# Introduction

In order to manage fire safety, the responsible person for your building must make sure that a fire risk assessment is in place, and that it is kept up to date to ensure that all the fire precautions in the premises remain current and adequate.

Employees and others who may be affected also have a role to take reasonable care of their own and others’ safety. They must use equipment and apply safe ways of working in accordance with the instruction and any training they have received.

As a manager you have a duty of care to ensure that the content of the fire risk assessment is shared with your employees and ensure that its content is adhered to. If you share the workplace or grounds with others, managers must co-operate with each other and co-ordinate the management of fire safety.

# Scope

The Regulatory Reform (Fire Safety) Order 2005 (RRO) affects all employers, self employed and the voluntary sector. It will affect occupiers of premises as a freeholder, tenant, lettings of commercial premises as a landlord or lettings of residential premises where there are common parts. For example: a stairwell or corridor.

For the purpose of the RRO, premises include vacant premises and open land, car parks, access roads, houses in multiple occupation (HMO's), hostels, schools and universities, churches, places of assembly, village and community halls.

*In the RRO, the ‘responsible person’ means:*

(a) in relation to a workplace, the employer, if the workplace is to any extent under his control;

(b) in relation to any premises not falling within paragraph (a)—

(i) the person who has control of the premises (as occupier or otherwise) in connection with the carrying on by him of a trade, business or other undertaking (for profit or not); or

(ii) the owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business or other undertaking.

*Local management responsibilities (‘responsible person’)*

The duty to ensure fire safety is held by the ‘responsible person’. This task may be shared between more than one person according to their responsibilities for the premises.

# Overview

The specific requirement to carry out fire risk assessment comes from the RRO, which was made under the Regulatory Reform Act 2001.

The RRO replaces most fire safety legislation with one simple order. It means that any person who has some level of control in premises must take reasonable steps to reduce the risk from fire and make sure people can safely escape if there is a fire.

This involves identifying and assessing workplace fire hazards and putting in place suitable arrangements to control any risks. Details of these arrangements and any necessary training will need to be provided to all those who can control the risks.

# Managing fire safety

The Fire and Rescue Service is the enforcing authority for the RRO. They have the power to inspect your premises to check that you are complying with your duties. They will look for evidence that you have carried out a suitable fire risk assessment and acted upon the significant findings of that assessment and will expect to see a copy.

To be able to manage fire safety, managers need to ensure all building users are aware of any fire safety risks that would affect them and what they can reasonably do to control these risks.

Reasonable measures must be **preventive** and **protective** as follows:

* Appoint one or more competent persons to assist in fire safety risk assessment.
* Consult with your employees (or their elected representatives).
* Identify persons who may need a personal emergency evacuation plan, due to long term or short term immobility, visual impairment etc.
* Ensure appropriate information, instruction and training is provided to your employees and temporary staff as part of their building induction.
* Before you employ a young person, e.g. work experience; provide their parent(s) with clear and relevant information on the fire safety.
* Devise safe methods of working and emergency procedures based on the outcome of risk assessments and tell your employees about them.
* Take further measures to make sure there is protection if flammable or explosive materials or any dangerous substances are used or stored.
* Establish a suitable means of contacting the emergency services and provide them with any relevant information about dangerous substances.
* Monitor and maintain the control systems that have been put in place.
* Inform non-employees, such as temporary or contract workers, of the relevant risks to them and the fire safety procedures for the premises.
* Co-operate and co-ordinate with other responsible persons who also have areas of control in the building or on the same site by sharing your risk assessment with them.
* Provide the employer of any person from an outside organisation who is working in your premises (e.g. an agency providing temporary staff), and the employee with clear and relevant information on the risks to them.
* Ensure contractors are working safely and hot works are controlled by the use of a hot work permit. See Management of Contractors Guidance.
* Ensure that the premises and any equipment provided in connection with fire fighting, fire detection and warning, or emergency routes and exits are covered by a suitable system of maintenance and are maintained by a competent person.
* Inform your employees that they have a duty to co-operate with you to ensure the workplace is safe from fire and its effects, and must not do anything that will place themselves or other people at risk.
* Create a plan to deal with any emergency, share it with anyone concerned and keep a record of your findings.

