


# SECTION THREE

## 15. RISK LEVEL ESTIMATOR

Note that, although the purpose of this section is to place the fire risk in context, the approach below to fire risk assessment is subjective and for guidance only. All hazards and deficiencies identified in this report should be addressed by implementing all recommendations contained in the Action Plan (Section 2 Part 5). This fire risk assessment should be reviewed regularly.

The following simple risk level estimator is based on a similar estimator contained in BS8800.

Potential Consequences of Fire  Likelihood of Fire	<b>SLIGHT HARM</b>	<b>MODERATE HARM</b>	<b>EXTREME HARM</b>
<b>LOW</b>	Trivial Risk	Tolerable Risk	Moderate Risk
<b>MEDIUM (NORMAL)</b>	Tolerable Risk	Moderate Risk	Substantial Risk
<b>HIGH</b>	Moderate Risk	Substantial Risk	Intolerable Risk

Considering the nature of the building and the occupants, as well as the fire protection and procedural arrangements observed at the time of this fire risk assessment, it is considered that the consequences for life safety in the event of fire would be:

**SLIGHT HARM**

In this context, a definition of the above terms is as follows:

<b>SLIGHT HARM</b>	Outbreak of fire unlikely to result in serious injury or death of any occupant
<b>MODERATE HARM</b>	Outbreak of fire could foreseeably result in injury (including serious injury) of one or more occupants, but it is unlikely to involve multiple fatalities.
<b>EXTREME HARM</b>	Significant potential for serious injury or death of one or more occupants.

Considering the fire prevention measures observed at the time of this risk assessment, it is considered that the hazard from fire (likelihood of fire) at these premises is:

**MEDIUM**

In this context, a definition of the above terms is as follows:

<b>LOW</b>	Unusually low likelihood of fire
<b>MEDIUM (NORMAL)</b>	Normal fire hazards (e.g. potential ignition sources) for this type of occupancy, with fire hazards generally subject to appropriate controls (other than minor shortcomings).
<b>HIGH</b>	Lack of adequate controls applied to one or more significant fire hazards, which could result in a significant increase in the likelihood of fire.

Accordingly, it is considered that the risk to life from fire at these premises is:

**TOLERABLE RISK**

#### Comments:

A suitable risk-based control plan should involve effort and urgency that is proportional to risk. The following risk-based control plan is based on one advocated by BS 8800 for general health and safety risks:

Risk Level	Action & Timescale
<b>TRIVIAL RISK</b>	No action is required, and no detailed records need be kept.
<b>TOLERABLE RISK</b>	No major additional controls required. However, there is a need for reasonably practicable improvements that may involve minor or limited costs.
<b>MODERATE RISK</b>	It is essential that efforts are made to reduce the risk. Risk reduction measures, which should take cost into account, should be implemented within a defined time period. Where moderate risk is associated with consequences that constitute extreme harm, further assessment might be required to establish more precisely the likelihood of harm as a basis for determining the priority for improved control measures.
<b>SUBSTANTIAL RISK</b>	Considerable resources might have to be allocated to reduce the risk. If the building is unoccupied, it should not be occupied until the risk has been reduced. If the building is occupied, urgent action should be taken
<b>INTOLERABLE RISK</b>	Building (or relevant area) should not be occupied until the risk is reduced.

## 16. MEASURES TO REDUCE ARSON

**Fact** – Between April 2016 & March 2017, the Fire & Rescue Service in England attended 161,770 fires of which 47% over 76,000 were started deliberately.

In an average WEEK in England, the Fire & Rescue Service attend 1,600 Arson related fires, which result on average in 50 injuries and 2 deaths.

Arson is an increasing problem that can undermine your fire safety scheme; it can cost lives and prove very disruptive to your business. It is recommended that you take action to avoid any parts of the premises being vulnerable to arson or vandalism.

### Measures to reduce Arson may include:

- Installing a security alarm;
- installing security cameras;
- taking action to avoid storage areas being located against the outside of buildings;
- taking action to avoid any parts of the premises being vulnerable to arson or vandalism;
- ensuring that the outside of the premises is constantly well-lit if practical;
- securing the perimeter of the premises;
- securing all the entry points into the premises, including all the windows and the roof openings (but you must make sure that any people working late or alone still have adequate escape routes);
- making sure you regularly remove all combustible rubbish away from buildings;
- not placing rubbish skips adjacent to buildings and securing waste wheelie bins in a compound separated from all the buildings;
- encouraging staff/residents to challenge people acting suspiciously;
- securing flammable liquids and gases so that intruders cannot use them;
- securing all storage areas and unusual areas of the building that do not form part of an escape route against unauthorised access, ensuring access to keys to those areas is restricted.
- fitting secure metal letterboxes on the inside of letter flaps to contain any burning materials that may be pushed through.

### Complete a site Arson Risk Assessment

There are many ways in which an arson risk assessment may be carried out. The main consideration is that features relating to the occurrence of arson are considered in a logical and structured way. In every company a named person of senior grade should be made responsible for fire safety, including protection from arson attack. This person should be appropriately trained, competent to conduct an arson risk assessment which should be reviewed regularly.

### An Arson Risk Assessment Model

#### Step 1

Study the vulnerability of the building, both externally and Internally. Look at the building and what goes on within it. Note the possible ways in which fires could be started deliberately. Identify the vulnerable points both inside and outside the buildings and in the external areas within the building perimeter. In addition, consider the area in which the business is located in order to assess the likelihood of an arson attack in the neighbourhood.

## Step 2

Identify the fire hazards:

- All possible sources of ignition
- Flammable liquids and gases, combustible materials (including waste), furniture or furnishings and combustible elements of the structure
- Structural features that could lead to the spread of fire

A key element of the arson risk assessment is to identify, and reduce as far as is practical, the sources of ignition and combustible materials that are available to the opportunist arsonist. Although it is recognised that these cannot be eliminated completely, steps can be taken to eliminate or reduce the threat (see Step 4). Steps should be taken to identify voids, unprotected ducts, unstopped gaps around services and similar features.

## Step 3

Identify the people who could start fires deliberately: Intruders, visitors and members of staff. Also consider the people that will be affected, especially anyone with a disability. All staff should receive appropriate training so as to be aware of the danger of arson, and the threat that it presents to life and jobs. Everyone should take part in regular fire drills and be aware of the need to assist people with any form of disability.

