



## The Regulatory Reform (Fire Safety) Order 2005

*The Regulatory Reform (Fire Safety) Order (RRO) 2005 came into effect on the 1<sup>st</sup> October 2006. It will apply across England and Wales and will affect all non-domestic premises and certain activities taking place outdoors. It rationalises and consolidates over 118 pieces of workplace fire legislation including repealing and revoking the Fire Precautions Act (1971) and the Fire Precautions (Workplace) Regulations (1997). The Main change will be in emphasis towards risk reduction and fire prevention. Fire Certificates are no longer be issued although fire and rescue authorities will continue to inspect premises.*

The local fire and rescue authorities will continue to be principle enforcing authorities, exemptions being that the Health and Safety Executive (HSE) will cover the RRO for the Nuclear industries, 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.

### **THE RESPONSIBLE PERSON**

Responsibility for complying with the Fire Safety Order rests with the '*responsible person*'. In a workplace, this is the employer and any other person who may have control of any part of the premises, for example, the occupier, including self employed people or the owner. In all other premises the person or people in control of the premises will be responsible. If there is more than one responsible person in any type of premises, all must take all reasonable steps to co-operate and co-ordinate with each other.

### **FIRE SAFETY IN DOMESTIC PROPERTIES – THE HOUSING ACT 2004**

This has a major impact on fire safety management in all residential property in England and Wales. From October 2005 certain houses in multiple occupation (HMOs) have to be licensed by the local authority; residential properties with three or more storeys and with 5 or more tenants. In addition the new Housing Health and Safety Rating System (HHSRS) applies to all rented property including (HMOs). This means local authorities will have to carry out HHSRS, which in essence places a duty to carry out a suitable and sufficient risk assessment, on licensed HMOs within 5 years. Property owners and landlords will be required to carry out remedial work to deal with any fire hazards identified.

## **FIRE RISK ASSESSMENT**

Under article 9 of RRO the responsible person must ensure that a suitable and sufficient fire risk assessment has been undertaken to identify the general precautions required. The Order says the assessment must include consideration of any dangerous substance likely to be on the premises. The risk assessment and any significant findings must be recorded:

- If five or more people are employed;
- If there is a license in force; and
- If the premises are subject to alteration notice; this is served by the enforcing authority when they believe a hazard may pose a risk if changes are made to premises.

A fire risk assessment should identify risks that can be eliminated or reduced by a managerial, engineering or intrinsic controls, and specify the nature and extent of the general fire precautions needed to protect employees and others against the fire risks that may remain. Fire certificates were not required in all workplaces, but where they were, they had to specify means of escape, means of ensuring the escape can be effectively used at all times. They usually said how often fire drills should be held; this basic information should now be included in the fire risk assessment.

An example of a fire risk assessment have been added to this document for your information, remember this is only an example; you can modify this document to fit your workplace.