

New fire regulations come into force

This week, the Government's proposals for fire safety reform come into force, following on from the commencement of the Fire Safety Act 2021 and the launch of the Fire Safety (England) Regulations 2022.

So, what does this mean for your business? Here's everything you need to know...



The proposals were set out in the Fire Reform White Paper last year, which proposed to:

- **Improve the Fire & Rescue Service**, through training initiatives and increased learning opportunities, including a College of Fire and Rescue.
- **Transfer fire governance to a single, elected individual** who can be held accountable. They will be responsible for overseeing operationally independent Chief Fire Officers.
- **Engage with the public** through a 10-week consultation to gather views from the public.

The White Paper, the Act, and the Regulations are, in large part, a response to the Grenfell Tower fire in 2017, which killed 72 people. The public inquiry into these tragic events resulted in several recommendations for improving fire safety in the UK. So, how do these changes to the law enact these recommendations?

Fire Safety Act 2021

The Fire Safety Act 2021 commenced on 16th May 2022, meaning it is now in effect and must be followed as UK legislation.

The Act amends the Regulatory Reform (Fire Safety) Order 2005, clarifying what should be included in fire risk assessments of multi-occupancy residential buildings. It concentrates on two key elements:

- The structure and external walls of the building, including cladding, balconies and windows; and
- All doors between domestic premises and common parts of the building

Grenfell Tower, like many other high-rise buildings, was clad using combustible materials made of plastic and aluminium. This cladding, which burns so easily, acted as fuel for the fire and accelerated it.

What does this mean for responsible persons?

The Fire Safety Order already puts a duty on responsible persons to regularly review their fire risk assessment. What the Fire Safety Act does is to draw attention to elements of buildings which some fire risk assessments have previously overlooked. Responsible persons should consider whether a more in-depth assessment of the external walls is required – especially if their building uses cladding.

A competent fire risk assessor can tell you if your building needs this in-depth treatment or not. Buildings with brick or masonry external walls, or low risk buildings which don't present significant risk of fire spread won't need a redo. Simply review your fire risk assessment regularly, as before.

Fire Safety (England) Regulations 2022

The new Regulations fit into the existing Fire Safety Order, implementing some of the recommendations put forth by the inquiry. These regulations will come into force this Friday, on 23rd January 2023.

Again, the new rules chiefly apply to high-rise buildings. In high-rise residential buildings, responsible persons must:

- Provide **Building Plans** to their local Fire & Rescue Service, and keep a secure copy on site
- Keep up-to-date information on **External Wall Systems**, including the design and materials involved

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- Carry out monthly checks on **Lifts and other Key Firefighting Equipment** intended for use by firefighters, reporting any defects to the Fire & Rescue Service if they can't be fixed in 24 hours
- Install **Information Boxes** with name and contact details for the responsible person, and a copy of the floor plans
- Put up **Wayfinding Signage** with flat and floor numbers to make the exit routes clear in low light or smoky conditions

In residential buildings over 11 metres in height, responsible persons must carry out annual Fire Door checks of flat entrance doors, and quarterly checks on fire doors connecting common parts of the building.

However, all multi-occupied residential buildings, regardless of height, must provide:

- **Fire Safety Instructions** to residents, including how to report a fire and what the evacuation strategy is if a fire does occur
- **Fire Door Information** so that residents can understand the importance of fire doors in relation to fire safety.

Personal Emergency Evacuation Plans (PEEPs)

One area not covered by the raft of changes is those who cannot self-evacuate. Disabled and mobility-impaired residents are especially vulnerable in high-rise buildings. The Grenfell inquiry found that 15 residents of the 72 who died in the fire were unable to evacuate without assistance. PEEPs are used to document how individuals will be evacuated if they have difficulty responding to a fire alarm, or escaping a building unaided, in the event of an emergency. The Government's recent consultation on resolving this issue received overwhelming support for requiring responsible persons to develop PEEPs.

However, their response rejected this idea, citing "significant issues" with the "practicality, proportionality and safety" of PEEPs. Chiefly, they noted that the cost issues of staffing and equipping high-rise properties to comply with PEEPs may become disproportionate to the risk.

Another consultation is now being analysed, which ran between May and August last year – Emergency Evacuation Information Sharing +. This seeks to introduce an "alternative package of proposals" with a greater focus on improving building evacuation strategies, including the controversial 'stay put' model.

Whilst action on this recommendation is still being considered, we still have the Fire Safety Order. Presently, the law puts a duty on the responsible person to provide an evacuation plan for all people in their building. This includes people with disabilities, so those who cannot evacuate in the same way as others must have a plan. In most buildings, this means working with individuals to prepare a PEEPs to detail how they will escape in an emergency.

So, until further measures are introduced and passed into law, responsible persons still need to have a documented plan to get everyone out safely in an emergency.

For more information on fire safety and how to bring your premises in line with new regulations, call Croner's 24-hour health and safety advice line.