

# Workplace Fire Safety

## FAQs



### Why the change?

Currently there are several pieces of legislation dating from 1947 - 1999. Many businesses have to comply with one or more of these which does cause confusion and conflict. Industry, the Government and the Fire Services have streamlined all the legislation into one document. It is a much simpler piece of legislation to follow. It firmly places responsibility for all fire safety matters with not only the employer, but also the owner of a building (who may not be the employer) and the employees.

### Who does it affect?

The fire safety law affects all non-domestic premises in England and Wales. You are responsible for complying with this law if you are:

- responsible for business premises
- an employer
- self-employed with business premises
- a charity or voluntary organisation
- a contractor with a degree of control over any premises.

### Where does the new legislation apply?

The Regulatory Reform FSO will apply to virtually all premises and covers nearly every type of building, structure, and open space. For example:

- offices and shops
- premises that provide care
- community halls
- common areas of houses in multiple occupation
- pubs, clubs and restaurants
- schools
- tents and marquees
- hotels and hostels
- factories and warehouses.

It excludes domestic premises occupied by a single family group.

Responsibility for complying with the 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, 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 (e.g. a multi-occupied complex), all must take all reasonable steps to co-operate and co-ordinate with each other.

Guidance for each type of building and open space is now on the [Department for Communities and Local Government web site](#).

## I have a fire certificate. How will the new fire safety legislation affect it?

A business may have been issued a certificate as far back as 1971. When it was issued it reflected the fire safety standards of the day. However although the building, use and workforce may not have changed the standards have. We could not insist that the business upgrade their fire alarm system or install extra fire fighting equipment even though it may be beneficial for all concerned. However, under the new Fire Safety Order 2005 the risk based approach will ensure that appropriate safety standards are implemented and maintained.

## Will fire precautions have to be improved? / Will it cost me anything?

(Answer for both) Yes and No! If you are already fully complying with existing legislation then it should be fairly simple. If you have not kept your fire precautions up to date there may be some additional areas to look at.

## What will I have to do?

Mainly, carry out a fire risk assessment and act on the findings. A fire risk assessment will help you identify risks that can be reduced and to decide the nature of the general fire precautions you need to take to protect people against the fire risks that remain. If you employ five or more people you must record your risk assessment and any significant findings.

## What is a fire risk assessment?

Employers and self-employed people must carry out, or appoint a competent person to carry out a suitable and sufficient fire risk assessment of the risks of fire to their employees and others who may be affected by their work or business. Those who employ five or more employees must keep a formal record of any significant findings and remedial measures which have, or may need to be, taken. The competent person or fire risk assessor need not possess any specific academic qualifications but should:

- understand the relevant fire safety legislation;
- have appropriate education, training, knowledge and experience in the principles of fire safety;
- have an understanding of fire development and the behaviour of people in fire;
- understand the fire hazards, fire risks and relevant factors associated with occupants at special risk within the buildings of the type in question, and
- have appropriate training and/or experience in carrying out fire risk assessments.

## Suitable and sufficient

Whilst the legislation does not define suitable and sufficient it is generally considered that a risk assessment should do the following:

1. Identify the fire risks arising from or in connection with work:  
Attention should be paid to sources of ignition, sources of fuel and work processes.
2. Identify the location of people at significant risk in case of fire:  
It will be necessary to identify the areas that persons will frequent, whether they be employees, customers, visiting contractors etc.
3. Evaluate the risks:
  - Are existing fire safety measures within the premises adequate?
  - Are sources of fuel and ignition controlled?
  - Is there adequate means for detecting fire and giving warning?
  - Is there adequate means of escape in case of fire from all parts of the premises?
  - Has adequate and appropriate fire-fighting equipment been provided, and is it suitably located?

- Is there an adequate testing and maintenance regime in place for fire precautions within the premises?
  - Have employees been adequately trained in fire safety procedures within the premises and in the use of fire-fighting equipment?
4. Record findings and action taken:  
Prepare an emergency plan, inform, instruct and give training to employees in fire precautions.
5. Keep the assessment under review:  
Generally the review date should be one year from the date of completion of the risk assessment, however it may be necessary to set an earlier date depending on the type of premises, processes carried out, etc.

Employers and the self employed are expected to take reasonable steps to help themselves identify fire risks, e.g. by looking at appropriate sources of information such as legislation, and codes of practice or by reference to a competent individual.