## Step 4

Eliminate, control or avoid the threat.

Where possible, action should be taken to remove potential sources of ignition, flammable liquids and combustible materials from the workplace. It may be possible, for example, to replace a flammable solvent with a non-flammable one with similar properties. Checks of the premises should be made last thing at night, especially when contractors have been present.

## Step 5

Consider whether the existing security provisions are adequate or need improvement. Ensure that the best use is made of existing security measures before considering new complex or expensive installations or procedures. For example, many intruders enter buildings through windows or doors that are left insecure so ensure that a check is made at the end of each day.

## Step 6

Consider whether the existing fire safety provisions are adequate or need improvement. Much can be done, often at little cost, to reduce the threat of arson and limit the horizontal and vertical spread of fire; effective compartmentation is a key element in reducing the damage caused by fire.

## Step 7

Allocate the risk category and record the findings.

Allocating the risk category need not involve complex mathematical formulations. A simple low, medium or high categorisation for each part of the premises may be sufficient.

## Step 8

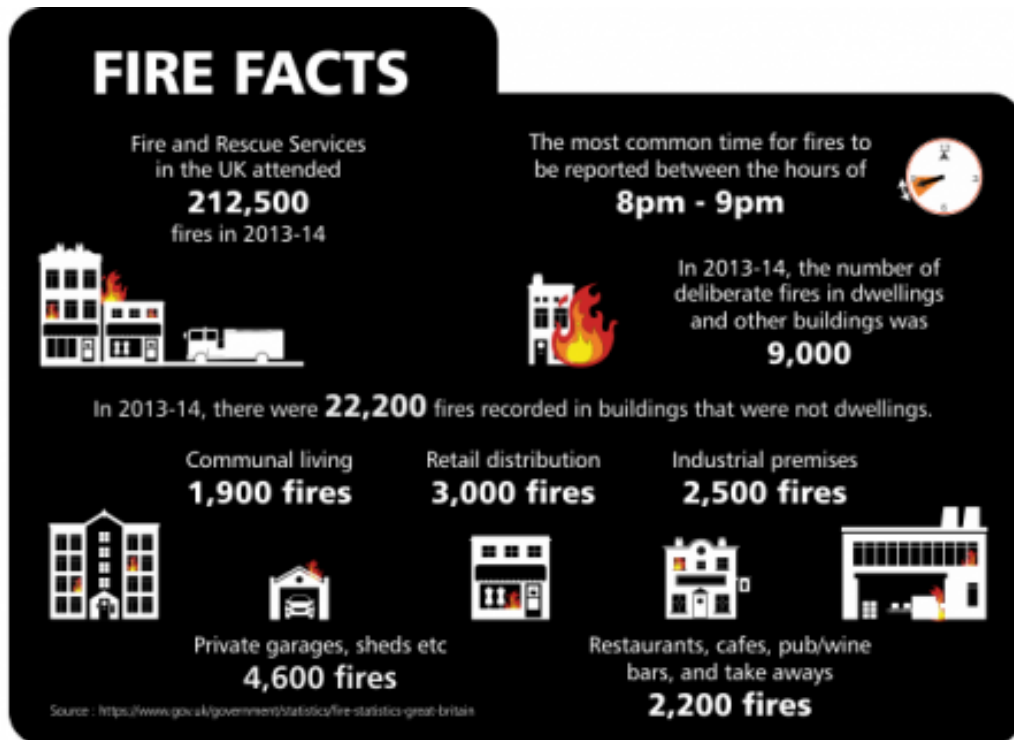
Prepare a business continuity plan.

The business continuity plan should have a clearly defined purpose. Key members of staff should be identified and their roles defined. Key contractors should be listed with their contact details. Provision should be made for staff welfare as well as practical steps to ensure that the effect on business operations is minimised. A copy of the plan should be kept off the site.

**Step 9**

Carry out a periodic review of the assessment.

The assessment should be reviewed if the nature of the business, the number of staff, the materials used and or the character of the neighbourhood changes significantly.

