

Fire Safety Guidance Note: Regulatory Reform (Fire Safety) Order 2005

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The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (as amended) (The Order) in London.

This Guidance Note provides general advice to assist persons responsible for fire safety to comply with fire safety legislation. Whilst it does give advice on fire risk assessments, it is not a guide on completing one.

This Guidance Note does not cover the Fire Safety (England) Regulations 2022. Guidance on these regulations is available in this guide: [Check your fire safety responsibilities under the Fire Safety \(England\) Regulations 2022 - GOV.UK \(www.gov.uk\)](#)

This Guidance Note is one of a series produced by London Fire Brigade (LFB) to provide advice on various aspects of fire safety. If you require any further guidance on the advice given or require advice on another topic, please visit the LFB website at <http://www.london-fire.gov.uk> or you can telephone or visit your local Fire Safety Office (telephone 020 8555 1200 and ask for your nearest Fire Safety Office).

1 Introduction

- 1.1 The Order came into force on 1 October 2006 and is the principal fire safety legislation in England. It sets out the duties for 'responsible persons' to keep people safe from fire in their premises.
- 1.2 The Order applies to all non-domestic premises, such as where people work or visit, and the non-domestic parts of multi-occupied residential buildings (e.g., communal corridors, stairways, plant rooms etc.). This includes the following areas as clarified by the Fire Safety Act 2021:
 - (a) The buildings structure.
 - (b) External walls (including doors or windows in those walls).
 - (c) Anything attached to external walls (e.g., balconies).
 - (d) Flat front doors.
- 1.3 The Order was amended by Section 156 of the Building Safety Act 2022, which came into force on 1 October 2023. This introduced new duties for responsible persons to better record fire safety information, to ensure residents have relevant fire safety information that they can understand, and to improve co-operation between people responsible for fire safety. Further detail on these duties is available in this guide: [Check your fire safety responsibilities under Section 156 of the Building Safety Act 2022 \(accessible\) - GOV.UK \(www.gov.uk\)](#)
- 1.4 The 'responsible person' for complying with The Order in respect of any premises is:
 - (a) in relation to a workplace, the employer, if the workplace is to any extent under his control.
 - (b) in relation to any premises that are not a workplace:
 - the person who has control of the premises (as occupier or otherwise) in connection with the carrying on by him of a trade, business, or other undertaking (for profit or not); or
 - the owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business, or other undertaking.
- 1.5 In addition, The Order is also imposed upon every person who has, to any extent, control of the premises so far as the requirements relate to matters within his control.

2 Action required by the responsible person

- 2.1 The 'responsible person' (RP) for a premises to which The Order applies must carry out a 'suitable and sufficient' fire risk assessment (FRA) and make an Emergency Evacuation Plan (EEP). This EEP must follow the evacuation strategy and include any Personal Emergency Evacuation Plans (PEEPs), either generic or personal, for disabled and/or vulnerable persons or anyone who may need assistance to evacuate in case of a fire. The FRA must include this in the document.
- 2.2 The FRA is a structured and systematic examination of the premises to identify the hazards from fire. Once identified, the RP must then decide if a hazard is significant, who is at risk from that hazard and whether the existing fire precautions are adequate so that the risk associated with the hazard is acceptably low. If the existing fire precautions are not adequate the RP must take additional action to minimise the risk either by removing or reducing the hazard or by providing adequate control measures.
- 2.3 The RP must also make an EEP to plan the action that people in the premises should take in the event of a fire. This EEP needs to be recorded, be kept in the premises, be available to any residents, employees, and the employees' representatives (where appointed) and form the basis of the training and instruction provided. In drawing up the EEP, the RP will need to consider the evacuation strategy, any disabled and vulnerable persons, and the results of the FRA.
- 2.4 The findings of the FRA must be recorded and should be kept available for inspection by LFB staff when requested.
- 2.5 The RP must ensure that the FRA and EEP covers the following matters:
 - Identify all the fire hazards.
 - Identify the 'relevant persons' who are at risk from each fire hazard (this includes any person who may lawfully be on the premises and may also include any person in the immediate vicinity of the premises who may be affected by a fire on the premises).
 - Identify any group of persons who are especially at risk.
 - Consideration of any dangerous substances on the premises (including any explosive atmosphere created by dust).
 - Evaluate if existing control measures reduce risk to a tolerable level.
 - Determine what additional measures are needed (include action required/by when/by whom)
 - The means to reduce the risk of fire and the risk of the spread of fire on the premises.
 - The means of escape from the premises in case of fire.
 - The means of detection and alarm in case of fire.
 - The means for fighting fire.
 - Planning for an emergency – including specific responsibilities and actions.
 - Training, information and instruction to residents and staff about fire precautions.
 - The effective maintenance and testing of fire safety equipment and fire protection measures.
- 2.6 When changes are made in the premises which effect the fire risk, people at risk or a control measure, the RP must review the FRA to ensure that any changes are effectively addressed. The fire safety measures for the premises need only be sufficient to deal with fire risks. If sufficient measures are already in place, then further action may not be necessary.