# Fire risk assessment

A fire risk assessment is an organised, methodical look at the premises, the activities and likelihood that a fire could occur.  It helps to determine the chances of fire, the dangers and precautions needed to protect people and property.

The RRO states that a competent person is to carry out a fire risk assessment. To assist with this, the Government have produced a range of Fire Safety Risk Assessment Guides relating to different types of premises. These can be found at: https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-risk-assessments.

Please see KCC’s fire risk assessment guidance for more information regarding who should carry out your fire risk assessment and how often it must be reviewed.

# Staff training

The RRO requires that safety training is given to employees on induction, and when exposed to any new risks in the workplace. This training must also be repeated periodically. Records of training can be recorded in the fire safety log book, where a template has been provided.

The actions of staff in the event of a fire are likely to be crucial to their safety and that of other

people in the premises. All staff should receive basic fire safety induction training and attend

refresher sessions at pre-determined intervals. You should ensure that all staff and contractors

are told about the emergency plan and are shown the escape routes. The training should take account of the findings of the fire risk assessment and be easily understood by all those attending. It should include the role that those members of staff will be expected to carry out if a fire occurs. This may vary in large premises, with some staff being appointed as fire marshals/wardens or being given some other particular role for which additional training will be required.

Safety training for employees should include the following:-

* what to do if they discover a fire
* how to raise an alarm of fire
* what to do if they hear the fire alarm
* where fire extinguishers are located and basic instruction on how to use them in case the employee needed to use it in an emergency to enable escape. (Staff should not normally use a fire extinguisher unless they have had practical training and it is safe to do so)
* escape routes from the building
* the whereabouts of the evacuation assembly point(s)
* how to call the Fire and Rescue Service
* arrangements for the evacuation of people with special needs
* the dangers associated with obstruction of fire exits and wedging open of fire resisting doors

Safety training should be given to all staff:

* at the time they are first employed
* on their being exposed to new or increased risks, and
* at periodic intervals as appropriate (at least annually, depending upon the nature of the risk).

# Use of firefighting equipment

KCC has a responsibility for the provision of appropriate firefighting equipment. There is also a responsibility to ensure that all firefighting equipment is in the correct position and in satisfactory order before premises are used. Appropriate staff for your circumstances should be trained in the use of such equipment. When considering your circumatances, thought should be given to size and layout of premises, risk, cover due to absences, as well as the findings of your fire risk assessment.

It is better if a small fire can be extinguished than allow it to develop. Staff who are trained would be encouraged to attempt to extinguish a small fire, provided they were not putting themselves or anyone else at risk by doing so. A small fire would be considered the size of a small waste paper basket. If a fire cannot be extinguished with one extinguisher then it would be expected that the person trying to extinguish the fire should leave it and exit the building.

# Emergency procedures

Managers need to think about emergencies such as fire and bomb alerts. They need to produce written guidance detailing how employees and others affected will stop work and get to a safe place. Managers may require certain employees to carry out particular tasks in an emergency, such as fire wardens. Managers must therefore make sure employees and others affected are competent to do what is required of them and everyone must know who the emergency co-ordinators are.

The fire and emergency evacuation plan should include the following:

* The action employees should take if they discover a fire.
* How people will be warned if there is a fire?
* How the evacuation of the building will be carried out?
* Identification of escape routes.
* The fire fighting equipment provided.
* Duties and identity of employees with specific responsibilities in the event of fire.
* Arrangements for the safe evacuation of everyone including people who maybe identified as being especially at risk, such as those with disabilities, members of the public or visitors.
* How the Fire and Rescue Service and any other necessary emergency services be called and who will be responsible for doing this?
* Procedures for liaising with the Fire and RescueService on arrival and notifying them of any specific risks, e.g. the location of highly flammable materials and asbestos.
* Arrangements and training that is given to staff at the premises.

An example fire and emergency evacuation plan is available on Kelsi.

