

# No BS Fact Sheet No. 5

## Fire Precautions Regulations



Until October 2006, fire safety provision was scattered among many different pieces of legislation dating as far back as the 1700s. There were two main pieces of legislation affecting most firms: the Fire Precautions Act 1971 and the Fire Precautions (Workplace) Regulations 1997. Since the introduction of the Fire Safety Order in 2006 companies no longer require a Fire Certificate and there is greater emphasis on self assessment.

### A short history of fire safety legislation

The Fire Precautions Act 1971 affected a whole range of premises including shops, offices and hotels. In most cases, companies with more than 20 employees (or more than 10 above or below ground floor) required a Fire Certificate.

Fire Precautions (Workplace) Regulations 1997 as amended applied to virtually all places where people were employed to work, the exceptions being construction sites, ships, mines and other areas covered by the Health and Safety Executive and other agencies.

Known as the “workplace fire precautions legislation” the main requirements were for the user of the premises to:

- carry out and review fire risk assessments,
- provide and maintain fire precautions to safeguard those who use the workplace,
- check that a fire can be detected in a reasonable time and that staff can be easily warned,
- check that staff can get out quickly and safely in the event of a fire,
- provide, check and maintain sufficient fire fighting equipment,
- plan for an emergency and provide appropriate training for staff, and
- provide information, instruction and training to employees about the fire precautions provided.

The central aim of the Fire Precautions Act was to ensure that, in the event of a fire, the occupants could evacuate the premises safely.

The Fire Precautions (Workplace) Regulations required employers to identify risks and take steps to remove or reduce them.

### Effects of the new Regulatory Reform (Fire Safety) Order

The main effect of the new Fire Safety Order has been greater emphasis on fire prevention in all non-domestic premises, including the voluntary sector and self-employed people with premises separate from their homes.

The Government reviewed over 260 pieces of legislation, including that relating to fire safety.

The new legislation, has replaced both the Fire Precautions Act and the Fire Precautions (Workplace) Regulations and as much of the remaining legislation as was practical. The broad aim is to ensure that, wherever the proposed Order applies, people take proper care for their own safety and the safety of others who might not be familiar with the premises. A ‘responsible person’ should be appointed to oversee this and ensure implementation of the requirements. The main thrust of the new Fire Safety Order is fire risk assessments. All firms must complete a proper fire risk assessment of their premises and ensure the risks from fire are eliminated or minimised as much as possible.

### Fire Safety Arrangements

“Fire safety arrangements” means all the things that the responsible person needs to do to comply with the Order such as appointing employees to various functions, establishing emergency procedures or displaying fire action notices.

Where a dangerous substance is present on the premises, the responsible person should ensure that risk related to the presence of the substance is either eliminated or reduced so far as is reasonably practicable.

The responsible person should ensure that:

- the premises are equipped with appropriate fire-fighting equipment, fire detectors and alarms,
- any non-automatic fire fighting equipment provided is easily accessible, simple to use and indicated by signs,
- sufficient employees have been nominated and trained to deal with a fire situation.

It is proposed that the law should reflect the common sense view that extinguishing the fire at source must reduce the risk to life; and fire fighting equipment should be considered as:

- a possible means of reducing a risk of fire spreading,
- providing protection and assistance to others, and
- a possible means of mitigating the detrimental effects of a fire, and not merely a means of safeguarding the means of escape.

### Who is responsible for compliance?

Responsibility for complying with the Fire Safety Order will rest 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, e.g. the occupier or 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 work with each other.

### What does the ‘responsible person’ need to do?

If you are the responsible person you will have to carry out a fire risk assessment paying particular attention to those at special risk, such as the disabled and those with special needs, and must include consideration of any dangerous substance likely to be on the premises.



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## How will a fire risk assessment help me?

Your fire risk assessment will help you identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions you need to take to protect people against the fire risks that remain.

## Do I need to keep records?

If you employ five or more people you must record the significant findings of the assessment.



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