2.7 There are other legal duties you need to know: The RP must.

- make and record appropriate fire safety arrangements identified by the FRA.
- nominate people to undertake any special roles identified in the EEP.
- record their name and a UK address in the FRA to make it easier for enforcement authorities to identify the RP and, where necessary, take enforcement action.
- share any relevant fire safety information with an incoming RP to provide a continual record of fire safety information throughout a building's lifetime.
- inform other RPs in the building about any risks you found which might affect the safety of their employees and co-operate with them about measures to reduce the risk.
- liaise with other RPs in the premises and in higher-risk buildings the 'accountable person' (who are responsible for fire and structural safety under the Building Safety Act 2022).
- if you are not an employer but have any control over a premises, ensure compliance with The Order in those parts of the building over which you have control.
- consult and give information to residents regarding the EEP and the relevant fire safety information.
- consult the employees (or their representatives) about nominations to perform special roles and about your proposals for improving the fire precautions.
- provide information to the residents and employees on the risks identified by the FRA and the preventive and control measures you have put in place.
- establish a suitable and readily available method of calling the emergency service.
- ensure that residents and employees co-operate with you to ensure the premises is safe from fire.
- so far as is reasonably practicable, eliminate or reduce the risk from dangerous substances.
- review the FRA regularly and ensure that where the review recommends that changes are made these are completed and that residents and employees are informed.

2.8 Further guidance for persons with duties under The Order is available in this guide: [People with duties under fire safety laws - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/people-with-duties-under-fire-safety-laws)

2.9 To assist RPs in meeting their duties under The Order, the Government has published a series of guides under article 50 for different types of premises, as listed in the bibliography of this note. LFB strongly recommend that you obtain a copy of the relevant guide for your premises.

2.10 Through Section 156 of the Building Safety Act 2022, the status of all article 50 guidance has been strengthened by providing that, in court proceedings for alleged breaches of The Order, compliance with or deviation from guidance issued under article 50 may be relied upon as tending to establish whether or not there was a breach of the legislation.

3 Responsibility for enforcement of The Order

3.1 The LFB have responsibility for enforcement of The Order. If LFB staff think that the RP needs to take further precautions, they will discuss the relevant matters with you and highlight the general areas of concern. Where these concerns are unlikely to place people at serious risk, we may issue a non-statutory notice known as a 'Notification of Fire Safety Deficiencies'. This will include a schedule listing the breaches in the Order we have identified as well as a possible solution to

remedy the deficiency. There is no offence of failing to comply with a Notification of Fire Safety Deficiencies. However, if the RP fails to address the deficiencies identified a subsequent statutory notice may be issued. The failure to comply can also be used as evidence in any subsequent prosecution.

3.2 There are three types of statutory notice LFB can issue:

- (a) An 'enforcement notice' can be served where the LFB is of the opinion that the RP has failed to comply with any requirement(s) of the Order.
- (b) A 'prohibition notice' can be served where LFB of the opinion that use of premises involves or will involve a risk to relevant persons so serious that use of the premises ought to be prohibited or restricted.
- (c) An 'alterations notice' can be served if premises are considered to be high risk, or if they could become so if alterations are made to the premises or their use. An alterations notice can require an RP to inform the LFB of any changes they intend to make to premises where those changes would create a significant increase in the risk.

3.3 Failure to comply with The Order, in a way which places one or more employees at risk of death or serious injury in case of fire, is a criminal offence in itself; in such cases the LFB may prosecute in the Courts.

3.4 Further guidance on the enforcement of the Order is available in this guide: [Fire Safety Order: enforcement and sanctions for non-compliance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/fire-safety-order-enforcement-and-sanctions-for-non-compliance)

4 Fire risk assessment

4.1 The fire risk assessment (FRA) is concerned with the identification of fire hazards and the risk associated with them. A hazard is something that has the potential to cause harm, while risk is the chance of that hazard causing harm.

4.2 The FRA is simply a process to identify the fire hazards and the fire risks present in the premises and determine whether they are acceptable or whether further action is required to reduce or control them.

