

The Principal Legislation regarding Fire Precautions in England and Wales is the Regulatory Reform (Fire Safety Order 2005)

This order has been in force since October 2006. There are key points to note:

1. There is no requirement for a building to have a Fire Certificate but the emphasis is on assessing and reducing risks and producing a Fire Risk Assessment.
2. The duties are placed on the "responsible person". That means the "responsible person" is the employer if the workplace is to any extent under his or her control.
3. Duties are placed on others such as Facilities Management Contractors, Surveyors, Property Managers, Fire Alarm companies etc. who have the responsibility under a contract or even the tenant of a property for maintaining the equipment and ensuring the safety of others. This includes means of escape and fire resistance of items in the property including fire exit protection doors, windows etc.

The Definition of a Responsible Person

The responsible person could be any person who has, to put it obviously, the responsibility for the maintenance or upkeep or operation of the building.

This responsible person must:

1. Carry out a suitable and sufficient Fire Risk Assessment.
2. Take all necessary Fire Precautions to ensure, so far as is reasonably practical, the safety of employees and ensure that the premises are safe for visitors, non-employees and members of the Public.
3. The responsible person must ensure there is an effective Fire Safety Policy and allocate responsibility for fire matters and ensure adequate training of staff as applicable.
4. The responsible person must ensure fire drills are undertaken.
5. The responsible person should ensure correct firefighting equipment, fire detection and alarm systems are provided, according to legal requirements.
6. Arrange necessary contacts with Emergency Services.
7. Ensure all emergency routes lead directly to a place of safety and ensure that emergency routes exits are provided, protected, adequately signed, illuminated and kept clear always.
8. Ensure Fire Safety equipment and systems are properly maintained including facilities for use by a Fire Brigade such as firefighting lifts, dry risers, smoke vents etc.
9. The responsible person may nominate one or more competent persons to implement the measures, but must check that they are being implemented and regularly inspect to ensure that these measures are still in force and applicable and have not prejudiced.

Recommendation for Employers, Occupiers of Property, Directors of Management Companies etc.

1. They should ensure a Fire Risk is carried out by a competent person having regard to the size of the building, the nature of the activities, the groups at risk, the number of employees and other persons present at any one time including visitors, members of the Public etc.
2. They should ensure that any substances, flammable materials or other hazarded items are properly taken care of by isolation, protection, warning etc.
3. Employers or responsible persons should carry out regular tests on the fire alarm and protection system, for example using call points in rotation.
4. They should ensure there is an effective system of the maintenance inspection of the fire safety related systems and the equipment so that there is a control of the building which could prejudice a fire safety. For example by services passing through the fire wall or floors without adequate fire stopping.
5. Carry out six monthly evaluations and ensure that persons working at the property such as entry phone engineers, communications engineers, TV engineers, Satellite TV engineers, have not prejudice the fire stopping to risers for example, regularly carry out evacuation drills ensuring people can exit the building safely and quickly.
6. Ensure that the correct fire fighting equipment is provided and arrange for staff training of its use. Arrange for fire extinguishers and associated equipment to be serviced at least annually by a competent persons.
7. Ensure that fire safety training for employees
8. Ensure all fire doors are kept closed unless they are operated by a automatic release device connected to the fire alarm system.
9. Ensure that there is clear and written down Fire Procedure and arrangements for calling the Fire Brigade.

Control Method and Risk Reductions Techniques that are to be used by Employers or Responsible Persons

1. Provide clear statement to workers that Fire Precaution and Protection Prevention is taken seriously and on all levels of the organisation and steps to take is there is any breach of this duty of care.
2. Allocate clear management responsibilities for fire protection and fire precautions.
3. Provide information on policy including Implantation training dates courses available.
4. Properly understand what is involved in all areas of operation in order to implement appropriate and effective controls and monitoring.
5. Monitor and review Fire Risk Assessment and Control Measures to ensure ongoing effectiveness.
6. Ensure workers are aware of the risks of fire in the workplace and the likely effects and who is at risk.
7. Provide information on the legal framework surrounding the Fire Precautions and Prevention and the employer, employees, responsible persons duties in respect of these fire Precautions.

The Legal Duties and the Legislation is applicable to this Fire Notice

1. The Health and Safety at Work Act. 1974.
2. The Management of Health and Safety at Work Regulations 1999.
3. The Regulatory Reform (Fire Safety) Order 2005
4. The Dangerous Substances and Explosive Atmosphere Regulations 2002 (DSEAR)
5. This fire sheet is applicable to properties under control in England and Wales different legislation may apply to properties in Scotland.