



## **The Regulatory Reform (Fire Safety) Order**

**Introduced 1<sup>st</sup> October 2006**

### ***THE FACTS***

1. At the core of this new legislation lies the fire risk assessment. This is an organised appraisal of your work activities and the workplace to enable you to identify potential fire hazards, and to decide who (including employees and visitors) might be in danger in the event of fire, and their location. You will then evaluate the risks arising from the hazards and decide whether the existing fire precautions are adequate, or whether more needs to be done.

### ***WHO IT AFFECTS***

2. The new Fire Order affects two groups, the first of which are **employers**. These include those who occupy shops, offices, warehouses, pubs, factories, hotels, residential care premises, theatres, cinemas, educational premises, places of assembly and other non-domestic premises. The second group are non employers such as **landlords** responsible for managing fire safety in properties within their portfolios, most commonly multi-occupied buildings such as shopping centers and offices.

### ***THE RESPONSIBLE PERSON***

3. For most premises, it is unlikely that there will be just one 'responsible person'. The duties are likely to be shared between employers, tenants, landlords, managing agents or any other person with obligations under a lease or a contractual agreement for building maintenance or safety. In these situations, the new Order requires all the responsible persons to liaise and ascertain who will be responsible for each element of the fire safety obligations. The responsible person must appoint one or more 'competent person(s)' to assist them. In practice, large employers occupying significant amounts of floor space are likely to identify a facilities or building manager as the responsible person. For smaller companies, it is likely to be the owner or managing director.



## ***FIRE RISK ASSESSMENTS***

4. Fire Officers will no longer be telling occupiers or landlords what is required and issue Fire Certificates, which, from 1 October 2006 will be abolished and no longer have legal status. Under the new order, the responsible person must implement a fire risk assessment which must focus on the safety of all 'relevant persons' in case of fire. The assessment must pay particular attention to those at special risk, such as the disabled and those with special needs, and must include any consideration of any dangerous substance likely to be on the premises. The risk assessment will allow the responsible person to identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions needed to be taken to protect people against the fire risks that remain. These risks need to be reviewed regularly with the ultimate aim of avoiding fires, mitigating their effects and ensuring that a safe escape is available in case of fire.

Further, where responsibilities within a building are split between various companies or, then it is incumbent upon all those responsible to liaise and coordinate their risk assessments.

## ***ULTIMATE RESPONSIBILITY***

The onus is on the responsible person to prove that he or she did everything reasonable to comply. As under previous legislation, failure to comply with serious duties can result in a fine or up to two years imprisonment.

PFS&P can organise your Fire Safety Risk Assessment and explain your duties under the new Safety Order.

Large emphasis is placed on fire detection and alarm warning throughout the premises. If your fire alarm system is not designed or maintained properly then you may be responsible if it fails to perform.

As a Third Party Approved BAFE (SP203) Accredited Company (as recommended within the current British Standards) we are able to carry out an independent assessment or "verification" of the fire alarm system and issue approved certification of compliance, normally in conjunction with your existing fire alarm maintenance contractor.

If you are unsure that any aspect of your fire safety regime is compliant with the new legislation you should contact us now on 01482 662179