4.3 The assessment must be tailored to the premises and its occupation under consideration and must be carried out by somebody who is competent and:

- Understands basic fire safety principles,
- Is competent in assessing fire hazards and risks, and
- Has the requisite knowledge relating to the premises type?

4.4 Someone will be 'competent' for the purpose of The Order if he or she 'has sufficient training and experience or knowledge and other qualities to enable them to properly assist in undertaking the preventive and protective measures. Competence must be judged in the context of the size and complexity of the premises. In complex premises such as a large factory the competent person is likely to be an 'in house' safety specialist. Alternatively, in a small office, familiarity with the 'common sense' measures contained in the appropriate Fire Safety Guide should normally prove sufficient.

4.5 Further guidance on the risk assessment process and an example checklist is available in this guide: [Fire safety risk assessment: 5-step checklist - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/fire-safety-risk-assessment-5-step-checklist)

- 4.6 In most premises, the level of competence required should be available from within the workforce. Managers, workers, and safety representatives etc. are best placed to have the requisite knowledge about your business. Alternatively, if the RP does not have a competent employee, consultants can perform the assessment providing information about the premises has been made available to them as part of the tendering and contracting process. However, the RP will retain responsibility for fire safety in the premises and must make sure that all safety measures are maintained through day-to-day management systems.
- 4.7 Further guidance on choosing a competent risk assessor is available in this guide: [A Guide to Choosing a Competent Fire Risk Assessor \(london-fire.gov.uk\)](https://www.london-fire.gov.uk/guides/a-guide-to-choosing-a-competent-fire-risk-assessor)

5 Identifying the fire hazards

- 5.1 For fire to occur there must be:
- A source of ignition,
 - Fuel, and
 - Oxygen.
- 5.2 If all three are present and in proximity in the premises, then the fire risk could increase as a result. In the average premises, fire hazards will fall into the first two categories, whilst the oxygen will be present in the air in the surrounding space. Occasionally oxygen can be found in chemical form (oxidising agents) or as a gas in cylinders or piped systems.
- 5.3 Potential sources of ignition could include:
- Naked flames – smoker's materials, matches, pilot flames, gas/oil heaters, gas welding, cookers, arson, candles etc.
 - Hot surfaces – heaters, engines, boilers, machinery, lighting (e.g., halogen lamps), electrical equipment, etc.
 - Hot work – welding, grinding, flame cutting, etc.
 - Friction – drive belts, worn bearings, etc.
 - Sparks – static electricity, metal impact, grinding, electrical contacts/switches, etc.
- 5.4 Potential sources of fuel. Anything that burns is a potential fuel, examples include:
- Solids – textiles, wood, paper, card, plastics, rubber, PU foam, furniture, fixtures/fittings, packaging, waste materials, etc.
 - Liquids – solvents (petrol, white spirit, meths, paraffin, thinners, etc.), paints, varnish, adhesives, etc.
 - Gases – LPG, acetylene.
- 5.5 The FRA should list the potential sources of ignition and fuels that are present in your premises.

6 Identifying persons at risk

- 6.1 If there is a fire, the greatest danger is the spread of fire, heat, and smoke through the premises. If this happens, the main risk to people is from the smoke and products of combustion, which can very quickly incapacitate those escaping. If the premises do not have adequate means of escape or a fire can grow to an appreciable size before it is noticed, then people may become trapped or overcome by heat and smoke before they can evacuate.

6.2 The assessment of risk to "relevant persons" should include:

- The likely speed of growth and spread of any fire, and associated heat and smoke (remember some fuels burn much faster and produce more toxic products than others do).
- The numbers of persons living or working in the area (including residents, contractors, visitors, members of the public etc.).
- How will people become aware of any fire that occurs (will any outbreak be conspicuous or will some form of fire detection and alarm system be required?).
- How will they make their escape (can they make their way out quickly, easily, and safely?).
- How will a fire affect people in the immediate vicinity of the premises (e.g., the effect on nearby residents if the fire were to cause dangerous substances to be released into the atmosphere).

7 Evaluating the risks

7.1 Once the hazards and the persons at risk have been recorded, the RP must assess the effect of any hazard on the occupants of the premises, taking account of any existing control measures that are already in place. Once this has been done it must be decided if any further control measures are needed to reduce the risk to an acceptable level.

7.2 Further control measures may act to reduce the possibility of ignition, minimise the potential fuel load in the premises, or assist persons to escape from the effects of a fire, should it occur.

