**Legal requirements**

Under the requirements of the Regulatory Reform (Fire Safety) Order 2005 employers (and/or building owners or occupiers) must ensure that a fire safety risk assessment is carried out and kept up to date. This approach is very similar to health and safety management requirements, where it is the employer’s responsibility to ensure that risks associated with their business activities are identified and managed by those who create the risks.

**The responsible person**

If you’re an employer, owner, landlord or occupier of a business or other non-domestic premises, you are responsible for fire safety and are known as the ‘responsible person’.

**Who can carry out a fire risk assessment?**

No one should contemplate carrying out a fire risk assessment unless they are competent to do so and they are familiar with the ‘Fire Safety Risk Assessment Guide’ for the particular type of premises produced by the ‘Department for Communities and Local Government’ (DCLG) .

KCC’s Fire Safety Policy requires that all premises:

* Have a fire risk assessment which identifies the hazards and risks within the premises and any remedial actions that are required.
* Have fire risk assessments reviewed annually with a new assessment completed every 3 years by a competent person.
* Have efficient and effective fire safety arrangements to put into effect the general fire precautions necessary as identified by the fire risk assessment.

**Competence**

The responsible person needs to appoint one or more competent person(s) to carry out any of the preventive and protective measures needed to comply with the Regulatory Reform (Fire Safety) Order 2005. Competence is defined for the purposes of this legislation as, someone with enough training and experience or knowledge and other qualities to be able to implement these measures properly.

**Choosing a competent fire risk assessor or competent assistance**

There are many people offering fire risk assessment services and there are many training courses relating to fire risk assessment, but not all will guarantee a competent risk assessor. You need to be relatively satisfied that the fire risk assessor providing this service is competent to do so. It is advised that you check that anyone who wishes to provide this service has independent registration with, or certification from, a professional or certification body. Examples of this are the Institution of Fire Engineers, the Institute of Fire Prevention Officers or the Institute of Fire Safety Management. Not all memberships though can give an indication of experience or knowledge. Membership grades such as ‘Member’, ‘Associate Member’ ‘Graduate Member’ will normally require evidence of experience and qualifications to be accepted for membership. Affiliate memberships do not normally require this. Post nominals can normally be used by qualified members such as MIFireE (member or the Institution of Fire Engineers), AIFireE (Associate Member), GIFireE (Graduate Member of the Institution of Fire Engineers), MIFPO (member of the Institue of Fire Prevention Officers), MIFSM (member of the Institute of Fire Safety Managers). You shoud check the relevant website for membership criteria. This is still not a guarantee of competence but it will give you a good indication that they have a certain level of knowledge and experience to be accepted as members. Some of these certifying bodies will also have a ‘Risk Assessors Register’ which means the fire risk assessments of the registered person will have been reviewed by the certifying body and judged to be of the necessary quality. You can also ask the risk assessor for references or ask to see previous examples of their work.

**Further advice**

If you need any further advice about completing your fire risk assessment, please contact your Health and Safety Adviser or telephone the advice line number below.

Health and Safety Advice Line: 03000 418456