



Regulatory Reform (Fire Safety) Order 2005

First steps to **fire safety** in your business



NFCC
National Fire
Chiefs Council

Introduction

This guide is an introduction to fire safety in small to medium sized premises. It aims to give some practical and simple advice to people with responsibility for fire safety in the workplace.

It will provide information to assist and support you in meeting the requirements of the Regulatory Reform (Fire Safety) Order 2005.

If you need further information please contact your local fire and rescue service for help and advice.

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

The Regulatory Reform (Fire Safety) Order 2005 or 'the Fire Safety Order' which applies across England and Wales came into force on 1 October 2006.

It replaced various other pieces of the fire safety legislation with one simple order. This means that any person who has some level of control in a premises must take reasonable steps to reduce the risk from fire and make sure that people can safely escape if there is a fire.

Where does the Fire Safety Order apply?

The Fire Safety Order applies to nearly all buildings and places - including open spaces and structures other than individual private dwellings, this includes but is not limited 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 that several households live in
- pubs, clubs and restaurants
- schools and sports centres
- tents and marquees
- hotels and hostels
- factories and warehouses

It does not apply to:

- private homes, including individual flats in a block or house

Who is responsible for meeting the order?

In a workplace this is the responsibility of the employer and anyone who has control of premises, or anyone who has a degree of control over certain areas or systems may also be a classed as a 'responsible person'.

There may be more than one responsible person and all must ensure they take reasonable steps to work with each other.

Some examples of responsible persons might 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 alarm systems or sprinklers
- the occupier, such as self-employed people or voluntary organisations if they have any control
- any other person who has some control over a part of the premises

What are the main rules under the Fire Safety Order?

You must:

- carry out a fire-risk assessment identifying possible dangers and risks
- consider those who may be especially at risk
- get rid of or reduce the risk from fire as far as reasonably possible and provide general fire precautions to deal with any possible risk left
- take measures to ensure 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
- keep any findings of the risk assessment under review

How do I meet the Fire Safety Order?

If you are the responsible person, you must make sure a fire risk assessment is carried out. You do not have to do it yourself, you can appoint a competent person which may be another employee or for more complex premises you may wish to employ a specialist fire risk assessor. You will still be responsible, in law, for meeting the provisions of the Fire Safety Order. Therefore, you must ensure whoever you appoint to carry out the risk assessment on your behalf is a competent fire risk assessor.

The responsible person, either on their own or with any other responsible person, must as far as is reasonably practical make sure that everyone on the premises, or nearby, can escape safely if there is a fire. This means you must consider everyone who might be on your premises such as employees, visitors, or tradespeople for example.

You should pay particular attention to people who may have a disability or anyone who may need special or additional help.

The Fire Safety Order says that you must manage any fire risk in your premises. Fire authorities no longer issue fire certificates and those previously in force have no legal status.

You must still carry out a fire risk assessment but any fire certificates you have may be useful as a 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 still be acceptable.

You will however still need to carry out a fire risk assessment and make sure that you maintain all the fire precautions and maintenance routines and also take account of any developments in relation to product safety that may have an impact on the original design of your premises.

Fire risk assessment - five steps

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 which identifies the risks and hazards in the premises.

Fire and rescue services cannot perform a fire risk assessment for you.

The findings of the fire risk assessment must be kept as a written record if you have a total of five or more employees or your premises holds a license.

It is important that the risk assessment is regularly reviewed, especially if changes are made to the business - even if only on a temporary basis. For example, if you have new staff - even if they are seasonal, if you change the use of any rooms or change stock levels or storage areas even if only in the lead up to busy periods such as Christmas.

There are five key steps to a fire risk assessment which are outlined in the following pages.