- For small premises presenting few or simple hazards a suitable and sufficient fire risk assessment can be a very straightforward process.
- In many intermediate cases the fire risk assessment will need to be more sophisticated. Some areas of the assessment may require specialist advice such as in a particularly complicated building.
- Large and complex premises will require the most developed and sophisticated fire risk assessments particularly where fire engineering solutions have been developed to overcome difficult fire safety issues.
- Fire risk assessments must also consider all those who might be affected by the undertaking whether they are employees or others such as contractors working on site or members of the public. Particular attention should be given to those individuals who are especially vulnerable. such as young persons, the elderly or those with disabilities.

## Significant findings

Significant findings should include:

- the significant hazards identified in the assessment. That is, those hazards which might pose serious risk to workers or others who might be affected by the work activities if they were not properly controlled;
- the existing control measures in place and the extent to which they control the risks (this need not replicate details of measures more fully described in works manuals etc but could refer to them);
- the population which may be affected by these significant risks or hazards, including any groups of employees who are especially at risk.

Sources of information

To make a start with this, a fire risk assessment pro-forma and guidance to assist completion is provided on our website [here](#). You do not have to use this method or format and many other suitable documents are available. The documents have been provided purely to assist those who need help in meeting their responsibilities under the Regulatory Reform (Fire Safety) Order 2005.

More definitive guidance will be found in

The Approved Code Of Practice to the Management of Health and Safety at Work Regulations 1999. ISBN 0 71 762 488 9. Available from HSE Books.

PAS 79:2007, Fire Risk Assessment - A Recommended Methodology (By C.S. Todd and Associates) ISBN 978 0 580 50683 3 .Available from the British standards Institute.

## I have no experience of making a fire safety risk assessment, where can I find some guidance?

The Department for Communities and Local Government (DCLG) has produced a series of guides, which can be purchased or downloaded from [www.communities.gov.uk/fire/firesafety/firesafetylaw/](http://www.communities.gov.uk/fire/firesafety/firesafetylaw/) to assist responsible persons. If you are the responsible person, with responsibility for a small or medium size premises you will probably be able to carry out a suitable and sufficient Fire Safety Risk Assessment yourself, with the help of the guides. If you are not confident, get help from a competent source, but remember, you are responsible for seeing it is adequately done.

## Once I have done my fire safety risk assessment, who do I need to show it to?

You will need to consult with your employees and other interested parties, about the findings of the risk assessment and provide adequate training. Essex Fire Authority is the enforcing authority for the Essex area. A fire officer may ask to see your risk assessment, but there is no requirement to show it to anyone outside of the above parties.

## How do I manage fire safety?

### *Management Responsibilities*

The management of fire safety in a building is a prime function of any manager. The terms manager or management should be taken to apply to the person who has overall control of the premises at any particular time whilst people are present.

A common cause of fatalities in fires is the failure of the occupants of buildings, whether staff or members of the public, to take the appropriate action when fire is discovered or the alarm is raised. Only effective management combined with appropriate staff training can ensure that the correct actions are likely to be taken and that occupants will be able to escape safely.

Management needs to be aware of the statutory requirements regarding the maintenance of means of escape, fire warning arrangements, portable firefighting equipment, escape lighting, fire safety instructions to staff, etc.

Whatever the size of building there should be no doubt as to the person or persons with whom the responsibility lies. He or she needs to be fully aware of all the fire safety features provided in the premises and the reasons for their provision.

An essential part of the management's duties in respect of fire safety is the training of staff. All staff, including part time members, cleaning staff and contractors need to be familiar with the actions to be taken in the event of fire, with how to call the fire and rescue service, basic fire prevention and with the exits and exit routes provided.

Fire safety training needs to be a continuous feature commencing on the first day of appointment of new staff and continuing in the form of regular refresher training. The training should be based on written instructions appropriate to their specific responsibilities in the event of emergency and should be delivered by a competent person.

Staff with specific duties in the event of fire and staff having a supervisory role should receive additional training and detailed instruction in their own duties.

### *Fire Routine*

The basis of fire safety is the fire routine. Staff need to know how to act on discovery of fire or on the raising of the alarm. It is essential that the management draw up an effective routine which covers all possible types of situation, from a false alarm, to a major incident. The fire routine needs to take into account the types of activities which take place in the premises, the fire precautions that are provided and above all the fire warning system that is available. The fire routine may be drawn up following the fire risk assessment of the premises. Guidance on the carrying out of a fire risk assessment can be found at [www.communities.gov.uk/fire/firesafety/firesafetylaw/](http://www.communities.gov.uk/fire/firesafety/firesafetylaw/)

Management is responsible for ensuring that all necessary fire safety features are available and in working order and that no undue fire risks are present. Experience has highlighted the importance of ensuring that exit doors can be easily and immediately opened, that exit routes are free from obstruction, are lit and that combustible waste has been removed.

management procedures should ensure that control is exercised over parking of vehicles on service roads used for fire service access, so that appliances are not obstructed and are able to proceed to within the required distance of any fire main, foam or other inlets.