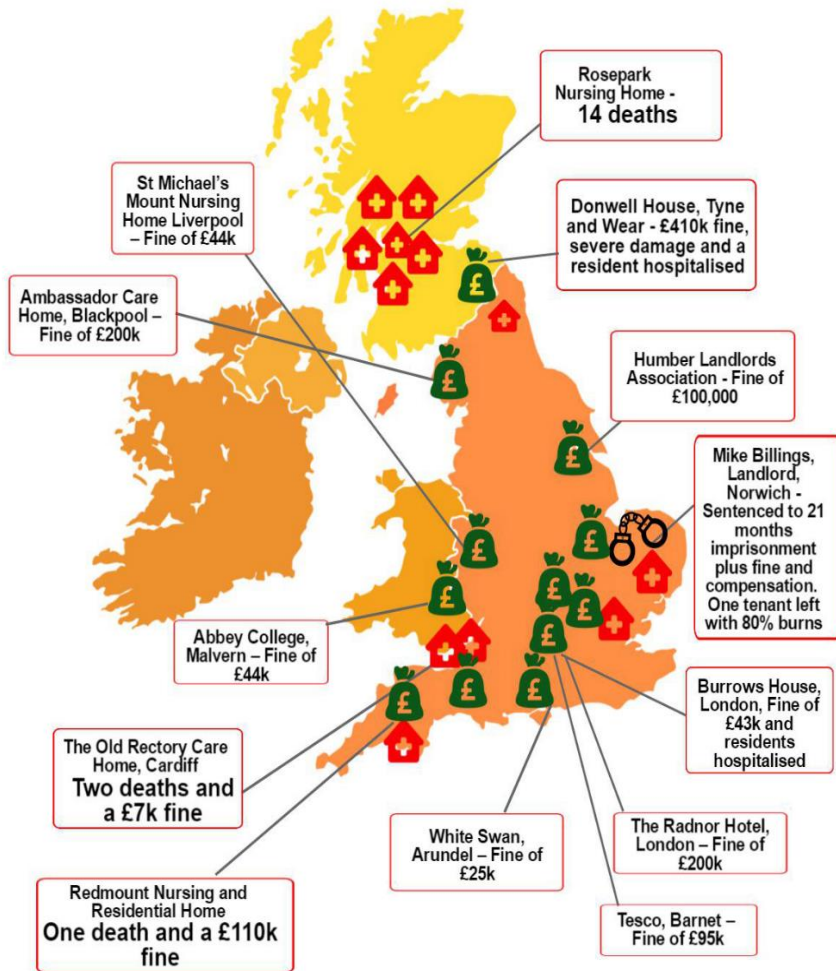


## 17. FIRE DOOR STANDARDS



- \* Doors to be hung on 3 hinges of 100mm pressed steel butt hinges. To meet BS1935
- \* Doors must be positively self-closing in action with the self-closing device capable of closing and latching the door firmly against the rebate. The exception to this is cupboard fire doors which are normally locked when not in use. Self-closer will be of the hydraulic overhead type to meet BS6459: Part 1 and BS EN1154
- \* Latches and locks shall meet the performance requirements of BS5872
- \* An Intumescent strip and smoke seal must be fitted to the top and both sides of the door or corresponding sections of the frame. Do not paint or varnish over the smoke seals when decorating the doors as this will render them ineffective
- \* The gap between the door and the frame should not exceed 4mm and you must ensure the smoke seal makes continuous contact with the door lining
- \* The gap between the door and the finished threshold must be kept to a minimum and should not exceed 10mm
- \* The architrave on the room side should have any gaps between the frame and exposed wall 'fire stopped' using a propriety fire-stopping and sealing system
- \* Letterboxes should either be replaced with a type that meets British Standard or be fitted with a sleeve of intumescent material, which has been designed to line the aperture in fire resistant doors. On exposure to a fire the liner will rapidly expand (intumesce) to seal the aperture and stop the spread of fire, smoke and hot gases through the door
- \* Any fire-resistant glazing used (vision panel or transom light) shall be 6mm safety GWPP for doors requiring 30 minutes fire resistance.

## What is the cost of wedged open fire doors?





## 18. FIRE EMERGENCY EVACUATION PLAN AND FIRE PROCEDURE GUIDANCE

A Fire Emergency Evacuation Plan (FEEP) is a written document which includes the action to be taken by all staff in the event of fire and the arrangements for calling the fire brigade. It can include any relevant information in relation to the FEEP.

**General Fire Notice** - For small premises this could take the form of a simple fire action sign posted in positions where staff and relevant persons can read it and become familiar with its contents.

**Staff Fire Notice** - High fire risks or large premises will need a more detailed emergency evacuation plan which takes account of the findings of the risk assessment, e.g. the staff significantly at risk and their location. In addition, notices giving clear and concise instructions of the routine to be followed in case of fire should be prominently displayed.

In certain cases, you should nominate persons to implement the fire action plan and give them adequate training in fire-fighting and evacuation procedures.

The following items should be considered where appropriate:

- Fire evacuation strategy
- Action on discovering a fire
- Action on hearing the fire alarm
- Calling the fire brigade
- Power/process isolation
- Identification of key escape routes
- Fire wardens/marshals
- Places of assembly and roll call
- Fire-fighting equipment provided
- Training required
- Personal Emergency Evacuation Plan
- Liaison with emergency services

### Fire evacuation strategy

You need to consider how you will arrange the evacuation of the premises in the light of your risk assessment and the other fire precautions you have or intend to put in place.

### Simultaneous Evacuation

In most premises, the evacuation in case of fire will simply be by means of everyone reacting to the warning signal given when a fire is discovered, then making their way, by the means of escape, to a place of safety away from the premises. This is known as a simultaneous evacuation and will normally be initiated by the sounding of the general alarm over the fire warning system.

### Action on discovering a fire

It is the duty of every person to sound the nearest fire alarm immediately. The emergency evacuation plan should include the method of raising the alarm in the case of fire.

### Action on hearing the fire alarm

On discovering a fire, it is the duty of every person to sound the nearest fire alarm immediately.

The plan should include the method of raising the alarm in the case of fire.

The plan should provide instruction to all personnel, that upon on hearing the fire alarm, to act in accordance with the agreed FEEP strategy and if a fire warden’s scheme is in force they, on hearing the alarm, should proceed to pre-determined positions to assist members of the public, and staff, patients, students, residents etc to leave the building by the nearest safe route.

Lifts and escalators should not be used due to possible electrical failure, unless they are part of a Personal Emergency Evacuation Plan.

Personnel should not re-enter the building with the possible exception of the Fire Team.

### Calling the Fire Service

The Fire Service should also be informed immediately, either by receptionist for example or the person discovering fire, dependant on conditions.

- Work Time – Switchboard operator/Receptionist to be conversant with the emergency evacuation plan and also should ensure necessary extensions are switched through when switchboard is unattended.
- Other Times – Remainder of Staff (Cleaners, caretakers etc) also to be conversant with procedure. In any case the senior official should ensure that Fire Service is called in the event of an outbreak of fire.

### Power/process isolation

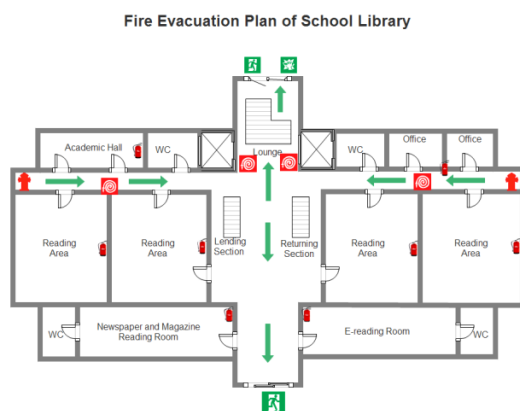
Close Down Procedure – Adopt your own ‘Close Down’ procedure as appropriate

### Identification of key escape routes

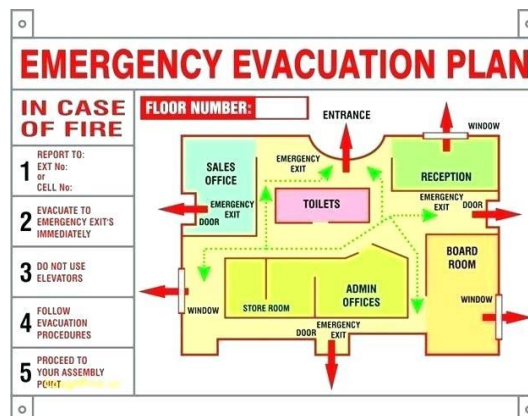
In premises where members of the public or persons unfamiliar with the layout of the premises are present, there should be means available to identify all the key escape routes. They could include schematic drawings and most importantly emergency escape and accurate exit signs.

