

Fire Safety Laws

This factsheet covers the three main laws covering fire safety in England and Wales.

The Regulatory Reform (Fire Safety) Order (FSO) 2005

This Order requires a 'responsible person' (Article 3) to take general fire precautions (Article 8) that is implement and maintain a fire management plan and they must carry out a fire risk assessments (Article 9) that is they must take steps to remove or reduce risks of fire. The plan must also take into consideration the effect a fire may have on anyone in or around the premises. The fire risk assessment must be kept under regular review.

In a workplace, the responsible person is:

- ▲ the employer
- ▲ any other person who may have control of any part of the premises the occupier, including self-employed people,
- ▲ the owner.

If there is more than one responsible person in any type of premises, all must take all reasonable steps to work with each other.

FSO or Fire Safety Order covers all non-domestic premises, common parts of blocks of flats and houses in multiple occupation (HMOs) and certain activities taking place outdoors. It has replaced the Fire Precautions Act 1971 and the Fire Precautions (Workplace) Regulations 1997. Fire certificates are no longer issued.

Fire and rescue authorities inspect premises and are the principle enforcing authority, exceptions being that HSE will cover RRFSO for the nuclear industry, construction sites and ship construction and repair; sports grounds will be covered by the local authority issuing the safety certificate; defence bases and Crown-owned property will have separate arrangements.

Fire Risk Assessment

The risk assessment and any significant findings must be recorded:

- ▲ if five or more people are employed
- ▲ if there is a licence in force
- ▲ if the premises are subject to an alteration notice. This is served by the enforcing authority.

Good comprehensive fire safety management systems – including consultation with trade union safety representatives – are key to ensuring that fire safety is taken seriously.

In addition the Fire Safety Order sets down requirements for the following:

- ▲ The principles of avoiding fire (Article 10 and part 3 schedule 1)
- ▲ Fire Safety Arrangements (Article 11)
- ▲ The need to eliminate or reduce risks from dangerous substances (Article 12)
- ▲ Provision of Fire-fighting, fire detection and warning equipment and contact with emergency services (Article 13). Different types of fire detection system include human observation, which can operate before smoke and heat detectors. In general smoke alarms are used but heat detectors are sometimes better, for example, in kitchen areas when false signals are likely to be frequent. Sprinkler heads work by heat detection. Electrical systems, especially for large buildings and sites, must have a backup power system. Alarms must be able to be heard above any noise likely to be present and in areas where people will be able to respond (eg heard in a central operating area to cover warehouses, stores etc). Non-automatic equipment must be easily accessible, simple to use and indicated by signs. The equipment must be regularly maintained and tested (Article 17).
- ▲ Emergency routes and exits (Article 14): including exits routes; exit doors opening in the direction of escape –

they must not be locked or fastened and must open immediately - sliding and revolving doors not to be used as emergency doors; exit routes must not be locked; emergency lighting requirements and backup.

- ▲ What to do when there is a fire – serious and imminent danger – (Article 15) this includes establishment of drills and nominating competent people to be in charge of evacuation. There should be a written emergency plan and this is a requirement if five or more are employed. This should be kept in the workplace and should form the basis of training. Emergency plans should be practised and if necessary discussed with the local emergency services.
- ▲ Emergency measures for dangerous substances (Article 16): in addition to the above; including that ahead of a fire or explosion information must be available to accident and emergency services.
- ▲ Appointment of competent persons to assist the responsible person (Article 18)
- ▲ Information and training to all who need it: employees, contractors, any person working on the premises (Articles 19, 20 and 21)
- ▲ Employee duties (Article 23): workers must take reasonable care, co-operate and inform the employer of situations representing serious and imminent danger and of any shortcomings they notice in fire protection measures.

Key Guidance on fire safety can be found at:

www.communities.gov.uk/fire/firesafety/firesafetylaw/

Basic fire risk assessment

Producing a fire risk assessment should not be a theoretical exercise and should involve practical examination of the building under consideration.

Sources of ignition	Sources of Fuel	Sources of oxygen
Smokers materials	Paints, varnishes, thinners, adhesives	It is in the air and its flow is affected by the ventilation system.
Naked flames	Petrol, white spirit, parafin	Oxidising materials will supply additional oxygen. This property should be clearly marked on the tin and the chemical stored as directed.
Hot surfaces (for example, lights and cooking equipment)	Paper	Oxygen supplied in cylinders eg for health care or in some types of welding.
Electrical sparks	Wood	
Mechanical sparks	Furniture, fixtures and fittings	
Static electricity	Textiles	
Arson	Liquified petroleum gas (LPG) and acetylene	
Hot processes such as welding	Loose packaging material	

Step 1 – identify the fire hazards

This involves consideration of the fire triangle and identifying the three requirements for a fire: sources of ignition, fuel and oxygen and the possibility of them coming together. Examples are given in the table above.

Step 2 – identify people at risk

pay particular attention to those at special risk, such as young people, the disabled and those with special needs. Signs and instructions should be translated into other languages when needed.

Step 3 – evaluating the risks and looking at control measures

- ▲ reducing sources of ignition for example replacing naked flame and radiant heaters with central heating systems. Having strict no smoking areas.
- ▲ reducing easily accessible potential fuel, including good housekeeping measures to reduce accumulation of

waste (including paper). Changing industrial processes to limit the amount of flammable material or using less flammable material; keeping material at a low temperature.

- ▲ reducing or controlling the sources of oxygen, for example by permit-to-work systems for maintenance involving welding.

Step 3 – evaluating the risks – should also consider fire procedures

(evacuation, drills, frequency of alarm testing), training (see below) and other practical measures (signage, keeping evacuation routes clear, fire safety audits) as explained in the guidance.

Step 4 – record your findings

The risk assessment should be recorded (irrespective of legal obligation) and be made available to safety representatives.

Step 5 – review and revise – as with all risk assessments.

Fire safety in domestic properties: the Housing Act 2004

This covers fire safety management in all residential property in England and Wales. It requires many houses in multiple occupation (HMOs) to be licensed by the local authority: residential properties with 3 or more storeys and with 5 or more tenants. In addition a Housing Health and Safety Rating System (HHSRS) applies to all rented property including HMOs. This means local authorities will have to carry out HHSRS, a risk assessment, on licensed HMOs and other non-licensed residential properties will require HHSRS inspections. Property owners and landlords are responsible for carrying out remedial work to deal with any fire hazards identified.

The Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR)

Dangerous substances can be found in nearly all workplaces and include such things as solvents, paints, varnishes, flammable gases, such as liquid petroleum gas (LPG), dusts from machining and sanding operations and dusts from foodstuffs. Risks from these substances must be controlled. Information about DSEAR can be found at: www.hse.gov.uk/fireandexplosion/dsear

Arrangements in London

The London Fire Brigade advises people to contact their Local Borough Fire and Community Safety Centres if they have any query about fire safety and the addresses of the 33 London Centres, with phone numbers, are on their website: www.london-fire.gov.uk.

Factsheets online www.lhc.org.uk London advice 020 7794 5999



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