

FIRE RISK ASSESSMENT



CONSTRUCTION HEALTH AND SAFETY
WASTE MANAGEMENT
FIRE RISK MANAGEMENT
TRAINING
MANAGEMENT CONSULTANCY
ACCIDENT INVESTIGATIONS

THE LEGISLATION



The Regulatory Reform (Fire Safety) Order 2005 (FSO 2005) came into force on 1 October 2006, replacing most existing general fire safety legislation in England and Wales. The FSO 2005 deals with fire precautions and other fire duties required to protect people in the event of a fire.

The FSO 2005 covers non-domestic premises, which includes offices, shops, residential care homes, theatres, hotels & other sleeping accommodation, educational premises and the like. It should be noted that Fire Certificates issued under the Fire Preventions Act do not have any legal status.

Implications

Compliance with the FSO 2005 rests with the “Responsible Person” as defined by the regulations.

The “Responsible Person” may be an individual and/or business in control of non-domestic premises as described below:

- An employer responsible for business premises.
- A person self-employed with a business premises.
- An individual or organisation responsible for business premises.
- A charity or voluntary organisation with a business premises.
- A contractor with significant control over any premises.

Under the FSO 2005, the “Responsible Person” is tasked by the new legislation to undertake Fire Risk Assessments and take general fire safety precautions to ensure the safety of building occupants and others who may be affected by the risk of a fire.

As with all legislation or enforcement notices, failure to comply constitutes an offence and upon conviction, the “Responsible Person” could be liable for a fine or up to two years imprisonment.



Duty Holders' Responsibility

Under the FSO 2005, the **"Responsible Person"** is ultimately responsible for ensuring compliance.

A **"Responsible Person"** may appoint one or more **"Competent Persons"** to assist in undertaking duties required to achieve compliance.

In accordance with the legislation, a person is regarded as competent where he has sufficient training and experience or knowledge and other qualities to enable him properly to assist in undertaking the preventive and protective measures.

Enforcement Authorities

The enforcing authority for most premises would be the fire and rescue authority for the area in which the premises is situated. Depending on the type of premises, the following authorities would be responsible for enforcing the FSO 2005:

- The Health and Safety Executive: Premises, including construction sites.
- Local Authority: Premises to include sports grounds or stadium.
- Fire service maintained by the Secretary of State for Defence: Premises occupied solely for the purposes of the armed forces of the Crown.
- Fire inspector, or any person authorised by the Secretary of State to act for the purposes of this Order: Premises owned or occupied by the Crown.

FSO 2005 Compliance, Fire Safety Duties and the Responsible Person

To comply with FSO 2005, the **"Responsible Person"**, so far as is reasonably practicable or as may be required within reason, should ensure the following:

- General fire safety precautions are established to ensure the safety of employees with respect to the workplace or other building occupants or **"Relevant Persons"**.
- **"Relevant Persons"** include any person who is or may be lawfully on the premises and any person in the immediate vicinity of the premises who is at risk from a fire on the premises.
- Suitable and sufficient Fire Risk Assessments are undertaken for each property and significant findings recorded for the purpose of identifying the general fire precautions, which are required to be implemented to comply with the requirements and prohibitions, imposed under this FSO 2005.

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Other fire safety duties required under the Order include the following:

- The mitigation of fire risk through the application of principles of prevention.
- Depending on the nature and use of the property, establish clear fire safety arrangements to ensure effective planning, organisation, control, monitoring and review of preventive and protective measures to mitigate fire risk. Measures proposed should reflect the risk of fire.
- Where a dangerous substance is present in or on a property, the risk posed to relevant persons should be eliminated where reasonably practicable. Where this is not an option, suitable and appropriate control measures need to be implemented.
- Where the features of a property, its use and function, or any other fire hazard present may dictate, suitable and appropriate fire fighting and fire detection equipment should be installed and adequately maintained, an adequate number of **“Competent Persons”** should be nominated to implement the measures established.
- For each property, emergency routes and exits must be established, maintained and kept clear of obstructions at all times.
- For each property, emergency procedures, which reflect a potential danger, must be established and a competent person nominated to implement such procedures.
- For the safety of employees and relevant persons, the property and any facilities including all equipment and devices installed to achieve compliance with the fire legislation must be regularly maintained and kept in good repair.
- Where necessary, one or more **“Competent Persons”** must be appointed by the **“Responsible Person”** to assist him or her in undertaking the preventive and protective measures established.
- The **“Responsible Person”** should ensure the provision of relevant information regarding residual fire risk associated with a property, which may affect the safety of employees, contractors and relevant persons is available.
- The **“Responsible Person”** should ensure the provision of sufficient and adequate training regarding appropriate precautions and actions to be taken by the employee in order to safeguard themselves and other relevant persons on the premises, which may affect the safety of employees, contractors and relevant persons.
- All employees at work have a duty of care to ensure the safety of themselves and other relevant persons who may be affected by their acts or omissions at work; co-operate with their employer and communicate any hazards identified on the premises to the employer or appropriate person appointed by the same.



The following should be noted

a) General Fire Precautions include:

- Measures to reduce the risk of fire on the premises and the risk of the spread of fire on the premises.
- Measures to ensure the means of escape from the premises is maintained clear of material at all times and can be safely and effectively used.
- Adequate and suitable provision for fighting fires on the premises.
- Adequate and suitable provision for detecting fire and giving warning in case of fire on the premises.
- Adequate and suitable arrangements for action to be taken in the event of fire on the premises which would include suitable and sufficient instruction and training of employees.
- Measures to mitigate the effects of the fire.

- b) Hazardous work processes, which may involve the use of plant or equipment or the storage of, or use of, hazardous substances, which require special, technical or organisational measures should be assessed under appropriate legislation.

For each property, emergency routes and exits must be established, maintained and kept clear of obstructions at all times.

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OUR SERVICES

The Scope of Services

The calfordseaden health & safety limited will provide advice and assist the Client to comply with the FSO 2005. Services would include the following:

1. **Establishing Client requirements through discussion, reviewing information provided and outlining Scope of Services to be provided.**
2. **Advising the Client on the FSO 2005 and duties of the "Responsible Person".**
3. **Visiting the property to undertake the following:**
 - A general Fire Safety Audit on the building(s) and the management of the same to establish existing Fire Safety Procedures and Systems in place.
 - Audit existing information/documentation relating to Fire Risk Management.
 - A Fire Risk Assessment of the building, reflecting use, occupation and location.
4. **Issue to Client a written report detailing findings and recommendations to include the following:**
 - Site description including details on Scope of Services and methodology.
 - Summary of legal requirements under FSO 2005.
 - A Fire Safety Audit Checklist.
 - Details of Fire Assessment to include significant findings.
 - Clear recommendations to the Client to assist with FSO 2005 compliance.
 - Where applicable, a proposal for calfordseaden health & safety limited to provide a monitoring service on the implementation of the Fire Risk Management Strategy for the building.
 - Training and development for responsible persons, fire wardens, marshals and other staff.

FOR FURTHER INFORMATION ON THE RANGE OF SERVICES WE OFFER CONTACT:

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