### Examples of Fire Escape Plans

Example 1



Example 2



### Fire Wardens/Marshals

The Responsible Person where necessary, should nominate their trained fire wardens/marshals within the business in specific roles designed to safeguard all personnel within the premises. The need for fire wardens depends on the size and complexity of the premises, if the premises are over several floor levels, you may require one on each floor or department with a chief fire warden coordinating their actions to make sure all persons are accounted for in the event of a fire. Appointed fire wardens/marshals require special training above the needs of the normal employee, this training could be in house or by an external fire training organisation. They should be competent in the use of fire extinguishers and be capable of extinguishing small fires safely. They should have some knowledge of fire prevention and be able to identify possible fire hazards to prevent fire from occurring. Finally, they should have an in-depth knowledge of the FEOP and their role in implementing it.

### Places of assembly and roll call

Personnel should assemble at a pre-determined assembly/muster point.

1. Pre-determined assembly points should be arranged and a roll call of staff to be taken. The person who is in charge of the assemble point should report to the person who has been nominated as the fire service liaison person, their role is to indicate that all persons have been accounted for or who is missing and where they were last seen.
2. Another consideration when selecting the location for an assemble site is to fully understand the fire emergence evacuation plan. Calculate the number of staff that would need to assemble and if it is a multi-occupied building, you would need to co-operate with the other occupants.
3. It is also very important to be familiar with the surrounding topography.
4. The assembly point should be far enough away from the building not to put staff in danger of radiated heat and falling debris. Ensure ample room is provided, so you do not interfere with fire-fighting operations and do not jeopardise the actions of the fire service.
5. Be close enough to ensure that the nominated person who is in charge of the assembly point; can communicate with the nominated fire liaison person who should be located near the main entrance. This could be simply talking to him direct, by the use of runners or electronic communications (pack sets, mobile phone)
6. The area chosen should be larger enough to accommodate all personnel, if this cannot be found you may have to consider additional sites. Open areas are ideal like pedestrian areas also car parks could be considered but be aware of the dangers.
7. It should not be in an enclosed area and the staff should be able to disperse without the need to pass close to the area/building that is on fire.
8. Inclement weather needs to be considered and some form of shelter or other weather protection may be necessary as the staff are most likely to have evacuated without collecting their outdoor clothing.
9. Use appropriate Fire Assembly signs where this is feasible, so all personnel know exactly where they are required to muster

### Fire-fighting equipment provided

A nominated fire team, if available, or any trained competent person should, where possible, attack a small fire with appropriate equipment however fire-fighting is always secondary to life safety. **DO NOT PUT ANY PERSONS LIFE AT RISK.**

### Training required

The emergency evacuation plan should be the subject to frequent training so all personnel are familiar with its contents and there should be regular evacuation drills carried out. If issues are witnessed or raised or improvements suggested during drills, the FEEPS can and should be amended, remembering to inform personnel of any important changes. You are required to carry out this fire training by law and it is recommended that you keep a record of the results of such training. This will assist you if you are ever required to prove your actions in the future.

The fire emergency evacuation plan must be included in the instruction and training you need to give all your employees.

An effective fire routine is dependent on regular instruction, understanding, training, practice, etc.

During these regular drills, it is important to encourage personnel to use varying escape routes, as it should never be assumed that the normal evacuation route will be available in the event of an emergency.

Fire drills should consider the following points:

- Regular intervals
- Records kept
- There should be drills completed at least once a year, from sounding of alarm to roll call procedure
- Fire Alarms and Fire Fighting Equipment should be tested at weekly intervals and records kept
- Fire equipment regularly serviced

I would suggest you seek the advice of a competent person and do not finalise your proposals until you have his/her comments.

### Personal Emergency Evacuation Plan (PEEP)

A PEEP is a **Personal Emergency Evacuation Plan**. It is a bespoke 'escape plan' for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in the event of any emergency.

#### Who needs a PEEP?

PEEPs may be required for personnel with:

- Mobility impairments
- Sight impairments
- Hearing impairments
- Cognitive impairments
- Other circumstances

A temporary PEEP may be required for:

- Short term injuries (i.e. broken leg)
- Temporary medical conditions
- Those in the later stages of pregnancy

The underlying question in deciding whether a PEEP is necessary is "can you evacuate the building unaided, in a prompt manner, during an emergency situation?" If the answer is "no", then it is likely that a PEEP is needed.

If a person needs assistance evacuating from a building, even temporarily, it is their responsibility to inform and complete a PEEP with their manager. The completion of the PEEP will decide upon the best escape plan for them in an emergency and should be reviewed on a regular basis.

### Liaison with emergency services

There should be a senior person nominated to meet the fire and rescue service when they arrive to provide them with any information they require. The senior person should have an intimate knowledge of the premises and be in contact with the person conducting the roll call at the assemble point.

### Staff training and drills

Safety training should be given to employees so that they are aware of the following: -

- What to do if they discover a fire
- How to raise the fire alarm.
- What to do if they hear the fire alarm
- All staff should know where fire extinguishers are located, which type of extinguisher is safe to use on which type of fire and how to safely operate them in the event of an emergency. (if they are trained and it is safe to do so)
- Escape routes from the building
- The whereabouts of the evacuation assembly point(s)
- How to call the Fire and Rescue Service
- Arrangements for the evacuation of people with special needs should be taken in to account
- The dangers associated with obstruction of fire exits and wedging open of fire resisting doors

Safety training should be given to all staff: -

- All new staff should receive training and additional specific training should be provided for those staff acting as Fire Marshalls/Fire Wardens. You must ensure that all other staff including those who work irregular hours, part-time and casually also receive training.
- Refresher training should be provided periodically.
- When being exposed to new or increased risks, and,
- At periodic intervals as appropriate. (at least annually, depending upon the nature of the risk)

Safety drills should be carried out: -

- At periodic intervals appropriate to the nature of the risk and scheduled to include all staff. (a minimum of one safety drill each year is recommended)
- All employees MUST evacuate the premises regardless of seniority or commitments.

All employees must receive instruction and training to ensure that they understand the fire precautions that are in place and the action to take in the event of fire to ensure that everyone escapes safely in the event of a fire.

## 19. SERVICE TESTING & MAINTENANCE REQUIREMENTS (where applicable)

All tasks should be recorded in your on-site Fire Log Book.