Step 1 - Hazards



Identify fire hazards in your premises

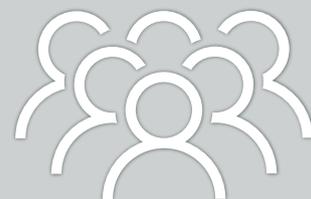
These might be:

- Sources of ignition such as heaters, machinery and friction from drive belts. It can also mean faulty or misused electrical equipment or smokers materials
- Sources of fuel such as workplace chemicals or cleaning agents, textiles, packaging materials, waste materials and accumulated rubbish
- Sources of oxygen such as natural airflow via windows and doors, mechanical air conditioning systems or sources of oxygen from medical or commercial supplies

Try to reduce the sources of ignition

- Make sure machinery and appliances are well maintained and try and install equipment which has been designed to reduce the risk of fire
- Make sure equipment is used correctly and sockets are not overloaded
- Enforce an appropriate procedure for dealing with and removing faulty equipment or appliances
- Try to reduce flammable substances to only those needed to run the business
- Ensure safe separation distances between flammable materials
- Ensure good housekeeping, don't let rubbish accumulate and protect your premises from arson
- Make sure your workplace closes all doors and windows if not needed for ventilation and especially as part of the lock-up procedure of the premises
- Only use ventilation systems if really needed
- Control the use and storage of oxygen cylinders

Step 2 - People



Identify people at risk

You will need to identify people who might be at risk such as:

- People working near to fire dangers
- Visitors to your premises - this could include contractors or temporary workers
- People working alone or in isolated areas such as in roof spaces or storerooms
- Children or parents with babies
- The elderly or infirm, people who are disabled and those with individual vulnerabilities

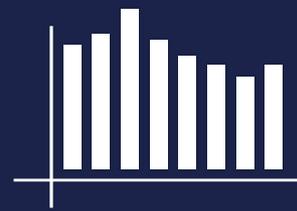
Try to reduce this risk to these people

Consider your premises and who might be harmed in the event of a fire. The type of person at risk will vary greatly depending on the type of business.

You must consider your employees and customers and visitors to the business.

- Make sure employees are aware of any hazards near their work space
- Have a method of signing staff in and out, so you know who is in the premises in the event of an incident
- Make sure visitors to the business can sign in and out and find out if they have additional needs
- If you have employees with disabilities you may wish to discuss their particular needs with them as part of the assessment

Step 3 - Evaluate, remove or reduce risks



Evaluate the level of risk in your premises. You should remove or reduce any fire hazards where possible and reduce any risks you have identified. Some general ideas on how this might be done have already been provided.

When you have reduced the risk as far as possible, you must assess any risk that is left and decide whether there are any further measures you need to take to ensure you provide a reasonable level of fire safety.

Fire detection and warning system

You must have a suitable fire-detection and warning system. This can range from a verbal warning to an electrically operated detection and warning system.

Make sure any warning can be clearly heard and understood throughout the whole premises when initiated from any single point.

If you have an electrically powered system make sure it has a back-up power supply.

Train your employees about your fire warning system so they know how to operate it and respond to it. Any fire safety systems should be regularly tested and maintained.

Include the fire detection and fire warning arrangements in your emergency plan.

Have a means of fighting a fire

It may be that a small fire can be tackled once the alarm has been raised or you may need equipment to aid escape from a fire. Generally speaking you should have one extinguisher for every 200 metre squared of floor space and at least one on each floor. You should make sure you have suitable extinguishers both of type and capacity and staff should be adequately trained in their use.

No-one has to fight a fire if they do not want to, even if they have been trained in the use of extinguishers.

Escape routes

Everyone in your premises should be able to escape to a place of total safety unaided and without the help of the fire and rescue service.

However, some people with disabilities and others with special needs may require help and assistance from staff who will need to be designated for the purpose.

Escape routes should be designed to ensure, as far as possible, that any person confronted by fire anywhere in the building, should be able to turn away from it and escape to a place of reasonable safety, e.g. a protected stairway. From there they will be able to go directly to a place of total safety away from the building.

The distance people need to go to escape should be as short as possible.

Stairways, corridors and areas near fire exits should be kept clear of obstructions and of any materials which can catch fire.

Escape routes should be signed and easily identifiable and adequately illuminated. Staff should be trained in using these escape routes.

Fire exit doors

You should be able to use a fire exit door and any doors on an escape route without a key and without any specialist knowledge. If your premises is used by the public or large numbers of people then doors with push bars or push pads may be more appropriate.



Step 4 - Record, plan and train



Record your findings

You should record the findings from steps 1 and 2 - these will be the hazards you identified and the people who may be most at risk. Record what you did as part of step 3 to reduce these risks.

