once this has been done, you must decide if any further control measures are needed in order to reduce the risk to an acceptable level.

Further control measures may:

- ✦ Act to reduce the possibility of ignition.
- ✦ Minimise the potential fuel load in the premises.
- ✦ Assist people to escape from the effects of a fire, should it occur.

They may fall into a number of different categories, such as:

- ✦ Fire safety management systems.
- ✦ Means of escape.
- ✦ Staff training.
- ✦ Fire warning systems.
- ✦ Means of fighting fire.

Different control measures can be applied to reduce the risk to an acceptable level. For example, if the risk is the possibility of a fast growing fire, potential control measures could include one or any combination of the following:

- ✦ Changing the process to use a slower burning fuel.
- ✦ Removing or reducing possible ignition sources.
- ✦ Moving the hazard to an area that affects the minimum number of people, for example, outside the premises.
- ✦ Providing an additional exit/protected route to speed up the escape of the occupants.
- ✦ Providing a fire detection and alarm system to warn people of the fire in its early stages.



- ✚ Training staff to reduce the possibility of a fire occurring, for example, housekeeping/safe working practices.
- ✚ Providing appropriate firefighting equipment / fixed installation, for example, sprinkler system.

While this list is not exhaustive and applies to one area of risk only, it can be seen that there may be a number of different solutions depending on the nature of the situation.

If any areas of inadequacy are identified, an action plan must be included to show how the problem is being addressed. This should include timescales for achieving the required level of control and specify who is responsible for the action.

If your premises are situated in a relatively modern building it should already incorporate important control measures that were installed to meet the requirements of the building regulations, for example, fire escape staircases, fire lobbies, fire doors, emergency lighting etc.

Many of these measures will also be found in older buildings. If your building was issued with a fire certificate under the Fire Precautions Act, details of existing control measures will be detailed in that document.

You should include details of these existing control measures in your fire risk assessment. Remember, a full understanding and evaluation of the existing control measures is essential - it is your starting point for deciding if any further action is necessary.

You should plan, control, monitor and review all the fire safety arrangements.

Step 4 of 5 - Recording your findings

You must record the significant findings of your risk assessment, together with details of any people that are at particular risk, where:

- ✚ A licence under an enactment is in force.
- ✚ An Alterations Notice under the Fire Safety Order requires it.
- ✚ You are an employer and have five or more employees.

More importantly, the record must show whether the existing control measures are adequate and, if not, what further action is required to reduce the risk to an acceptable level.

Remember to make sure any control measures identified or introduced remain effective by testing and maintaining them regularly. For larger premises you are encouraged to include a simple floor plan in your fire risk assessment. You can use the plan to record fire hazards and control measures in a simple format that is easily understood.



Step 5 of 5 - Reviewing and revising the risk assessment

It is important to remember that fire risk assessment is a continuous process and as such must be monitored and audited. New and existing control measures should be maintained to make sure they are still working effectively.

However, if you introduce changes into your premises your original risk assessment may not address any new hazards or risk arising from them. For this reason it is also important to review and revise your assessment regularly.

This doesn't mean that it is necessary to amend your assessment for every trivial change that occurs, but the impact of any significant change should be considered. For example:

- ✚ A new work process may introduce additional fuels or ignition sources.
- ✚ Changes to furniture layout or internal partitions could affect the ability for occupants to see a fire and escape in time.
- ✚ Increasing the number of people may mean that a fire exit is now too small to cope with their escape within a safe period.
- ✚ Occupying another floor of the building may mean that an electrical fire warning system is now necessary.

The above list is not exhaustive and any change that could lead to new hazards or risks should be considered.

Emergency plan

You must provide an emergency plan. This will be specific to the premises and will detail the pre-planned procedures in place for use in the event of a fire.

The emergency plan must be recorded where:

- ✚ A licence under an enactment is in force.
- ✚ An Alterations Notice under the Fire Safety Order requires it.
- ✚ You are an employer and have five or more employees.

This must (where appropriate) include the following features:

- ✚ Action on discovering a fire.
- ✚ Warning if there is a fire.
- ✚ Calling the fire brigade.
- ✚ Evacuation of the premises including those particularly at risk.



- ✚ Power/process isolation.
- ✚ Places of assembly and roll call.

- ✚ Liaison with emergency services.
- ✚ Identification of key escape routes.
- ✚ The firefighting equipment provided.
- ✚ Specific responsibilities in the event of a fire.
- ✚ Training required.
- ✚ Provision of information to relevant persons.

Remember to test your emergency plan by practising it and if necessary discuss it with your local emergency services.

Questions

Q. Should I wait for the Fire Officer to visit and identify any action required?

A. No. You will need to prepare a fire risk assessment and emergency plan.

The findings of the risk assessment must be recorded where:

- ✚ A licence under an enactment is in force.
- ✚ An Alterations Notice under the Fire Safety Order requires it.
- ✚ You are an employer and have five or more employees.

The risk assessment must cover both employees and any other relevant person. This may include employees of other employers, as well as visitors, contractors etc. An inspecting officer will expect to see your risk assessment and emergency plan when an inspection is carried out.

Q. Who is the 'responsible person'?

A. In a workplace, this is the employer and any other person who may have control of any part of the premises, for example, the occupier or owner.

In all other premises the person or people in control of the premises will be responsible. If there is more than one responsible person in any type of premises, all must take all reasonable steps to work with each other.

Q. Who is a 'relevant person'?

A. Any person (including the responsible person) who is lawfully on the premises and any person in the vicinity of the premises who may be affected by a fire on the premises.



This means, for example, that if you store substances that are explosive when exposed to fire you may need to consider the occupants of nearby buildings, if they could be affected by an explosion or by any exclusion zone or cordon set up by the fire brigade because of the danger of explosion.

Q. I own a building, but I lease it out and have no direct involvement. Does the Fire Safety Order apply to me?

A. This will depend upon the terms of the lease. The Fire Safety Order applies to any person who has, to any extent, control of a premises. You should ensure your tenants are aware of the Fire Safety Order and cooperate with them to ensure compliance.

In multi-occupied buildings, the owner may have a responsibility in respect of common parts of the building and must prepare a fire risk assessment for those areas that is coordinated with those of the occupiers.

If you require any further information, clarification or assistance with the above, then please do not hesitate to contact us:

Telephone: 01268 649006

Freephone: 0800 046 8122

Email: info@cjtsservices.co.uk

Sources – Fire Gateway – www.fire.gov.uk

London Fire Brigade – www.london-fire.gov.uk

Communities & Local Government – www.communities.gov.uk/fire