

Geoff Rendall, Accreditation and Certification Manager at SSAIB, reviews the requirements of the RRO and considers its implications for fire alarm system suppliers.

Please note that this article addresses business premises, and not wholly domestic installations.

Regulatory Reform (Fire safety) Order

The law applicable to fire safety underwent significant change in October 2006. The Regulatory Reform (Fire Safety) Order 2005 came into effect in October 2006. This legislation, commonly known as RR(FS)O or simply RRO has the following effects. It replaced over 70 pieces of fire safety law and it applies to all non-domestic business premises in England and Wales.

It applies to individuals who are:

- Responsible for business premises
- An employer (or self-employed) with business premises
- Responsible for a part of a dwelling where that part is solely used for business
- A charity or voluntary organisation
- A contractor with a degree of control over any premises.

Such individuals are deemed the "responsible person" for the premises in question.

The responsible person has a legal obligation to carry out a fire safety risk assessment on the premises and implement and maintain a fire management plan for the premises.

The responsible person may contract out the task of preparing the fire risk assessment, but he or she remains responsible for it, and for implementing the actions needed to reduce or manage the risk.

In general, the fire services no longer issue Fire Certificates to premises and existing Fire Certificates cease to have any legal status.

Fire Risk Assessments (FRA)

What are they?

The fire safety risk assessment is a structured way of identifying the risk and removing or mitigating danger to any persons who may be in the premises.

In general, the fire safety risk assessment should follow the established pattern given in the government guidance on the topic. Fire risk assessments should always take account of the means of escape (including emergency lighting if necessary)

and means of giving warning (including fire alarms if necessary).

There is plenty of information available to help businesses understand their obligations under the law. Please see the end of this article for references.

What should the FRA cover?

The recommended structure for a FRA is as follows:

1. **Identify the fire hazards**
 - Sources of ignition
 - Sources of fuel
 - Sources of oxygen
2. **Identify people at risk**
 - People in and around the building, e.g. staff, customers, contractors etc.
 - People at special risk, e.g. disabled persons (including deaf, partially sighted, children, elderly or infirm).
3. **Evaluate and protect from risk**
 - Evaluate the risk of a fire starting
 - Remove or reduce fire hazards
 - Remove or reduce risks to persons from fire
 - Provide fire precautions to protect persons
4. **Record, plan, inform, instruct and train**
 - Record any major findings and actions taken
 - Discuss findings with other responsible people
 - Prepare an emergency plan
 - Inform and instruct relevant people
 - Provide training
5. **Review**
 - Review the FRA regularly
 - Make changes where necessary
 - Record the changes

Who should do the FRA?

The law is clear that the carrying out and recording of an FRA is the responsibility of the "responsible person". He or she may contract this out to others, but the responsibility remains with them. Also, where a third-party is contracted to undertake the FRA, it is the responsibility of the responsible person to ensure that the FRA is done to a satisfactory standard by a suitably skilled person.

Should the alarm company do the FRA?

There is nothing in the legislation that prevents a fire alarm installer or maintenance company undertaking a fire risk assessment for their client or prospective client. However a word of caution is necessary at this point. It may appear to be an attractive means of marketing a firm's services to a client who

is unsure or unwilling to do the FRA for themselves.

Be very careful in these circumstances. In the event of an incident leading to injury or death, the client may state that in offering to do the FRA, the firm held itself out to be an expert in the field and the client was entitled to rely on the firm's assurances and expertise. This could place the contracting firm in a position of having liability in the event its advice was flawed in some way.

The matters to be considered are:

- Does the alarm company have sufficient knowledge of the premises?
- Does the alarm company have the necessary skills and experience to undertake an FRA?
- Does the alarm company have sufficient knowledge of the activity in the premises, e.g. flammable products in use, hot processes, etc?
- Does the alarm company carry professional indemnity insurance for giving such advice? (Note this is not the same as efficacy insurance for systems).

In short, although for simple premises it might seem an attractive means of supporting the customer and bringing in business, there are pitfalls for the unwary in carrying out fire risk assessments. Our recommendation is that customers should be given every assistance in finding the right advice and guidance, and thus encouraged they should be able to carry out their legal obligations for themselves, whilst still appreciating the help you have given them. In this way you will not expose your firm to unnecessary risk.

Summary

Help your clients to meet their legal obligations, but unless you are confident with respect to the insurance and liability issues for your firm, you should think carefully before you provide a Fire Risk Assessment Service.

Further information

Government website with much guidance for businesses:

www.communities.gov.uk/fire/firesafety/

The Fire Protection Association guidance on fire risk assessment:

<http://www.thefpa.co.uk/Resources/Fire+Safety+Guidance/>