Fire emergency plan

You must provide an emergency plan for dealing with a fire situation.

This will be specific to the premises and will detail the pre-planned procedures in place for use in the event of a fire. It ensures that people in your premises know what to do if there is a fire.

If there are 5 or more employees in the organisation or if your premises is licensed then you must have a written record of your emergency plan.

It is good practice to keep a written record even if it is not required by law.

Things to include in an emergency plan are:

- All foreseeable events
- Action employees should take if they discover a fire
- How people will be warned
- How the evacuation is carried out (action on hearing fire warning)
- Include the evacuation of visitors and people with disabilities
- Details of assembly points
- Procedures for checking the premises have been evacuated
- Identify escape routes
- Details of firefighting equipment and location
- Duties and identities of persons with specific responsibilities in the event of a fire
- Where appropriate, the isolating of machinery and processes
- How the fire service is called and by whom
- Liaison with fire service on arrival

Your fire emergency plan should be attached to the risk assessment.

Training

All employees should receive training and information about the risks on the premises and what to do in an emergency situation.

This should be carried out when new employees are given an induction and then given regular updates and training - once or twice a year is ideal.

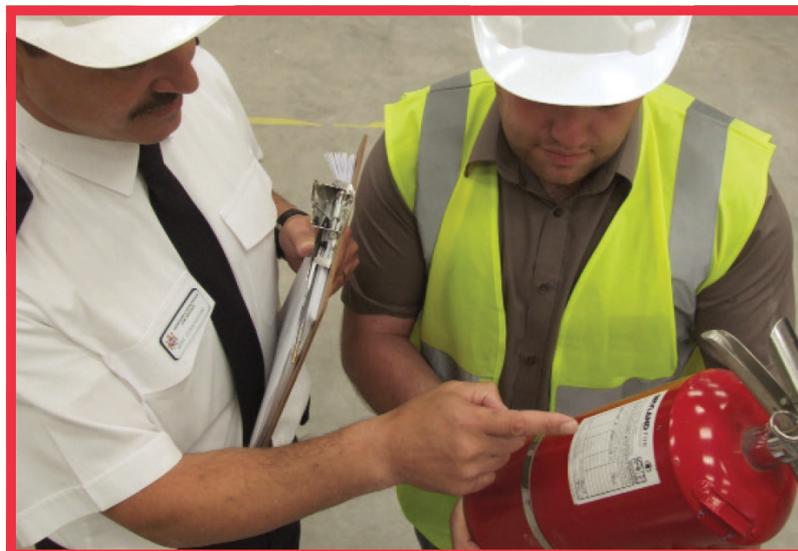
Any employees who have additional responsibilities, for example, fire marshals - will need additional training which will provide more indepth knowledge and instruction.

Make a record of the training programme for your business.

Things to include in a training programme are:

- Who receives training
- What training is given
- How often it is given
- Where it is recorded (this should include staff acknowledgement of training given)

Your training programme should be attached to the risk assessment.



All employees should receive regular training

Step 5 - Review



If you have followed the previous 4 steps you now have a fire risk assessment for your premises.

This is a working document, so it shouldn't be filed away and forgotten.

Make sure you keep it up to date. It's a good idea to review it once a year, but also review it if you make any changes to your business such as new employees starting, change in the types or amount of materials you store or any change in workplace layouts.

If you have an incident or near miss review the assessment and make sure any procedures in place worked. If something didn't work - change it.

Enforcing the Fire Safety Order

Fire authorities remain the agency responsible for enforcing all fire safety legislation in non-domestic premises. They will target their resources and inspections at those premises that present the highest risk.

All fire authorities will continue to investigate complaints about fire safety, carry out investigations after fires where poor fire-safety management is discovered and may carry out targeted inspections.

If you do not meet the order, the fire authority will provide practical advice or, if the risk is serious, a formal notice may be issued.

Except in the most serious cases, the fire authority will work with you to achieve a satisfactory level of fire safety.

If there is a very serious risk to life, the fire authority can issue a notice preventing the premises being used for certain things (such as sleeping), or preventing people from using all or part of the premises. This power is shared with housing authorities in properties in which several households reside.

In all cases you will have a right of appeal, both informally and formally.

An informal appeal, normally to a more experienced fire-safety manager, can sometimes identify a different way of meeting the order. If this is not successful, you can appeal against a formal notice to a magistrate.

You can also agree with the enforcing authority to ask for a formal decision from the Secretary of State on a solution if you cannot agree about technical issues.

If you make changes to your premises

In most cases you will be able to make changes to your business premises.

You must remember that you will be responsible for managing the risk you create and you will still have to follow the planning process and building regulations.

You will need to review your fire risk assessment and look at how the changes will affect the risk in your premises.

You should assess if your risk management measures are adequate and if you need to take any further action.

Some premises may be classed as higher risk, for example, those in which the risk to life can be said to be higher than normal or where particularly complicated fire safety arrangements are needed.

The fire authority will be able to issue an alterations notice.

Under the alterations notice, you must tell them about any changes you plan to make to premises if those changes would create a significant increase in the risk.

Further information

Your local fire and rescue service may have a wealth of information on their website which you can freely access. Furthermore, they often run free business safety workshops or provide chargeable training for your staff.

A range of more detailed and specific guides for different types of businesses are also available.

They can be downloaded from the Home Office website and include:

Name of Guide	Type of Business
Offices and shops ISBN-13: 978 1 85112 815 0	Offices and retail premises (including individual units within larger premises, e.g. shopping centres)
Factories and warehouses ISBN-13: 978 1 85112 816 7	Factories and warehouse storage premises
Sleeping accommodation ISBN-13: 978 1 85112 817 4	All premises where the main use is to provide sleeping accommodation, e.g. hotels, guest houses, holiday accommodation and the common areas of flats, maisonettes, HMOs and sheltered housing (not Residential care premises)
Residential care premises ISBN-13: 978 1 85112 818 1	Residential care and nursing homes, common areas of sheltered housing (where care is provided) and similar premises, which are permanently staffed and where the primary use is the provision of care rather than healthcare
Educational premises ISBN-13: 978 1 85112 819 8	Teaching establishments ranging from pre-school through to universities, not residential parts (see Sleeping accommodation)

Name of Guide	Type of Business
Small and medium places of assembly ISBN-13: 978 1 85112 820 4	Smaller public houses, clubs, restaurants and cafés, village halls, community centres, libraries, marquees, churches and other places of worship or study accommodating up to 300 people
Large places of assembly ISBN-13: 978 1 85112 821 1	Larger premises where more than 300 people could gather, e.g. shopping centres (not the individual shops), large nightclubs and pubs, exhibition and conference centres, sports stadia, marquees, museums, libraries, churches, cathedrals and other places of worship or study
Theatres, cinemas and similar premises ISBN-13: 978 1 85112 822 8	Theatres, cinemas, concert halls and similar premises used primarily for this purpose
Open air events and venues ISBN-13: 978 1 85112 823 5	Open air events, e.g. theme parks, zoos, music concerts, sporting events (not stadia – see Large places of assembly), fairgrounds and county fairs
Healthcare premises ISBN-13: 978 1 85112 824 2	Premises where the primary use is the provision of healthcare (including private), e.g. hospitals, doctors' surgeries, dentists and other similar healthcare premises
Transport premises and facilities ISBN-13: 978 1 85112 825 9	Transportation terminals and interchanges, e.g. airports, railway stations, excluding the the means of transport (e.g. trains, buses, planes and ships)

Arson



It's your business

There are more than 3000 arson attacks on businesses each year in the UK

Protect your business

- Store rubbish away from buildings
- Rubbish should not accumulate
- Review security and access to your site
- Report anti- social behaviour to the police and share information with neighbouring businesses
- Report evidence of any fire to your local fire service
- Fit anti-arson letter boxes



Contact your Fire & Rescue Service for advice



NFCC
National Fire
Chiefs Council



Protecting local
communities



MAKE **FIRE SAFETY** YOUR BUSINESS

Advice and information

If you need more practical advice or information after you have carried out your fire-risk assessment, Cleveland Fire Brigade may be able to help you - please contact a member of our team on **01429 874109** or alternatively email **FireEngineeringHelpDesk@clevelandfire.gov.uk**.



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