1.0. Regulatory Reform (Fire Safety) Order 2005

1.1. The Regulatory Reform (Fire Safety) Order (known as Fire Safety Order) applies to England and Wales (Northern Ireland and Scotland will have their own laws). It covers ‘general fire precautions’ and other fire safety duties that are needed to protect ‘Relevant Persons’ in case of fire in and around ‘most premises’. The Order requires fire precautions to be put in place ‘where necessary’ and to the extent that it is reasonable and practicable in the circumstances of the case. Responsibility for complying with the Fire Safety Order rests with the ‘Responsible Person’.

1.2. The Fire Safety Order is a risk based approach where the responsible person(s) for the premises must decide how to address the risks identified, while meeting certain basic requirements.

1.3. By adopting a fire risk assessment approach, the responsible person(s) will need to look at how to prevent fire from occurring in the first place, by removing or reducing hazards and risks (ignition sources) and then look at the precautions to ensure that people are adequately protected, if a fire were still to occur.

1.4. The fire risk assessment must also take into consideration the effect a fire may have on anyone in or around your premises plus neighbouring property and will need to be kept under regular review. The building fire risk assessment concentrates on the following areas:

- Elimination or reduction of risks (ignition sources);
- Suitable means of detecting & raising the alarm in the event of fire;
- Adequate emergency escape routes and exits;
- Adequate fire compartmentation (fire & smoke spread and the protection of escape routes);
- The appropriate type and sufficient quantities of fire extinguishers;
- Correct type and sufficient quantities of fire signs and notices;
- Provisions for the correct maintenance of installed fire equipment;
- Suitable provisions for the protection of Fire Brigade personnel;
• To ensure that occupants receive the appropriate instructions & training.

1.5. The Fire Safety Order applies to virtually all non-domestic properties, including voluntary organisations and is subject to monitoring and enforcement by the Local Authority Fire Service (LAFS).

1.6. All previous fire legislation has been repealed or revoked.

2.0. Responsible Person (The 'Responsible Person')

Notes - the 'Responsible Person' will be the body corporate, the company or organization that employs people to work on the premises. It should be noted however, that in the case of a prosecution for an offence under the Order, a director, manager, company secretary or similar officer of the company could be prosecuted as well as, or instead of, the body corporate if the offence had been committed with that person’s consent, connivance, or as a result of negligence.

The definition of workplace is very broad, although it excludes domestic premises (hence, domestic servants or home workers are not protected by the provisions of the Order). By definition, under the Order, a workplace means any premises, or parts of premises, made available to one or more employees.

This includes any place within premises to which an employee has access while at work. It also includes the means of access to or egress from the place of work (e.g. footpaths external to the building or common parts within premises of multiple occupation), other than public roads. Although not defined within the RRFSO the term 'Dutyholder' is also common place and used in place of the term 'responsible person' although a dutyholder could be a number of different parties.

2.1. In relation to a workplace, it is the employer and any other person who may have control of any part of the premises, e.g. the occupier or owner for whatever they have control of.

2.2. In all other premises, the person or people in control of the premises will be responsible, those premises not falling within paragraph (a):

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

(b) 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.

2.3. In summary, the ‘Responsible Person’ is:

• The Employer with control of a workplace:
  o UCL - the employer is UCL Council;
  o The President and Provost is appointed by the Council as the principal academic and administrative officer of UCL (effectively the CEO);
Failing that or in addition;

- Persons with overall management control of a building (or part of the building);
  - UCL - at UCL this is refers to the Head of Departments\(^1\) - indicated as ‘Duty Holders’ in the UCL Fire Safety Standard;

- Occupier of the premises, owner of the premises (i.e. empty buildings);

- Landlords (in multi-occupied buildings);

3.0. Duties of the ‘Responsible Person’

The ‘Duties’ of the Responsible Person(s):

3.1. Where the premises are a workplace - the responsible person must ensure that any duty imposed by Articles 8 to 22 of the Fire Safety Order is complied with in respect of those premises.

3.2. Where the premises are not a workplace - the responsible person must ensure that any duty imposed by Articles 8 to 22, are complied with in respect of those premises - so far as the requirements relate to matters within his control.

3.3. Any duty imposed by Articles 8 to 22 on the responsible person in respect of premises - shall also be imposed on every person, who has, to any extent, control of those premises so far as the requirements relate to matters within his control.

3.4. Where a person has a contract or tenancy agreement that includes an obligation for - the maintenance or repair of any premises or the safety of any premises - that person shall be treated as the responsible person to the extent that his obligation extends.

(a). Where it can be established that an offence has been committed under the Order (see Paragraph 5.4(a)) and this has been caused by the negligence, failure or deliberate misrepresentation on the part of the contractor, the enforcing authority may take suitable action against the contractor who is deemed the ‘Responsible Person’.

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1. This term includes Deans of Faculties, Directors & Heads of Institutes, Departments, Centres, Schools etc. and the Heads of Professional Services and Director of Student Residences.
3.5. If you are the ‘Responsible Person’, you must ensure that a fire risk assessment\(^2\) has been carried out that must focus on the safety of all 'Relevant Persons' in the case of fire. It should pay 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. The fire risk assessment will help the ‘Responsible Person(s)’ to identify risks that can be removed or reduced and to decide the nature and extent of the general fire precautions they need to undertake to protect people against the fire risks that remain.

3.6. Where five or more people are employed, the significant findings of the assessment must be recorded and made available to ‘relevant persons’.

4.0. Relevant Person

'Relevant Persons' means:

- Any person (including the responsible 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 - this may include: staff, students, visitors or members of the public on the street adjacent to the building.

5.0. Fire Safety Guides

5.1. A number of guides in respect to the fire precautions in generic types of buildings and undertakings have been produces by HM Government including:

- **Education Premises** - this guide will be for all employers, head teachers, governors, vice-chancellors, occupiers and owners of premises where the main use of the building or part of the building is for educational purposes including: Schools including Sunday schools and after school clubs, Universities, Academies, Crèches, Adult education centres, Outdoor education centres and Music schools.

- **Offices & Shops** - all employers, managers, occupiers and owners of premises where the main use of the building or part of the building is an office or shop including: Purpose built or converted office blocks, Individual office or shop units which are part of other complexes e.g. shopping centres.

- **Sleeping Accommodation** - this guide addresses sleeping accommodation for staff, common areas for residents and sleeping, dining or other accommodation for guests/residents including residential premises such as university halls of residence, boarding school sleeping accommodation.

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\(^2\) Generally, the Director of UCL Estates will ensure that fire risk assessment and fire safety audits for most buildings with certain exceptions are carried out through the UCL Fire Safety Manager or other Competent Persons. These fire risk assessments and audits will focus primarily on the building structural condition, the physical adequacy of the building’s fire safety provision and fire brigade equipment and facilities. The audit will look at general departmental fire safety management and training requirements, but may not be departmental specific or in sufficient depth for larger departments and buildings, these fire audits will generally take place based of risk Level 1 every four years, Level 2 every three years and Level 3 ever two years with intermediary inspections. Heads of Department are required to undertake simple fire risk assessments of their areas of responsibility more often than formal Estates or other Competent Person’s audits. In some premises, it may be the responsibility of the Landlord etc. to provide a fire risk assessment.
In addition, the common areas of houses in multiple occupation (HMO), the common areas of flats and maisonettes and areas in work places where staff sleeping in is a condition of the employment or a business requirement as in licensed premises or hotels.

Means of Escape For Disabled People - it provides additional information on accessibility and means of escape for disabled people. The document can be used to assist in completing the record of significant findings and should include a detailed account of measures that are in place to facilitate and assist disabled people to leave the building. The appendices provide examples and information to help carry out the assessment and record Personal Emergency Escape Plans (PEEPs).

5.1. These guides are available from: www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents
Fire safety duties imposed on the ‘Responsible Person(s):’

The following is a summary of the relevant Fire Safety Order Articles in respect to ‘Responsible Person’:

5. Duties under the Order

5(3) Any duty imposed by articles 8 to 22 or by regulations made under article 24 on the ‘responsible person’ in respect of premises shall also be imposed on every person, other than the responsible person referred to in paragraphs (1) and (2), who has, to any extent, control of those premises so far as the requirements relate to matters within his control.

Article 8: To take such general fire precautions as will ensure the safety of his employees, and in the case of relevant persons not in his employ, to ensure the premises are safe.

Article 9: To make a suitable and sufficient assessment of the risks - to identify the general fire precautions he must take and record the significant findings and the persons identified as being at risk.

Article 10: Where he implements any preventive or protective measures he must do so on the following principles:

(a). avoiding risks;

(b). evaluating the risks which cannot be avoided;

(c). combating the risks at source;

(d). adapting to technical progress;

(e). replacing the dangerous by non-dangerous or less dangerous;

(f). developing a coherent overall prevention policy which covers technology, organisation of work and the influence of factors relating to the working environment;

(g). giving collective protective measures priority over individual protective measures and;

(h). giving appropriate instructions to employees.

Article 11: To make and give effect to, such arrangements as are appropriate for the effective planning, organisation, control, monitoring and review of the preventive and protective measures, and record them.
Article 12: To ensure the risk to relevant persons related to the presence of dangerous substances is either eliminated or reduced by replacing the dangerous substance, or the use of a dangerous substance is, with a substance or process, which either eliminates or reduces the risk. Where the risk cannot be eliminated, he must apply measures to control the risk and mitigate the detrimental effects of a fire in the following priority order:

Control Measures:

(a). reduce the quantity of dangerous substances to a minimum;
(b). avoid or minimise the release of a dangerous substance;
(c). control the release of a dangerous substance at source;
(d). prevent the formation of an explosive atmosphere, including the application of appropriate ventilation;
(e). ensure that any release of a dangerous substance is suitable collected, safely contained, removed to a safe place, or otherwise rendered safe;
(f). avoid ignition sources, including electrostatic discharges, and such other adverse conditions as could result in harmful physical effects;
(g). segregate incompatible dangerous substances.

Mitigation Measures:

(a). reduce to a minimum the number of persons exposed;
(b). avoid the propagation of fires or explosions;
(c). provide explosion relief arrangements;
(d). provide explosion suppression equipment;
(e). provide plant which will withstand explosion; pressures;
(f). provide suitable protective equipment.

The 'Responsible Person' must:

(e). arrange for the safe handling, storage and transport of dangerous substances and waste containing dangerous substances; and,
(f). ensure that any condition necessary for ensuring the elimination or reduction of risk, are maintained.
Article 13: The ‘Responsible Person’ must ensure the premises are equipped with appropriate fire-fighting equipment and with fire detection and alarms. He must, where necessary:

(a) take measures for firefighting in the premises;

(b) nominate competent persons to implement those measures - and ensure that the numbers of those persons, their training and the equipment available to them are adequate;

(c) arrange any necessary contacts with external emergency services.

Article 14: The ‘Responsible Person’ must ensure that routes to the emergency exits and the exits themselves are kept clear. The following must be complied with:

(a). emergency routes and exits must lead as directly as possible to a place of safety;

(b). it must be possible for persons to evacuate the premises as quickly and safely as possible;

(c). the number, distribution and dimensions of emergency routes and exits must be adequate for the maximum number of persons who may be present there at any one time;

(d). emergency doors must open in the direction of escape;

(e). sliding or revolving doors must not be used for exits specifically intended as emergency exits;

(f). emergency doors must not be locked or fastened that they cannot be easily and immediately opened;

(g). emergency routes and exits must be indicated by signs;

(h) emergency routes and exits requiring illumination must be provided with emergency lighting.

Article 15: The ‘Responsible Person’ must:

(a). establish and give effect to appropriate procedures to be followed in the event of serious and imminent danger;

(b). nominate competent persons to implement those procedures in so far as they relate to evacuation of the premises;

Article 16: The ‘Responsible Person’ must, in order to safeguard the safety of relevant persons arising from an accident, incident or emergency related to the presence of a dangerous substance, ensure that:
(a). information on emergency arrangements is available, including:

(i). information of relevant work hazards and hazard identification arrangements;

(ii). specific hazards likely to arise at the time of an accident, incident or emergency;

(b). suitable warning and communication systems are established to enable an appropriate response;

(c). before any explosion conditions are reached warnings are given and relevant persons withdrawn;

(d). where risk assessments indicate, escape facilities are provided and maintained.

Article 17: The 'Responsible Person' must ensure the premises and any facilities, equipment and devices provided in respect of the premises under this Order; are subject to a suitable system of maintenance.

Article 18: The 'Responsible Person' must appoint one or more competent persons to assist him in undertaking the preventive and protective measures. Where there is a competent person in the responsible person's employment that person must be appointed in preference to a competent person not in his employment.

Article 19: The 'Responsible Person' must:

(a). provide his employees with comprehensible and relevant information on:

(i). the risks to them identified in the risk assessment;

(ii). the preventive and protective measures;

(iii). the procedures to be followed in the event of serious and imminent danger;

(iv). the identity of those persons - nominated by him to implement the fire-fighting measures, and - nominated by him to implement evacuation procedures;

(v). the risks notified to him by another responsible person in the same premises,

(b). before employing a child, provide a parent of the child with comprehensible and relevant information as detailed in the Order.
Article 20: The 'Responsible Person' must provide comprehensible and relevant information, as detailed in the Order, to employers and the self-employed from outside undertakings.

Article 21: The 'Responsible Person' must ensure that his employees are provided with adequate safety training:

(a). at the time when they are first employed;

(b). on their being exposed to new or increased risk because of:

(i). their being transferred or given a change of responsibilities;

(ii). the introduction of new work equipment, or a change in the work equipment already in use;

(iii). the introduction of new technology;

(iv). the introduction of a new system of work or a change in the system of work already in use.

Article 22: Where two or more responsible persons share, or have duties in respect of, premises they must co-operate with each other and co-ordinate the measures they are taking to comply with the requirements of the Order.

General duties of employees at work:

Article 23: Every employee must whilst at work, comply with the following general duties:

(a). take reasonable care for the safety of himself and of other relevant persons who may be affected by his acts or omissions at work;

(b). co-operate with his employer to enable any duty or responsibility imposed by this Order, to be performed or complied with;

(c). inform his employer of any work situation which a person would reasonably consider represented a serious and immediate danger to safety, and of any matter which a person would reasonably consider represented a shortcoming in the employer's protection arrangements for safety.
Firefaighters Switches for Luminous Tube Signs:

Article 37: Luminous tube signs must be fitted with a cut-off switch (firefighter switch). This applies to apparatus consisting of luminous tube signs designed to work at a voltage normally exceeding the prescribed voltage, or other equipment so designed. In a case where a transformer is provided to raise the voltage to operate the apparatus, references to a cut-off switch on the low-voltage side of the transformer.

The 'prescribed voltage' means:

(a). 1000 volts AC or 1500 volts DC measured between any two conductors; or,

(b). 600 volts AC or 900 volts DC if measured between a conductor and earth;

No apparatus to which this article applies is to be installed unless it is provided with a cut-off switch. The cut-off switch must be so placed, and coloured or marked as to satisfy the fire and rescue authority and be readily recognisable by and accessible to fire fighters.

Maintenance of measures provided for the protection of firefighter:

Article 38: All facilities, equipment and devices provided for the use by, or the protection of, fire fighters must be maintained in an efficient state, in efficient working order and in good repair.