

ADDITIONAL INFORMATION REGULATORY REFORM (FIRE SAFETY) ORDER 2005

What is the Regulatory Reform (Fire Safety) Order 2005?

The Government is committed to regulating only where necessary and in a way that is more suited to the needs of modern business. That is why the order was made, under the Regulatory Reform Act 2001. It 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.

The main rules under the order are?

The 'Responsible Person' must:

- carry out a fire-risk assessment identifying any possible dangers and risks;
- consider who may be especially at risk;
- get rid of or reduce the risk from fire as far as is reasonably possible and
- provide general fire precautions to deal with any possible risk left;
- take other measures to make sure there is protection if flammable or explosive materials are used or stored;
- create a plan to deal with any emergency:
- keep a record of the findings;
- review the findings when necessary.

Who is the Responsible person?

Under the order, anyone who has control of premises or anyone who has a degree of control over certain areas or systems may be a 'responsible person'. For example, it could be:
the employer for those parts of premises staff may go to; the managing agent or owner for shared parts of premises or shared fire safety equipment such as fire-warning systems or sprinklers;
the occupier, such as self-employed people or voluntary organizations if they have any control; or
any other person who has some control over a part of the premises.
Although in many premises the responsible person will be obvious, there may be times when a number of people have some responsibility.

The responsible person must make sure they carry out a fire-risk assessment although this can be passed to some other competent person. However, the 'responsible person will still be responsible, in law, for meeting the order.

The responsible person, either on their own or with any other responsible person, must as far as is reasonably practical make sure that everyone on the premises, or nearby, can escape safely if there is a fire.
This is different from previous legislation in that the responsible person has to consider everyone who might be on your premises, whether they are employees, residents, visitors or members of the public.

The order says that the responsible person must manage any fire-risk in their premises. Fire authorities no longer issue fire certificates and those previously in force will have no legal status.

The Regulatory Reform (Fire Safety) Order 2005 came into effect on 1st October 2006