

What is the Regulatory Reform (Fire Safety) Order 2005?

The Regulatory Reform (Fire Safety) Order 2005 replaced most fire safety legislation with one simple order. What it means is that any person who has some level of control in your premises must take reasonable steps to reduce the risk from fire to an acceptable level and ensure people can safely escape if there is a fire.

Where does the Order apply?

The Order applies to virtually all premises and covers nearly every type of building, structure and open space. There are a range of HM Government guides which have been introduced for different types of premises. For example, it applies to:

- Offices and shops;
- Premises that provide care, including care homes and hospitals;
- Community halls, places of worship and other community premises;
- The shared areas of properties several households live in (housing laws may also apply);
- Pubs, clubs and restaurants;
- Schools and sports centres;
- Tents and marquees;
- Hotels and hostels; and
- Factories and warehouses.

It **does not** apply to:

- People's private homes, including individual flats in a block or house.

What are the main rules under the order?

The Responsible Person must:

- Carry out a mandatory, detailed fire-risk assessment identifying any possible dangers and risk and consider who may be especially at risk;
- Eliminate or reduce the risk from fire as far as is reasonably possible and provide general fire precautions to deal with any possible risk left;
- Take other measures to make sure there is protection if flammable or explosive materials are used or stored;
- Create a plan to deal with any emergency and, in most cases, keep a record of your findings; and review your findings when necessary.

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'. For example, it could be:

- The employer for those parts of premises staff may go to;
- The managing agent or owner for shared parts of premises or shared fire safety equipment such as fire-warning systems or sprinklers;
- The occupier, such as self-employed people or voluntary organisations if they have any control; or
- Any other person who has some control over a part of the premises.
- Although in many premises the responsible person will be obvious, there may be times when a number of people have some responsibility.

How do I meet the order?

Fire Risk Assessments

If you are the responsible person, you must make sure you **carry out a fire-risk assessment** although you can pass this task to some other competent person. However, you will still be responsible, in law, for meeting the order.

Review

Any such **assessments must be reviewed by the responsible person** regularly so as to keep it up to date particularly if there is reason to suspect 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. Where changes to an assessment are required as a result of any such review, the responsible person must make them as soon as practicable after the assessment is made or reviewed the responsible person must record the information where the significant findings of the assessment, including the measures which have been or will be taken by the responsible person and any group of persons identified by the assessment as being especially at risk.

Provide safe exits for everyone

The responsible person, either on their own or with any other responsible person, must make sure that everyone on the premises, or nearby, can escape safely if there is a fire. ***This is different from previous legislation in that you must consider everyone who might be on your premises, whether they are employees, visitors or members of the public, for example, at an open-air entertainment venue.*** You should pay particular attention to **people who may have a disability or anyone who may need special help.** The responsible person must ensure that routes to emergency exits from premises and the exits themselves are kept clear at all times.

Manage fire risks.

The Order states that you must **manage any fire-risk in your premises**. Fire authorities no longer issue fire certificates and those previously in force will have no legal status. You must still carry out a fire-risk assessment but any fire certificates you have may be useful as a good starting point. If your premises have been designed and built in line with modern building regulations (and are being used in line with those regulations) your structural fire precautions should be acceptable. You will still need to carry out a fire-risk assessment and make sure that you keep up all fire precautions and maintenance.

Provide fire fighting and fire detection equipment.

Where necessary the responsible person must:

- Ensure that the premises are equipped with appropriate fire fighting equipment and with fire detectors.
- Ensure alarms and any non-automatic fire-fighting equipment is easily accessible, simple to use and indicated by signs.
- Take measures for fire fighting in the premises and nominate responsible persons to implement those measures.
- Ensure that the number of such persons, their equipment and their training available to them are adequate, taking into account the size of, and the specific hazards involved in, the premises concerned
- Arrange any necessary contacts with external emergency services, particularly as regards fire-fighting, rescue work and first aid and emergency medical care.

Training

The responsible person must ensure that his employees are provided with adequate safety training at the time of them being first employed and on their being exposed to new and/or increased risks. This training must include suitable and sufficient instruction. Training must be repeated periodically where appropriate and adapted to take into account any new or changed risks.

Provision of information to employees

The responsible person must provide his employees with:

- Comprehensive and relevant information on the risks to them identified by the risk assessment,
- The preventative and protective measures being used
- Appropriate procedures, including safety drills to be followed in the event of serious and imminent danger to relevant persons.
- The identities of those persons nominated to assist him in implementing fire-fighting equipment and detection measures and procedures in so far as they relate to the evacuation of relevant persons from the premises.

For further and more comprehensive information on The Regulatory Reform (Fire Safety) Order 2005, please visit www.whalefire.co.uk