

2.0 Fire safety legislation

This guidance highlights your responsibilities under the Regulatory Reform (Fire Safety) Order 2005 and part 3 of The Fire (Scotland) Act 2005 as amended, The Fire Safety (Scotland) Regulations 2006 and The Fire Safety Regulations (Northern Ireland) 2010.

RISK ADVICE LINE

Having read this guidance should you have any additional questions on this topic or other risk related matters, as a valued Ecclesiastical customer you can contact us through our 'Risk Advice Line' on 0345 600 7531 (Monday to Friday 9am - 5pm, excluding bank holidays) and one of our in-house risk professionals will be able to assist. Alternatively you can email us at risk.advice@ecclesiastical.com and one of our experts will call you back within 24 hours.

For queries about your policy cover or claims please contact your insurance broker.



The legislation uses a risk assessment based approach to fire safety with a focus on fire prevention and principles. Focus is on life safety of people who work or use a premises.

For most premises, the local Fire and Rescue Services will enforce this legislation. They can issue improvement or prohibition notices. Major breaches of legislation can lead to being fined or even imprisonment

The Key Responsible Person

The legislation places primary responsibility for fire safety on the "Responsible Person", meaning someone who either owns the premises or someone with control of the premises or business.

Key Responsible Person duties include:

- Completing a "suitable and sufficient" fire risk assessment of the premises. This is an assessment of your premises, the activities carried out there and the likelihood that a fire could start and cause harm to those in and around the premises.
- Reviewing the fire risk assessment on a regular basis and especially if circumstances change e.g. building refurbishments or new activities.
- Ensuring the fire risk assessment is formally recorded and documented. All businesses with premises (whatever the size) are required by law to have written fire risk assessment and a record of the fire safety arrangements in place. Details of any person involved in completing or reviewing fire risk assessment must be recorded.
- Eliminating or reducing the risks from dangerous substances.
- Implementing general fire safety policies and procedures.
- Considering individuals who may be extra risk e.g. elderly, disabled.

Continued overleaf

- Provision of adequate means of escape, appropriate signage, emergency lighting, and suitable firefighting and detection equipment.
- Testing and maintenance of fire safety equipment and systems.
- Ensuring fire safety information is communicated to all employees and visitors.
- Providing adequate fire safety information and training to employees.
- Appointing a Competent Person to assist in complying with requirements of the legislation.
- Co-operating with others who may share the premises.

Fire risk assessment

The appointed Competent Person is someone who has the required level of knowledge, experience and training to carry out the fire risk assessment of the premises and deliver identified fire safety measures to reduce the risk to life from fire.

For larger or complex premises, it is recommended that the competent person is appointed from someone outside the organisation e.g. a competent fire risk assessor. Any assessor should be on the official list of a UKAS Accredited Company or Person Certification Scheme (e.g. BAFE "SP205" company scheme) or a Professional Body Person Registration Scheme (e.g. Institute of Fire Prevention Officers (IFPO), Institute of Fire Safety Managers (IFSM) or Institution of Fire Engineers (IFE)).

The five steps of the fire risk assessment are set out below:

Step 1 - Identify all the fire hazards within your premises

When considering a heritage building it is important to understand the most common causes of fire in this sector. This can include accidental or deliberate causes and individual sources of ignition. Heritage buildings can be susceptible to fire in a number of ways including the list below:

- Sources of ignition e.g. naked flames and hot works, portable heaters, light bulbs close to combustible materials, faulty wiring, electrical equipment.
- Sources of fuel – e.g. paints, thinners, flammable gases, stored paper, period furniture.
- Sources of oxygen – e.g. structural features such as ducts, flues, unstopped fire holes for cables/pipes, open roof spaces.

Step 2 – Identify people at risk

The assessment must identify individuals at risk if there is a fire. It must include all people who use the premises, but particular attention should be given the following:

- Individuals working close to fire hazards.
- People working alone and/or in isolated areas.
- Contractors.
- Visitors.
- Young, or inexperienced workers.
- People sleeping on the premises.
- People with disabilities.

Step 3 – Evaluate, remove, reduce, and protect from risk

To evaluate the risk you need to consider the likelihood of fuels present being set on fire by the ignition sources identified, and the consequences of such fire in terms of injury, damage and disruption to the organisation. Where possible, remove or reduce fire hazards and minimise any risks which have been identified, e.g.

- Replace flammable liquids with non-flammable alternatives.
- Minimise fuels as far as reasonably practicable.
- Ensure good housekeeping standards.

- Determine whether existing measures to prevent fire spread and ensure people can safely evacuate the premises in the event of a fire, are adequate.

Consider the following fire precautions:

- Fire detection and raising the alarm.
- Emergency escape routes, lighting and exits.
- Signs and notices.
- Fixed fire protection systems.
- Portable firefighting equipment.
- Fire compartmentation.
- Providing staff training and awareness.
- Undertaking fire evacuation drills.
- Personal emergency evacuation plans.

Step 4 – Record, plan, inform, instruct and train

If the organisation employs five or more people, the premises are licensed, or an alterations notice requiring you do so is in force, the significant findings of the fire assessment and the actions taken must be recorded.

An Emergency Plan (based on the outcome of the fire risk assessment) should be developed and introduced for dealing with any fire situation. The purpose of the plan is to ensure that people in the premises know what to do if there is a fire and the premises are safely evacuated.

Relevant information and appropriate instructions on the actions to be taken to prevent fires, and what those actions are should be provided to all individuals including any employees and visitors.

Adequate fire safety training must be provided to all employees and other people working on the premises.

Step 5 – Review

Assessment findings should be continually monitored to ensure fire risks are effectively controlled. It is important to review the fire risk assessment at least annually.

Key messages

- In non-domestic premises you are legally required to complete a fire risk assessment to reflect fire safety at your premises.
- All businesses with premises (whatever the size) are required by law to have written fire risk assessment and a record of the fire safety arrangements in place.
- For larger or more complex risks it is strongly recommended that you appoint a competent fire risk assessor.
- Your fire risk assessment must be reviewed on a regular basis.

Further information

- Fire Protection Association – **Fire Risk Management in the Workplace**
- GOV.UK – **Fire Safety in the Workplace**
- **The Regulatory Reform (Fire Safety) Order 2005**
- GOV.UK – **Fire Safety Law and Guidance Documents for Business**
- Scottish Government – **Fire Scotland Act 2005**

Important Note – For any interventions to your building you will require Listed Building Consent (if a listed building). Also, you should consider any advice given by Historic England, the Amenity Societies and other conservation bodies.

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