Your on-site Fire Log Book should always be available for a fire officer to inspect on request.

### FIRE ALARMS AND DETECTORS

The fire alarm system should be regularly checked to ensure that it is in full working order. Staff should also know how to activate it as well as knowing what action to take upon hearing the fire alarm.

#### Daily user checks:

The panel should be inspected for normal operation of the system. If applicable, the connection of the remote manned centre should be checked. Any defects should be reported and remedial action undertaken.

#### Weekly user check:

Operate a trigger device (e.g. manual call point or detector) to sound the alarm and ensure that it is working. Ensure that all manual call points/detectors are tested on a strict rotation. Record all findings in your log book and any defects should be reported and remedial action undertaken.

#### Monthly test:

Where a generator is in use, this should be started up by simulating a failure of the power supply. Allow it to run for at least one hour and then ensure that all fuels, oils etc. are replaced after use.

#### Annual test by a competent person:

\* A full test of the fire alarm system should be undertaken in accordance with British Standards and any system faults should be rectified as soon as possible.

\* Wiring of the system should be tested every five years by a competent person

### MEASURES TO REDUCE UNWANTED FALSE ALARMS

False alarms will not only disrupt business operations but may also contribute to death or injury should Fire and Rescue Service resources be deployed answering false alarms when they should be attending incidents where life or property is in danger. To reduce the probability of false alarms on systems incorporating automatic fire detectors it is very important that a suitable system of testing and maintenance is in place. The cause of any false alarm should be properly investigated with measures being taken to avoid a repetition.

### AUTOMATIC DOOR RELEASE MECHANISMS - ACTIVATED BY THE FIRE ALARM SYSTEM

**Weekly:** All hold-open devices should be checked for correct operation, as part of the routine testing of the fire alarm system. A competent person should undertake any necessary maintenance. The manufacturer's instructions should be closely followed, and an adequate record of testing and maintenance be kept. The batteries of devices with an integral power supply should be replaced in accordance with the manufacturer's instructions or every 12 months, whichever is most frequent.

Hold-open devices fitted to doors at either high or low level may, if used extensively, result in the doors becoming warped.

Doors should not, therefore, be kept open more than necessary; preferably being kept closed at night or when the premises are unoccupied.

Doors fitted with hold-open devices should be kept free from potential obstructions and be equipped with appropriate safety signs.

Doors should be inspected frequently for signs of warping.

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## EMERGENCY LIGHTING

All lighting systems should be checked and maintained regularly and any remedial actions should be undertaken immediately. Annual emergency lighting testing should be carried out by a competent person in line with current British Standards and the manufacturer's instructions.

### Daily/weekly checks carried out by the user:

When there is a mains power supply, conduct a visual inspection of indicators to ensure that the system is in working order. Your check should include that every lamp in a maintained unit is lit and that any control is functioning correctly. Ensure that any fault is recorded and acted upon.

### Six monthly checks:

A test of self-contained and central battery systems should be carried out by simulating a failure of the normal lighting supply for a continuous period of 1 hour for 3-hour duration units and 15 minutes for 1-hour units. During the check the functionality of all luminaries should be checked for proper function.

### Three yearly:

The test for the full duration of self-contained and central battery systems which have specified duration category in excess of one hour should be carried out. During the test check all luminaries for proper function.

Replace the batteries every four years or more if necessary.

## FIRE EXTINGUISHERS

### Monthly:

Visual inspection to ensure that all fire extinguishers and blankets are correctly located and that they have not been discharged, removed, tampered with or damaged. Check that all legal signage is in place. Fire extinguishers that are fitted with pressure indicators, are to be visually checked for pressure loss. Any remedial actions should be rectified immediately.

### At least once per year:

A competent person should service the fire extinguishers and fire blankets as recommended by the relevant British and European Standards

## AUTOMATIC OPERATING VENTS (AOV's)

The smoke ventilation system is part of the overall fire safety strategy and under the Regulatory Reform (Fire Safety) Order 2005, a responsible person must ensure that equipment and devices are maintained in efficient working order and in good repair to safeguard the relevant persons within the building.

Natural, smoke and heat exhaust ventilation systems must adhere to BS7346 Part 1:1990 & BS 9999: 2008 & EN 12101.

**Required Checks** - Each site requires a preventative maintenance schedule carried out only by a certified engineer on an annual basis with checks carried out once a week by a suitably competent person.

**Note:** All monthly and annual tests along with any maintenance including faults and remedial action taken should be recorded. The date on which each fault is rectified should also be recorded.

## FIRE DOORS

According to BS 8214:2008, (Code of practice for Fire Door assemblies), Fire Doors need to provide a similar level of fire resistance as the fixed elements of a building (i.e. walls and floors) and are evaluated by the same stringent procedures and criteria. However, since Fire Doors are often opened and closed many times a day, their deterioration will be much faster, usually taking two main forms:

- \* Damage to the leaf or the components making up the assembly
- \* Wear in the building hardware, or a reduction in the effectiveness of fixings, causing the door to fail to self-close, thereby resulting in a breach of the fire barrier.

It is therefore very important to have all fire doors periodic inspected at least every 12 months by a competent service provider, or more regularly depending on the traffic using the door. It is vitally important that any maintenance, repair or damage issues are dealt with as promptly as possible.

## FIRE DRILLS

Isolate any external signalling devices and carry out a simulated drill at frequencies as follows:

- \* Six monthly: Residential homes, shops and places of public entertainment.
- \* Annually: Commercial and Industrial premises.

## GENERAL HOUSEKEEPING

All electrical equipment and installation should be regularly maintained and checked in-line with current legislation.

Boiler and plant rooms should not be used as additional storage spaces and all portable heating appliances must be kept away from combustible materials such as furniture and paper storage. Appropriate NO SMOKING signs should be displayed in line with current legislation.

## MEANS OF ESCAPE/ESCAPE ROUTES

All escape routes must be properly maintained and they should be kept free from obstructions at all times. Fire escape routes should be regularly inspected.

- \* Fire doors are provided to prevent the spread of heat and smoke. It is important to ensure that they remain closed at all times and that they are NOT wedged or propped open. All stairways, corridors and exits should be kept free from waste and debris.
- \* Final exits should be easy to open from the inside without the need for a key
- \* Areas outside of final exit doors should be kept free from obstructions
- \* All exits and exit routes should be clearly indicated with relevant signage provided.
- \* All doors on escape routes must be openable without the use of a key or special procedure.
- \* All self-closing devices should be in working order and should be regularly tested, checked and maintained.



