

# PROPERTY BRIEFING JULY 2005

## FIRE SAFETY LEGISLATION

### Current Legislation

- Fire Precautions Act 1971
- Fire Precautions (Workplace) Regulations 1997 (as amended)
- Building Regulations 2000
- Small parts of other Acts and Regulations
- Local Acts

A recipe for confusion!

### Your Current Obligations

- Fire Certificates (required for larger commercial premises)
- Fire Risk Assessments (to protect employees)
- Appropriate provisions if new build/alterations
- Compliance with any other relevant legislation

### Why Is The Legislation Changing?

- Reduce the number of different and overlapping Acts.
- Coherence (provide good specific guidance)
- Aim by Autumn 2004

### How Will The Legislation Be Changed?

- By using the Regulatory Reform Act 2000.

### Proposals

- Regulatory Reform (Fire Safety) Order 2004.
  - No fire certificates, many Acts/Regulations subsumed
- Extended Scope
  - Empty buildings, self-employed, voluntary workers
- Employees duties and rights
  - Health and Safety at Work Act
  - Right of civil action against employer
  - Need to consult with employees

### Reduction Of Fire Spread

- Compartmentation
- More emphasis on fire extinguishers

### Fire Fighting Facilities

- Maintenance of smoke vents, risers etc



### **Specific Practical Guidance Documents**

- Offices, shops
- Factories, warehouses, superstores
- Pubs, clubs, restaurants
- Theatres, cinemas etc.

### **New Fire Authority Powers**

- The fire authority can request copy of your risk assessment
- Action to stop false alarms
- Powers of entry to investigate cause of fire
- Enforcement policy

### **New Items**

- New duty on a responsible person to determine how to comply with any legal notice
- New alterations notice to allow a fire authority to review your proposed actions
- No fire certificates
- All risk assessment based
- Greater compliance/coverage
- Greater emphasis on maintenance and staff training

### **What Employers Will Need To Do**

- All employers are required to carry out a fire risk assessment
- Where there are 5 or more employees, the assessment must be in writing

### **What Is A Fire Risk Assessment?**

- Assessment of fire risk
- Assessment of fire precaution provisions
- Identify/implement modern standards?
- Cost versus benefit
- Balancing act

### **What Is A Fire Risk?**

- Fuel, ignition sources, oxygen
- Persons at particular risk disabled, late workers etc
- Fire growth and spread

### **What Are Fire Precautions?**

- Means of escape
- Lifts
- Fire doors
- Detection and warning
- Fire fighting equipment (who will use, are they trained?)
- Testing and maintenance
- Procedures and training
- Records
- Fire safety review audits



### **Who Is Competent To Carry Out Fire Risk Assessment?**

- Practical and suitable knowledge
- Qualifications?
- Audits versus risk assessments
  - audit = is what is already there ok?
  - risk assessment = is what is there appropriate/correct?
  - review = has something changed so needing a re-assessment
- Recognising limit of your competence
- Benchmarking your standards
- Consistency
- Staying up to date with changes in legislation/standards

### **How Often Are Fire Risk Assessments Required?**

- Set by the previous fire risk assessment.
- General consensus is that annual is a 'reasonable' starting point for the average/majority with no interim changes.
- A 'living' document that should be regularly reviewed/monitored.

### **WHO CAN HELP US?**

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