Good housekeeping will reduce the chances of fire starting, and will minimize its spread if fire does break out. it is vital that all employees are aware of the particular risks associated with hazardous substances and practices that may be encountered.

Where additional risks are introduced anywhere in the building, advice needs to be obtained from the appropriate authorities.

### *Sources of information*

#### *Definitive guidance will be found in:*

The Approved Code Of Practice to the Management of Health and Safety at Work Regulations 1999. ISBN 0 71 762 488 9. Available from HSE Books.

British Standard 9999:2017 Fire safety in the design, management and use of buildings. Code of practice ISBN 978 0 580 97716 9. Available from The British standards Institute.

## *What fire safety training should I give to my staff?*

### *Fire Safety Training*

It is the responsibility of employers to ensure that their staff are adequately trained on what to do in the event of fire.

Training should be given upon induction and preferably a second time within the first month of employment. Refresher training should be given at least once a year.

Training should be undertaken by a competent person and a record kept in some form of logbook 44Kb (download Acrobat Reader) It can be carried out in house, or by a reputable company.

Essex Fire Authority (Trading) Ltd 2006 undertakes fire safety training and can design courses to your specific needs.

Fire instruction should be given to staff in respect of the following:-

- Discovering a fire
- Hearing the fire alarm
- Assembly points
- Calling the Fire and Rescue Service
- Use of fire extinguishers

### *Discovering a Fire*

Personnel should be made aware of the method of raising the alarm in a premises, this should include the position of manual fire alarm call points and their method of operation.

### *Hearing the Fire Alarm*

Personnel should be made aware of the evacuation procedures in their workplace. They should be shown escape routes and final exits, they should also be made aware of fire doors and their purpose in protecting escape routes.

### *Assembly Points*

Personnel should be shown their 'Fire Assembly Point' and made aware of the need to ensure they have been accounted for.

### *Calling the Fire and Rescue Service*

Personnel should be made aware of the method of calling the fire and rescue service and the location of telephones.

### *Use of Fire Extinguishers*

Personnel should be trained in the safe use of fire extinguishers. It is not acceptable to say 'employees are not expected to use an extinguisher and therefore they don't need to know'.

### *What firefighting equipment do I need?*

You have responsibility for the provision of appropriate firefighting equipment. It is also your responsibility to check that all firefighting equipment is in the correct position and in satisfactory order before the premises are used.

Appropriate staff should be trained in the use of all such equipment. Fires are classed according to what is burning. Fire extinguishers provided should be appropriate to the classes of fire found in your premises specified below:

#### *Class of fire Description*

Class A Fires involving solid materials such as wood, paper or textiles.

Class B Fires involving flammable liquids such as petrol, diesel or oils.

Class C Fires involving gases.

Class D Fires involving metals.

Class F Fires involving cooking oils such as in deep-fat fryers.

#### *Number and type of extinguishers*

Typically for the Class A fire risk, the provision of one water-based extinguisher for approximately every 200m<sup>2</sup> of floor space, with a minimum of two extinguishers per floor, will normally be adequate.

#### *Fire blankets*

Fire blankets should be located in the vicinity of the fire hazard they are to be used on, but in a position that can be safely accessed in the event of a fire. They are classified as either light duty or heavy duty. Light-duty fire blankets are suitable for dealing with small fires in containers of cooking oils or fats and fires involving clothing. Heavy-duty fire blankets are for industrial use where there is a need for the blankets to resist penetration by molten materials.

### *When and how do I test fire safety equipment?*

#### *Testing and Maintenance of Fire Safety Equipment and Systems*

The maintenance of fire precautions is one of management's most important considerations in any premises.

There is a serious legal and moral obligation to maintain a satisfactory standard of all fire precautions provision, from the daily checking of the means of escape to the routine checking of extinguishers.

There is also a legal requirement imposed to provide and maintain accurate records on fire precautions. This can best be achieved by the use of a fire safety log book which is available to download at the bottom of this page.

#### *Maintenance of Fire Safety Measures*

All fire safety systems and equipment should be subject to a suitable and adequate programme of maintenance. This maintenance programme should be carried out in accordance with the relevant British Standard or the equivalent, this will normally involve much of the work being carried out by a "competent person" ( a person with the appropriate knowledge and training to carry out the task).

Many premises will be subject to specific maintenance requirements detailed in the legislation applying to that type of premises. Typical examples are listed below.

### *Licensed or Registered Homes*

In licensed or registered premises the Licensee or Manager must ensure that all matters concerning fire safety and means of escape are tested and maintained in accordance with the conditions of licence or registration conditions.

### *Premises previously issued with a Fire Certificate or, covered by the Fire Precautions (Workplace) Regulations 1997 (As amended)*

Fire Safety equipment and devices previously required by the above pieces of legislation, should be subject to a suitable system of maintenance, be kept in efficient working order and in a good state of repair.

As mentioned all fire safety systems and equipment should be subject to testing by a competent person. However many of the routine items can be carried out by the user.

The main user tests are listed below.

#### Equipment Period Action

Fire detection and alarm systems including self contained smoke alarms and manually operated devices Weekly Check all systems for state of repair and operation

Test operation of self contained smoke alarms and manually operated devices.

Automatic emergency lighting Monthly Carry out function test of all self contained luminaires

Portable lamps or torches Daily or at the beginning of a working shift Check availability and correct operation of equipment.

Fire fighting equipment including hose reels Weekly Check all extinguishers including any hose reels for correct installation and apparent function.

Details of companies in the field of maintenance of fire safety equipment and systems can be found by consulting the local telephone directory.

### *Where can I get a fire safety logbook?*

Essex County Fire and Rescue Service has produced a blank logbook for you to download at the bottom of this page.

### *Do I only need to consider the safety of employees, when undertaking a risk assessment?*

You will have to take into account any person reporting to your premises, such as:

- contractors
- professional visitors,
- members of the public
- any other persons who may be affected by your activities

## What actions do I have to take to protect disabled staff and members of the public?

The Disability Discrimination Act introduced in 1995 sought to ensure that disabled employees, visitors and students, whatever their disability, should be treated as well as people without disabilities and according to their needs.

It is illegal to treat a disabled person less favourably, in relation to employment, goods, services and facilities, and to place them at a substantial disadvantage to people without disabilities. This ensures that disabled people must be included in any fire evacuation plan.

An employer, building manager or service provider has to take reasonable steps to change practices or procedures that made it difficult for a disabled person to access goods facilities and services. This makes it necessary for example, to change evacuation procedures so that they cater for the needs of the disabled.

A service provider is required to take reasonable steps to remove any physical barriers that make it unreasonably difficult for disabled people to make use of services. This may result in the physical modification or adjustment to the premises or the provision of special equipment.

For further guidance on fire safety provisions for the disabled please refer to the following websites:

[Royal National Institute for the Blind](#)  
[Action on Hearing Loss](#)

[The Disability Unit of the Department for Work and Pensions](#)

## How can I stop arson in the workplace?

Did you know that the most serious fire risk to your premises is from deliberate fire. If you own or manage a business then the following questions should be considered.

- Are perimeter fences secure and in a good state of repair?
- Are entrance gates kept to a minimum and well supervised?
- Is security lighting installed and operating efficiently?
- Is CCTV installed?
- Is access to the roof via drainpipes and trees denied?
- Are access doors to the building kept to the minimum compatible with the requirements for means of escape?
- Are these access doors available only from the inside (secured by a single fastening operated without the need for a key)?
- Are windows and skylights intact and secured outside of working hours?
- Do you stack combustible storage against the outer wall of the building or adjacent to the perimeter fence?
- Has there been any recent examples of vandalism and graffiti in the area?
- Is there an effective access control system?
- Has an intruder alarm been installed?
- Are critical areas of the building illuminated out of working hours?
- Is there an effective system for the secure storage of raw materials and finished products?
- Is waste material kept to a minimum and securely stored?
- Is access to flammable liquids, gases and other chemicals denied to the intruder?
- Is access to ignition sources denied to the intruder?
- Are contractors adequately supervised?
- Are you aware of any discontent amongst members of staff?

More detailed guidance on minimising arson in the workplace can be obtained from the Arson Prevention Bureau



## Will the Fire and Rescue Service still inspect my premises?

In some cases yes, particularly in higher risk premises. But they cannot carry out your fire risk assessment for you.

## How can I find out more?

Purchase or download the relevant Government Guidebooks at <http://www.communities.gov.uk/fire/firesafety/firesafetylaw/>