## 20. APPENDAGES:

### A: Legislation

#### **Regulatory Reform (Fire Safety) Order 2005 (the 'Fire Safety Order')**

This fire risk assessment has been carried out on your behalf, being the Responsible Person, as defined in Article 3 of the Regulatory Reform (Fire Safety) Order 2005 (e.g. as an employer), and/or being the person having control, to any extent, of the premises (as occupier or otherwise). It is intended to assist you in compliance with Article 9 of the Fire Safety Order, which requires that a risk assessment be carried out. It is important that you study this fire risk assessment and understand its contents. The fire risk assessment includes an Action Plan, which sets out the measures it is considered necessary for you to take to satisfy the requirements of the Fire Safety Order and to protect relevant persons (as defined in the Order) from fire.

Relevant persons are primarily everyone who is, or may be, lawfully in the building, but include certain persons in the vicinity of the building. It is particularly important that you study the Action Plan. If any recommendation in the Action Plan is unclear you should request further advice from FRA Compliance. The Fire Safety Order requires that you make arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures. These are the measures that have been identified in consequence of this fire risk assessment as the general fire precautions you need to take to comply with the Fire Safety Order.

This fire risk assessment is not the record of the fire safety arrangements to which the Fire Safety Order refers, although much of the information contained in this fire risk assessment will coincide with the information in that record. You should, however, ensure that there is a record of the fire safety arrangements; adequate to comply with Article 11(2)- (as shown below) of the Fire Safety Order, and that it is kept up to date. Consideration will have been given, in carrying out this fire risk assessment, to the records that exist in this respect.

#### **Fire safety arrangements**

*11. 1) The responsible person must make and give effect to such arrangements as are appropriate, having regard to the size of his undertaking and the nature of its activities, for the effective planning, organisation, control, monitoring and review of the preventive and protective measures.*

*(2) The responsible person must record the arrangements referred to in paragraph (1) where—*

*(a) he employs five or more employees;*

*(b) a licence under an enactment is in force in relation to the premises; or*

*(c) an alterations notice requiring a record to be made of those arrangements is in force in relation to the premises.*

More generally, this fire risk assessment forms only a foundation for management of fire safety in your premises and compliance with the Fire Safety Order. It is strongly recommended that you obtain a copy of the Fire Safety Order if you do not already have ready access to a copy. It may be obtained from the Stationery Office, but can be freely downloaded from the Internet at: [www.opsi.gov.uk/si/si2005/20051541.htm](http://www.opsi.gov.uk/si/si2005/20051541.htm)

## 10 THINGS EMPLOYERS MIGHT NOT KNOW ABOUT FIRE SAFETY REGULATIONS

Over 600 prosecutions have taken place since the Regulatory (Fire Safety) Order 2005 (The FSO) came into force in 2006. The Order dictates that where premises exist as a workplace, the Employer is usually the person, or organisation with responsibilities for fire safety. Every employer should be mindful of their fire risk management responsibilities, but here are 10 situations which employers may not be aware of:

1. **Employers can still be liable in law for any wrongful acts of their employees under the Fire Safety Order.**

An employer may believe that the very best fire safety policies and procedures are in place. Staff may have been well trained and provided with all the necessary information as to what to do in the event of a fire. But if a staff member puts the lives of others at risk, even if he has not done what he was told or trained to do, the employer can still be liable.

*Article 32 (11) states “nothing in this order operates so as to afford an employer a defence in any criminal proceedings for a contravention of those provisions (contained in the Fire Safety Order) by reason of any act or default of an employee of his;”*

hence, an employer is ultimately responsible for the actions of his staff, if they do not follow the appropriate procedures.

2. **There is no due diligence defence available to employers where the Fire Safety Order has been breached in the workplace.**

Employers are under a duty to ensure that general fire precautions are in place to provide for the safety of any employees or relevant persons who are not employees, in the workplace. In normal circumstances it would be a defence to a person charged with an offence under the FSO to show that they took all reasonable precautions and exercised all due diligence to avoid the commission of an offence. But Article 33 specifically states that this defence is not available to employers where general fire precautions have not been maintained.

3. **Directors and managers can be liable personally for the actions of their company if offences were committed with their consent, connivance or neglect.**

A company is a distinct legal entity and can be prosecuted as such. However, where a company has committed an offence under the FSO and there is evidence to suggest that the acts or omissions of a director/manager have clearly contributed to the committing of the offence, then the individual director/manager can also be liable personally. Whereas a company can only be fined, an individual manager/director could receive a prison sentence of up to 2 years for each offence.

4. **Employers may still breach fire safety legislation, even if they are not in control of the workplace**

Article 3 of the FSO states that an employer can be culpable as a “responsible person” if “the workplace is to any extent under his control;” many employers, such as cleaning companies, carers or other subcontractors are not in control of their workplace, but it could be argued that they still have a duty under Articles 19 and 21 to provide fire safety management to employees and to ensure that employees are provided with adequate fire safety training. These Articles may apply even where the employer does not have control of the workplace, as the employer should have control over his employees.