# Restricting the spread of fire and smoke

To reduce the risk to people if there is a fire, you need to consider how to control or restrict the spread of fire and smoke. The majority of people who die in fires are overcome by the smoke and gases.

This can be done by:

* Keeping displays in corridors to a minimum, or ensure that there is a metre space between each one.
* Keeping notice and display boards tidy and ensuring that they are kept clear of old and unnecessary paper at regular intervals.
* Ensuring that fire control points, signs, electrical switches are not obstructed.
* Using fire shutters, in catering areas, where deep fat fryers, gas and electrical equipment are used and fire dampers in ductwork.
* Normally if there are fire doors in a wall, then the wall itself will also need to be fire-resisting. If a wall or floor is required to be fire resisting then you should not make any holes in it, e.g. for extra doors or pipe ducts, without consulting a competent person.
* Ensure fire resisting doors are kept closed.
* Ensure combustible materials are not allowed to accumulate and waste bins are emptied regularly.

All technical information, including fire compartmentation for kitchens, should be researched in the relevant assessment guide for your area of business. These can be found at the following web address:

https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-risk-assessments

# Arson prevention

Be aware of any small, deliberately set fires in the locality, which can indicate an increased risk to your premises. Be suspicious of any small ‘accidental’ fires on the premises and investigate them fully and record your findings. Fires started deliberately can be particularly dangerous because they generally develop much faster and may be intentionally started in escape routes.

Of all the risk-reduction measures, the most benefit may come from efforts to reduce the threat from arson.

Measures to reduce arson may include the following:

* Ensure the outside of the premises are well lit and, if practical, secure the perimeter of the premises.
* Thoroughly secure all entry points to the premises, including windows and the roof, but make sure that this does not compromise people’s ability to use the escape routes.
* Make sure you regularly remove all combustible waste materials.
* Do not place rubbish skips adjacent to the building and do secure waste bins, in a compound preferably, separated from the building. If possible, at least 6 metres away.
* Do not park vehicles or store goods or materials in the open next to windows or doors opening into buildings.
* Encourage staff to report people acting suspiciously.
* Remove automatic entry rights from staff who have been dismissed.
* Ensure that your security alarm/fire detection system is monitored and acted on
* Ensure flammable liquids are in a locked cupboard outside the building or locked fire resisting cabinet, so that intruders cannot use them.
* Secure all storage areas and unused areas of the building that do not form part of an escape route against unauthorised access. Also ensure access to keys for those areas are restricted.
* If your fire risk assessment deems it necessary, fit a secure metal letterbox on the inside of letter flaps to contain any burning materials that may be pushed through.

# Dangerous substances

Managers must implement measures to be taken in respect of the control of dangerous substances. To address the hierarchy of controls please refer to the Control of Substances Hazardous to Health Regulations (CoSHH) 2002. Safety data sheets should be obtained and CoSHH assessments carried out for any hazardous chemicals on site. See KCC document: CoSHH Working safely with hazardous substances.

Where the work is carried out in hazardous places or involves hazardous activities, ensure that appropriate systems of work are applied including:

* The issuing of written instructions for the carrying out of work and,
* a system of permits to work, with such permits being issued by a person with responsibility for this function prior to the commencement of the work concerned.

# Maintenance of fire safety measures

All of the elements that formulate the fire strategy of a premises will need to be maintained. These elements will range from day to day visual checks of the premises, to recorded maintenance of systems and relevant training. There are prescribed intervals when checks and maintenance needs to be carried out for the various fire safety measures. These are detailed in the KCC fire safety log book.

# Sprinkler and suppression systems

Sprinkler or suspression systems must be maintained and monitored in accordance with manufacturers instructions. Maintenenance and monitoring regimes should be recorded in the KCC fire safety log book. Please also see KCC’s policy on use of sprinkler systems.

# Help and advice for managers

Managers can contact the Health and Safety Team, on the advice line number 03000 418456 or email: healthandsafety@kent.gov.uk, to advise them on how to carry out their responsibilities and tell them if more specialist help is required.

