

Workplace Health and Safety Office

Independent, Impartial and Institution wide

Paul Mullins

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Primary Fire Legislation



- Regulatory Reform (Fire Safety) Order 2005 (FSO)
 - shift from Fire Brigade certification to Risk assessment
 - Defines the Responsible Person (Article 3)
 - Defines duties of Responsible persons (Article 5)
 - Require Fire Risk Assessments to be completed (Article 9) Revised 2023 to require All risks to be written down and number of employees no longer matters.
 - Cooperation and coordination between responsible persons (Article 22)

Primary Fire Legislation



- Fire Safety Act 2021

- makes amendments to clarify who can amend the FSO (Secretary of state) Ministry of housing communities and Local Government) Alex Norris MP
- clarifies that the FSO applies to premises with 2 or more domestic premises.

- Fire Safety (England) Regulations 2022

- predominantly provides amendments to the FSO for High Rise Buildings or buildings with 2 or more sets of residential premises

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Building Safety Act 2022

- Section 156; contains the amendments to the FSO requiring all FRA findings to be recorded

Responsible Person/Duty holder



- an employer
- the owner
- the landlord
- an occupier
- anyone else with control of the premises, for example a facilities manager, building manager, managing agent or risk assessor

Responsible Person/Duty holder



- You're known as the 'responsible person'. If there's more than one responsible person, you have to work together to meet your responsibilities.
- (The Fire Safety Order also applies if you have paying guests, for example if you run a bed and breakfast, guesthouse or let a self-catering property.)

Responsibilities/ duties



Responsible Person/ Duty Holders

As the responsible person you must:

- carry out a fire risk assessment of the premises and review it regularly
- tell staff or their representatives about the risks you've identified
- put in place, and maintain, appropriate fire safety measures
- plan for an emergency
- provide staff information, fire safety instruction and training

You can read about [your legal duties as the person responsible for fire safety](#)

Fire Risk Assessments



- In the case of small premises, the fire risk assessment is commonly carried out by the owner or occupier of the premises, where they are competent to do so. The Home Office publish simple, easy to read guides to assist such Responsible Persons to carry out their own fire risk assessments by explaining the fire safety measures required.
- You must make an assessment based on the size of your undertaking as to who is competent to complete an FRA. (this is currently under review)

Fire Risk Assessments - guidance



5 Steps Checklist and guidance

Government guidance is here:

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-5-step-checklist/fire-safety-risk-assessment-5-step-checklist-accessible>

And Checklist

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-5-step-checklist/fire-safety-risk-assessment-5-step-checklist-accessible>

Fire Risk Assessments - guidance



Further Guidance is here:

Shops & Offices

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-offices-and-shops>

Education Premises

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-educational-premises>

Means of Escape for Disabled Persons

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-means-of-escape-for-disabled-people>

Dangerous Substances



In general terms, for the purpose of the Fire Safety Order, 'dangerous substances' comprise the following:

- explosive materials
- flammable gases
- flammable liquids
- materials that will spontaneously combust or emit flammable gas in contact with water
- oxidising agents, such as peroxides
- dusts which can form an explosive mixture with air
- any other substances whose physico-chemical or chemical properties and the way it is used or is present, creates a risk.

Dangerous Substances



- Where a dangerous substance is present in your premises, you must ensure that the risk to people from the substance is either eliminated or reduced so far as is reasonably practicable. Where reasonably practicable, this includes replacing a dangerous substance, or its use, with a substance or process that either eliminates or reduces the risk to people.
- You ensure in your fire risk assessment that 'general fire precautions' take account of the presence or use of dangerous substances and the mitigations are adequate.

Thank you!

Question?