5. It is up to an employer to make sure that the people he employs to control fire safety measures are competent.  
It is not enough to simply appoint other fire safety specialists to carry out fire alarm maintenance and fire risk assessments etc. Article 18 requires the responsible person to ensure that those undertaking preventative and protective measures on behalf of employers must be competent. This may require a due diligence type exercise in ensuring that those instructed to carry out fire safety management responsibilities have sufficient qualifications, knowledge and experience to carry out the required tasks. Failure to do so would lead to a breach of Article 18.
6. All employers should have a fire safety policy, which identifies a person responsible for fire safety at board or management level.  
The government has provided numerous sets of guidance for differing types of premises. All of those guidance documents state that organisations should devise their own fire safety policy to cover things such as the appointment of someone at board level who is responsible for the fire safety throughout the organisation; identifying each person responsible for fire safety at each set of premises the organisation is responsible for; and arrangements to check that the individual persons responsible for fire safety are meeting the requirements of the FSO. Failure to comply with this aspect of the order may result in an offence being committed under Article 11.
7. An employer is responsible for the training of his staff in respect of fire safety measures and must provide all relevant fire safety information to its employees.  
Articles 19 and 21 of the FSO are clear in this respect. Not only should staff be appropriately trained and informed, but records should also be kept to evidence compliance and to show the extent of the training. Again, failure to comply may lead to an offence being committed.
8. An employer may commit an offence if he fails to provide information requested by the fire service  
The FSO provides Inspecting fire officers with a number of investigative powers. These powers allow inspecting officers to inspect premises to ascertain compliance with the FSO; to ascertain the identity of person responsible for fire safety in respect of premises; require production of documentation to ensure policies and procedures are being followed and to require persons with fire risk management responsibilities to facilitate and assist an officer to exercise his powers under the FSO. Article 32 (2) (c) and (e) provides that it is an offence for a person to obstruct or fail to assist and Inspecting Officer in the exercise of those powers.
9. An employer is ultimately responsible to ensure that a fire risk assessment is suitable and sufficient, even if you pay someone else to do it.  
Article 9 requires that fire risk assessments should be suitable and sufficient for the premises in question. Article 18 does not apply to the instruction of fire risk assessors and there is no universally recognised qualification or accreditation needed for a person to become a fire risk assessor. Ultimate responsibility for the suitability and sufficiency of a fire risk assessment rests with the employer.
10. An employer must cooperate with other employers if premises are shared in relation to fire safety management.  
Employers may share facilities and premises with other employers or organisations. In this situation, all those responsible for fire risk management must cooperate and coordinate with each other to ensure that the entirety of the premises are safe in the event of fire. Failure to cooperate and coordinate may lead to an offence being committed under Article 22.

Reference: <https://bit.ly/2Gjoh0U>

## B. Disclaimer

It should be noted that The Regulatory Reform (Fire Safety) Order 2005 provides for a minimum fire safety standard and this assessment seeks to advise on compliance with this statutory requirement.

The observations and recommendations are only pertinent to the conditions at the time of the Assessment. Regular inspections and review risk assessments are required to ensure standards are maintained.

FRA Compliance was instructed to undertake a fire safety risk assessment of the premises stated in this report and relates to all the buildings visited at the time of the site visit apart from lofts and void areas.

Legal Notice: This report was prepared by FRA Compliance Limited under instruction from Ms Jacqui Orange, with any information contained in this report for his consideration to adopt or not. The recommendations are not mandatory or compulsory, but advice for the Responsible person to consider.

This report is only for the use of the intended recipients as detailed within this report and neither FRA Compliance nor any of their directors, officers, employees, agents, or other person acting on their behalf:

- A) Makes any warranty, express or implied;
- B) Assumes any liability;

With respect to the use of the information or methods contained in this report to any other person or party. The report and the information or methods contained therein may only be used for purposes in connection with this project.

This assessment has been carried out to satisfy the requirements of the Regulatory Reform (Fire Safety) Order 2005 in respect of the above-mentioned premises.

In order to carry out this fire risk assessment the Assessor has used their professional expertise and judgement and guidance contained in publicly available specification (PAS 79: 2012) and fire safety risk assessment guides issued by H.M Government.

The recommendations made represent FRA Compliances assessment of the minimum fire safety standards considered necessary for Liskeard Guildhall, that are relevant to ensure the safety of staff, contractors, and all visitors to the premises.

It should be borne in mind however that an assessment is open to individual interpretation and as such an officer of the local fire authority may express a different view on certain aspects.

FRA Compliance warrant that this report has been prepared with all reasonable skill and care.

Changes generally introduced in the building may have an effect on potential fire risk and associated precautions e.g. changes to the premise's layout, work processes, furniture, plant, machinery, or the number of people likely to be present in the building, including those persons with a temporary or permanent disability. Any of these changes could lead to a new hazard or increased risk and as such will require this assessment to be reviewed and/or a new assessment to be undertaken.

FRA Compliance will not accept any liability for deficiencies in this or any other form of report, unless it can be proven to have been caused by its breach of contract or negligence. Negligence shall be defined as in Section 1 (1) of the Unfair Contract Terms Act 1977.

Except in the case of death or personal injury arising from the negligence of FRA Compliance, liability of FRA Compliance for breach of contract or negligence or otherwise in relation to the preparation of this report, shall in no case exceed the fee paid by the Client for the report in question.

FRA Compliance shall in no circumstances be liable for any other loss, charges, damages, indirect or consequential loss (including loss of profit) or expenses of any kind.

The Client acknowledges that all possible circumstances in which the report may have some relevance cannot be foreseen at the time the report is prepared.

The Client also acknowledges that FRA Compliance, would not be able to provide the Report for the agreed fee if FRA Compliance were obliged to accept all far-reaching responsibilities.

The scope of any report produced by FRA compliance shall be limited to matters specifically identified in the proposal or indicated in the report. Except where FRA Compliance has otherwise agreed in writing. FRA Compliance shall not be liable for any reliance placed on a report by any person other than the Client or for any reliance placed on a report which is not specified in or envisaged by the Proposal. FRA Compliance shall not be liable for any loss caused by any report where such loss arises as a result of the provision to FRA Compliance of false, misleading or incomplete information by the Client or as a result of the act or omissions of any other person.

Any report shall only be valid and may only be relied upon for the period stated in the report. FRA Compliance accepts no responsibility for the accuracy of information contained in the report after the stated period of validity. Where so indicated by FRA Compliance any report is to be regarded as expressing the opinion only of FRA Compliance and is not to be relied upon as being factually correct.

## C: Quality Assurance

The FRA Compliance Code of Practice, is as follows:

- FRA Compliance personnel, who provide Fire Risk Assessments, subscribe to a code of practice to safeguard the interests of those with duties and responsibilities under UK fire safety legislation in relation to fire risk assessments carried out on their behalf.
- FRA Compliance is properly insured. This would include Professional Indemnity & Public Liability insurance appropriate to the nature of work and level of risk.
- FRA Compliance aim to provide Fire Risk Assessments which are fit for purpose.
- FRA Compliance will only ever employ Fire Risk Assessors who are competent \*. Competence includes recognition of the Fire Risk Assessor's own limitations and a willingness to supplement their knowledge and experience, where necessary.
- FRA Compliance are totally independent and will only identify the appropriate preventive and protective measures, without promoting unnecessary products and services.

