

Briefing Note: The Regulatory Reform (Fire Safety) Order 2005

An Introduction to the Guide

This note provides a short summary of the fire safety rules that affect all non-domestic premises in England and Wales from 1 October 2006. This guide should not be relied upon as legal advice and you should contact us for advice on your specific circumstances.

'The responsibility for complying with the order will be with the 'responsible person'.

In a workplace the responsible person will be the employer or if there is no employer or the employer does not control the workplace, then it will be the person who does control the premises, for example the owner or a tenant.

If you are the responsible person you will have to carry out a risk assessment which addresses the Fire Safety of all 'relevant persons'. This expression covers anyone lawfully on the premises or nearby the premises. The assessment must consider any dangerous substances in the premises and should pay particular attention to those with special needs such as the disabled.

In multi-occupied buildings the owners and all occupiers are obliged to co-operate with the 'responsible person' in order to make arrangements for the maintenance of fire safety equipment.

Sanctions for Failing to Comply with the order include fines and imprisonment.

The Department for Communities and Local Government has made available a set of guidance notes tailored to specific properties e.g. offices, Residential Care Homes, Transport Premises etc. These are available from www.communities.gov.uk/fire/firesafety/firesafetylaw.

These should enable anyone with limited experience to carry out the required risk assessment. However, for more complex premises you should consider employing an expert to prepare the risk assessment.

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Summary:

Notes on fire safety regulations applying to all non-domestic premises in England and Wales, including blocks of flats and houses in multiple occupation.

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