# Enforcement

The fire and rescue service will be the main agency responsible for enforcing all fire-safety legislation in non-domestic premises. They will prioritise their resources and inspections at those premises that present the highest risk. All fire authorities will continue to look into complaints about fire safety, carry out investigations after fires and may carry out targeted inspections.

If there is a very serious risk to life, the fire and rescue service can issue a prohibition notice preventing the premises being used for certain things (such as sleeping), or prevent people from using all or part of the premises. Also enforcement notices can be issued in the event of management failures.

# Short-term hiring or leasing and shared use

Some premises or structures may be leased as an empty and unsupervised facility (e.g. church hall, sports hall) or part of the premises may be hired out to another organisation for a separate function such as a conference. The fire safety responsibilities need to be established as part of the contract of hire between the owner and the leaser.

The responsible person for each individual unique, occasional or separate event or function will need to be clearly established and documented, and their legal duties made clear to them.

In particular, and where necessary, the responsible person will need to take account of their own lack of familiarity with the layout of the premises, the fire safety provisions, and the duties of other responsible persons within the premises.

# Historic buildings

Fire risk assessments conducted for a workplace which is within a listed or historic building will need to endeavour to strike a balance between ensuring that sufficient fire safety measures are in place for the safety of people, yet avoiding extensive alterations and helping to maintain the character of the building.

As well as the fire risk assessment it is recommended that a general fire policy statement and manual is compiled. A person must be nominated to take responsibility for all aspects of fire safety. Usually the person charged with the management and control of the premises will be the ‘responsible person’ under the RRO.

The advice and/or consent of a building control body or any other relevant bodies (e.g. English Heritage) should form part of any fire risk assessment that impacts on the character of the building (e.g. replacement of doors, fittings, wooden panelling and decor) or material changes to existing escape routes. An ideal solution is one that is reversible, enabling the historic elements to be reinstated.

A fire safety engineer may be able to suggest alternatives to conventional fire precautions, such as:

* A fire engineering solution.
* Upgrading existing doors and partitions in a sympathetic manner to improve their fire resistance.
* Considering the installation of specialist fire-detection or suppression systems.

Should the design and nature of the historic building preclude the introduction of conventional fire safety features, it will be necessary to manage the building in such a way that it:

* Limits the number of occupants, either staff or members of the public, inside the building.
* Limits activities in the building.
* Provides adequate supervision within the building.

# The Fire and Rescue Service

The responsible person will need to ensure effective liaison with the fire and rescue service to enable them to carry out fire fighting operations. This may include information on:

* the provision of water supplies, seasonal ponds, lakes and underground tanks, and any associated pumps
* difficult access for fire engines
* particular hazards in the construction features of the building (including asbestos)
* the use of combustible under floor insulation
* underground vaults ducts and voids where fire may spread unchecked
* worn stone slabs in stairway construction
* the presence of cast iron columns and wrought iron beams.

# Associated procedures and documentation

Listed below are related topics which are available on SafetyNet and KELSI.

KCC Fire safety policyKCC Fire safety pack contents

KCC Policy for the use of sprinkler systems

KCC Fire safety log book

KCC Fire risk assessment guidance

KCC Evacuation of disabled people in the event of a fire

KCC Choosing emergency evacuation equipment

KCC Example fire and emergency evacuation plan

KCC Example personal emergency evacuation plan (PEEP)

KCC PEEP proforma - for early years and primary school children

KCC PEEP proforma – for secondary pupils

KCC Hazardous substances on the premises

# Related topics

Risk Assessment

Control of Substances Hazardous to Health

Management of Contractors

The documentation below refers to legislation and to Industry Standards. To read these in greater detail, select the website link and type in the name of the document you require.

# Documentation

The Regulatory Reform (Fire Safety) Order 2005

The Management of Health & Safety at Work Regulations 1999

Health and Safety (Safety Signs and Signals) Regulations 1996

Control of Substances Hazardous to Health 2002 (COSHH)

The Construction (Design and Management) Regulations 2015

HSE website

Legislation.gov.uk website:

http://www.legislation.gov.uk/uksi/2005/1541/contents/made

https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents.