



Fire assessments



Groupama

Insurances



Fire assessments

On 1st October 2006, The Regulatory Reform (Fire Safety) Order 2005 (the Order) came into effect in England and Wales.

The responsible person

The Order creates a requirement for the appointment of a 'responsible person' in every premises (other than dwellings). The responsible person will be the employer where the workplace is under their control, otherwise it will be the person who has such control or the owner of the premises.

Risk assessments are mandatory under the Order and Fire Certificates cease to have any legal status. The new Order recognises that the risk of fire in the workplace changes over a period of time and the responsible person is much better placed to assess this and take measures to eliminate, reduce or control the hazards that arise.

The competent person

The responsible person must, where necessary, nominate one or more competent

people to assist them in undertaking the preventive and protective measures identified in the Order. The competent person(s) must have sufficient knowledge, experience and training to ensure that they are capable of fulfilling these duties.

The duties under the Order

The Order requires the responsible person to:

- take general fire precautions to ensure, so far as is practical, the safety of the employees and any other people on the premises (see section headed Fire prevention and protection measures);
- carry out a fire risk assessment to identify the risks to which people in the premises are exposed and review this assessment periodically;
- record the significant findings of the assessment if there are more than five employees;
- ensure employees receive adequate safety training as necessary; and
- provide for the required prevention and protection measures to be undertaken (see section headed Fire prevention and protection measures).

Fire prevention and protection measures

Fire prevention measures are to:

- eliminate and reduce fire hazards where possible; and
- evaluate and manage hazards which cannot be avoided.

Fire protection measures should address:

- eliminating or reducing the risk from dangerous substances and areas they are stored in;
- providing fire fighting and detection equipment;
- providing emergency routes, exits, illumination and signage;
- servicing and maintaining the fire protection equipment that is provided;
- informing employees and others in the premises;
- training employees; and
- organising co-ordination and co-operation between all of the responsible persons within multi-occupancy premises.

Frequency of assessments

The assessment should be reviewed regularly, and must be reviewed when:

- significant changes have been made to the layout of the premises;
- there is a change to the number of people working or visiting the workplace;
- there is a change in the anticipated level of response of people in an emergency as a result of, for example, temporary or permanent disability;

- there is a change to the working processes; or
- there is a change to the materials being used or stored in the workplace.

External control

The Fire Authority continues to be involved in a role that includes responsibility for audit and enforcement. An appointed inspector has powers to:

- enter the premises;
- check whether the Order has been complied with;
- identify the responsible person for the premises; and
- see any records kept relating to the Order.

If actions that should have been carried out under the Order have not been completed, an Enforcement, Alterations or Prohibition notice may be served upon the responsible person.

Further information

The Department for Local Communities and Government website contains some useful information on the Order. Go to www.communities.gov.uk for details. In addition to 'a short guide to making your premises safe from fire' and 'frequently asked questions' the following documents are available for specific premises:

- Offices and shops
- Factories and warehouses
- Sleeping accommodation
- Residential care premises
- Educational premises
- Small and medium places of assembly
- Large places of assembly
- Theatres and cinemas
- Outdoor events
- Healthcare premises
- Transport premises and facilities



Scotland/Northern Ireland

Similar legislation applies in Scotland. Further guidance on compliance with the Fire (Scotland) Act 2005 has recently been issued under the Fire Safety (Scotland) Regulations 2006 – Scotland. Legislation is currently under review in Northern Ireland.

Assistance with fire assessments

The Fire Protection Association (which carries out risk management services on Groupama's behalf) is able to offer assistance with fire assessments in the workplace.

Call Kay Helm at the Fire Protection Association on 01608 812529 or email FireAdvisoryServices@thefpa.co.uk for details of their services and costs.

Risk management by Groupama

The obligations (that the Order imposes) do not replace or amend any risk improvement requirements required by us or on our behalf. We will continue to work with all of our clients to improve risk management. This will be achieved through survey visits to premises, where appropriate.

Disclaimer

This summary is intended to promote awareness of the new Order, to provide basic information and to suggest ways of obtaining further details.

It is only a general summary which may or may not be relevant to you and has not been prepared with individual circumstances in mind. It is not an exhaustive review and there may well be matters which you should consider and which have not been included.

You must decide how best to comply with the Order and in reaching that decision we strongly recommend that you take appropriate professional advice.

This guide relates to the Order as drafted at the time of going to print but legislation may change at any time and you should check the current legal position for yourself and your circumstances.

Groupama Insurance Company Limited will not accept liability for any loss or damage caused to any person, howsoever caused as a result of any statement made in this summary in relation to the Order.

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