

## **FIRE RISK ASSESSMENT REGULATORY REFORM (FIRE SAFETY) ORDER**

### **FREQUENTLY ASKED QUESTIONS**

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### **What is the fire safety reform order?**

As part of the Government’s commitment to reduce death, injury and damage caused by fire, the Office of the Deputy Prime Minister reviewed fire safety law; and has made a number of changes through the Regulatory Reform (Fire Safety) Order (RRFSO). It is a consolidation of nearly all previous fire safety legislation.

The main effect of the changes is to move towards greater emphasis on fire prevention in all non-domestic premises (the workplace), including voluntary sector and self employed people with premises separate from their homes.

### **Who will it effect?**

Any of the following have a duty to act under the RRFSO:

- Responsible for business premises - An individual responsible for a business premises
- An employer
- Self employed with business premises - A self-employed individual with business premises
- A charity or voluntary organisation
- A contractor with a degree of control over any premises

Although it is primarily aimed at employers and building owners, it could be anyone aimed at anyone who has some control over premises including Contractors on refurbishment or new build sites.

### **Who is the “responsible person”?**

Responsibility for complying with the Fire Safety Order will rest with the **‘responsible person’**. In a workplace, this is the employer and any other person who may have control of any part of the premises, e.g. the occupier and 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 reasonable steps to work with each other.

If you are the responsible person you will have to carry out a fire risk assessment which must focus on the safety in case of fire of all ‘relevant persons’. You should pay particular attention to those at special risk, such as the disabled and those with special needs, and must include consideration of any dangerous substance likely to be on the premises.

### **What will I have to do?**

Mainly, carry out a fire risk assessment and act on the findings. Your fire risk assessment will help you identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions you need to take to protect people against the fire risks that remain.

If you employ five or more people you must record the significant findings of the assessment.

## I have a fire certificate... will that be enough?

No. Fire certificates are no longer valid. However a fairly recent fire certificate will be a good starting point for your fire risk assessment.

## Will fire precautions have to be improved? / Will it cost me anything?

(Answer for both) Yes and No! If you are already fully complying with existing/previous legislation then it should be fairly simple. If you have not kept your fire precautions up to date there may be some additional areas to look at.

## Will the Fire and Rescue Service still inspect my premises?

In some cases yes, particularly in higher risk premises. But they will not carry out your fire risk assessment for you.

## Who will enforce this legislation?

Responsibility for enforcement of the new rules will be with the local fire and rescue service authority that will carry out regular inspections, with top priority going to those premises presenting most risk to the community. They are able to do this within the context of the new Integrated Risk Management Planning (IRMP), part of the Governments modernisation agenda for the FRS.

The HSE will continue to enforce the new rules for high risk workplaces such as petrochemical plants etc. **They will also police new build construction sites where the Principal Contractor has sole possession of the site.**

In a situation where construction work is being undertaken on an occupied building, it is possible that both the HSE and local fire and rescue service authority may undertake inspections.

## If a building is constructed in accordance with Building Regulations, do I need to undertake a Fire Risk Assessment?

The issue of Building Control and Fire Risk Assessment stem from different Legislation. The Building Regulations Part B relates to major refurbishments and new build works and identifies a standard for the design works to meet. Part B identifies requirements on the following elements:

- Means of Warning and Escape
- Internal Fire Spread
- External Fire Spread
- Access and Facilities for the fire service

All major refurbishments and new build needs to be built according to these standards, and the architect/designers will need to design in accordance with such.

However, meeting the requirements of Part B of the Building Regulations does not necessarily mean that the building will meet the requirements of the Regulatory Reform (Fire Safety) Order (RRFSO). These regulations relate to the workplace rather than the building itself and as such must consider a host of other things. Fire Risk Assessment considers not only the building but the processes that go on with the building, the occupant types and numbers, the adjacent buildings/processes/occupants, the management procedures to deal with fire, training of staff, etc. It is down to the Employer, Owner, Occupier or Person Managing the workplace to appoint a 'person responsible' who manages the process of fire risk assessment.

## How can I find out more?

A flyer and capability statement is available at Innov8 online. These documents identify further information about the fire risk assessment approach and what clients need to be aware of.

If your question has still not been answered then please contact:

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