*\* Competence is defined as 'a person with enough training and experience or knowledge and other qualities to enable them properly to undertake Fire Risk Assessments'.*

## D: Company Information

Company Address	FRA Compliance Limited Suite F57 Kilworthy Park, Tavistock, Devon PL19 0BZ
Company Registration Number	11426150
Disclosure & Barring Service (DBS) Number	000935637068
Insurance Information	AXA Insurance PLC Professional Indemnity - £1,000,000 each and every claim Public liability - £2,000,000 each and every claim Products liability - £2,000,000 each and every claim

## E. Errors and Omissions:

All advice offered and actions suggested in this Report are based on findings made by FRA Compliance at the time of the inspection and any information provided by the Client.

Reference is made in this Report to the Clients legal obligations where applicable. The Report is not an authoritative interpretation of legislation. Copies of relevant Acts and Regulations can be obtained from the Stationery Office or through good booksellers.

Legislation is subject to ongoing amendment and development, with new statutory requirements constantly coming into effect. This Report refers to current legislation at the date of the inspection and should be interpreted accordingly.

Failure to comply with legislation could, in certain cases, result in criminal action being taken against you by the relevant authority. Any failure to comply with legislation could severely compromise your chances of successfully defending any related civil action for damages. This report does not set out the criminal and civil consequences of any statutory breaches which it identifies. You will need to take legal advice for further information.

The fire risk assessment has been compiled to provide an assessment of risk to life from fire and does not address the risk to property or business continuity from fire. The assessment is based on information provided to the Consultant. Where such information was given by the Client, it is assumed that it is accurate and correct, and no independent verification has been made.

Statements in relation to the fire-resistant structure will be based on the visual inspection of readily accessible areas, with a degree of sampling where appropriate. Statements in relation to escape lighting will be based on visual inspection and no test of luminance levels or verification of full compliance with relevant British Standard will be carried out. Statements in relation to the fire alarm system will be based on visual inspection only, no audibility tests or verification of full compliance with relevant British Standard will be carried out.

The inspection of the premises will not include inspection of those parts of the Premises which are unexposed or inaccessible.

No investigation was made during the Consultant's visit to determine whether or not any hazardous materials have been used in construction at the premises or have subsequently been incorporated into any part of them. Specialist investigation and a structural survey would be necessary to enable a report to be prepared on whether or not the premises are free from risk in this respect.

This Report is provided to assist the Client in assessing his/her exposure, at the premises, to the risks expressly referred to in this Report. It is for the sole use of the Client and is confidential to the Client and his/her professional advisors. Any other person relies on the Report at their own risk.



## REGULATIONS AND BRITISH STANDARDS THAT MAY HAVE BEEN RELEVANT TO THIS FIRE RISK ASSESSMENT REPORT

- *Regulatory Reform (Fire Safety) Order 2005*
- *Health and Safety at Work etc. Act 1974*
- *Building Regulations 2010*
- *The Housing Act 2004*
- *BS7671 (IEE Regulations) – States the fixed electrical installation should be inspected and tested at least once in every period of 5 years.*
- *Electricity at Work Regulations 1989 (EAW Regulations) – States all electrical installations should be regularly inspected by a competent electrical engineer*
- *BS EN 81-1 [18] or BS EN 81-2 [19] - Recommendations for conformity of evacuation lifts*
- *BS EN 62305:2006 - States that lightning protection systems should be tested at maximum intervals of 12 months. It is usually advised that 11 monthly intervals are undertaken, so that the effects of seasonal variations can be taken into account.*
- *BS 5839: Fire Detection and Alarm Systems for Buildings - Part 1 - Code of practice for system design, installation, commissioning and maintenance for non-domestic premises and Part 6 – Code of practice for system design, installation, commissioning and maintenance for domestic premises.*
- *BS 5839:2002+A2:2008 – States to test and maintain fire alarm systems in accordance with the manufacturer’s recommendations and British Standards*
- *BS 8214 - Specification, installation and maintenance of fire doors.*
- *BS 476:22 - Test criteria for fire rated doors.*
- *BS 5266-1-2011: Emergency lighting - Part 1: - Code of practice for the emergency lighting of premises other than cinemas and certain other specified premises used for entertainment & Part 8: - Emergency escape lighting.*
- *BS EN 50172:2004/ BS 5266-8:2004 - Emergency escape lighting systems, specifies the minimum provision and testing of emergency lighting for different premises*
- *BS EN 1838:1999/ BS 5266-7:1999 - Lighting applications – emergency lighting. Specifies the illumination to be provided by emergency lighting (including luminance, duration and colour)*
- *BS EN 60598-1: 2008 Luminaires - General requirements and tests. See the 60598 series for particular requirements.*
- *BS EN 62034:2006 - Automatic test systems for battery powered emergency escape lighting. Specifies a test system for battery powered emergency lighting*
- *BS EN 62034:2006 - Automatic test systems for battery powered emergency escape lighting. Specifies a test system for battery powered emergency lighting*
- *BS 5499: - Graphical symbols and signs. Safety signs, including fire safety signs*
- *BS 5499-1:2002 Fire Safety Signs, Notices and Graphic Symbols - Part 1: - Specification for geometric shapes, colours and layout*
- *BS 5499-4:2000 - Part 4 - Safety signs, including fire safety signs. Code of practice for escape route signing*
- *BS 5306: Fire Extinguishing Installations and Equipment on Premises - Part 3: - Maintenance of portable fire extinguishers and Part 8 – Code of Practice: - Selection and installation of portable fire extinguishers*
- *BS 7937: - Specification for portable extinguishers for use on cooking oil fires (Class F).*
- *BS EN 13565-2:2009 Fixed Fire Fighting Systems. Foam systems. design, construction and maintenance*



## FIRE RISK ASSESSMENT HANDOVER

This fire risk assessment has been produced in good faith utilising all information available at the time of the inspection. The recommendations made are considered necessary to comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005 and associated guidance documents.

As the responsible person you have chosen to have this fire risk assessment for the premises undertaken by a competent person from FRA Compliance. The assessment has focused on the safety in case of fire, identified the risks and made recommendations of how to improve the fire safety of the premises and all relevant persons. However, as the Responsible Person you have a duty to take ownership of this assessment, to remove or reduce the risks, and decide the nature of the extent of the general fire precautions you wish to take.

Fire Risk Assessor

*Paul Vann-Hands*

Paul Vann-Hands



*Fire safety doesn't happen by accident*