7.3 They may fall into several different categories:

- Fire safety management systems.
- Means of escape.
- Staff training.
- Fire detection and alarm systems.
- Means for fighting fire.
- Information to residents.

7.4 Different control measures can be applied to reduce the risk to an acceptable level. For example, if the risk is the possibility of a fast-growing fire, potential control measures could include one or any combination of the following:

- Changing the process to use a slower burning fuel.
- Removing all possible ignition sources.
- Moving the hazard to an area that affects the minimum of persons, e.g., outside the premises.
- Providing an additional exit/protected route to speed the escape of the occupants.
- Providing a fire detection and alarm system to warn persons of the fire in its early stages.
- Informing residents and training the staff to reduce the possibility of a fire occurring, e.g., housekeeping/safe working practices, closing fire doors etc.
- Providing appropriate firefighting equipment/fixed installation e.g., automatic fire suppression systems such as sprinklers.

- 7.5 While this list is not exhaustive and applies to one area of risk only, there may be several different solutions depending on the nature of the situation.
- 7.6 If any areas of inadequacy are identified, an action plan must be included in the FRA to show how the issue is being addressed. This should include time scales for achieving the required level of control and must specify who is responsible for the action.

8 The emergency evacuation plan

- 8.1 The RP must also make an emergency evacuation plan (EEP) This will be specific to the premises and will detail the pre-planned procedures in place for use in the event of a fire. This must include the following features:
- Action on discovering a fire.
 - Warning if there is a fire.
 - Calling the fire brigade.
 - Evacuation of the premises including those particularly at risk or who need assistance.
 - Power/process isolation.
 - Places of assembly and roll call.
 - Liaison with the emergency services.
 - Identification of escape routes.
 - The firefighting equipment provided.
 - Specific responsibilities in the event of a fire.
 - Training required.

9 Additional information

- 9.1 The RP must record the following additional information in the FRA.
- Postal address including postcode.
 - Name of employer and contact number.
 - The name and contact details of the RP.
 - The name of any 'accountable person' (under the Building Safety Act 2022) they have co-operated with.
 - Owner or agent (if different) and contact number.
 - Nature of occupancy (brief description of the use of the premises).
 - Use of remainder of building (if applicable).
 - Construction of building (brief description of building, e.g., a block of flats, modern multi-storey office), This will include the date of construction, any cladding and its make-up and the details of the Golden Thread.
 - Location of premises in building (e.g., ground and first floors).
 - Total number of floors in building.

- Number of staircases available as exit route from premises.
- Size of premises (approx. total area in sq. metres).
- Size of building (approx. total area in sq. metres).
- Fire detection and alarm system.
- Number of final exits (i.e., no. of exits from the ground floor used by persons in the premises).
- The number of residents in the building.
- Maximum number of employees in premises.
- Maximum number of other persons in premises.
- Name of the person responsible for fire safety.
- Person completing risk assessment, if different.

10 Reviewing and revising the fire risk assessment

- 10.1 It is important to remember that a fire risk assessment (FRA) is a continuous process and as such must be monitored and audited. New and existing control measures should be maintained to ensure that they are still working effectively.
- 10.2 However, if the RP introduces changes into the premises the original assessment may not address the new hazards or risks arising from them. For this reason, it is also important to review and revise the assessment regularly. This does not mean that it is necessary to amend the FRA for every trivial change that occurs, but the impact of any significant change should be considered. For example:
- A new work process may introduce additional fuels or ignition sources.
 - Changes to furniture layout or internal partitions could affect the ability for employees to see a fire and escape in time.
 - Increasing the number of employees may mean that a fire exit is now too small to cope with their escape within a safe period.
 - Occupying another floor of the building may mean that an electrical fire detection and alarm system is now necessary, etc.
- 10.3 The above list is not exhaustive and any change that could lead to new hazards or risks should be considered.

11 Bibliography

Detailed guidance on the various standards referred to in this guidance note may be obtained from the following bibliography. You can also obtain fire safety advice on other subjects by visiting the London Fire Brigade's website at www.london-fire.gov.uk.

The fire safety legislation referenced is available by visiting the governments legislation website at www.legislation.gov.uk

The documents and guidance referenced are all available to view and download from governments website at [Fire safety: guidance for those with legal duties - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The publications can be obtained from the following addresses:

AVAILABLE FROM	TITLE
<p>The Stationery Office (Mail, Telephone, Fax & Internet Orders)</p> <p>TSO Orders/Post Cash Dept PO Box 29 Norwich NR3 1GN</p> <p>Telephone: 0333 202 5070 Web: www.tso.co.uk Email: esupport@tso.co.uk</p>	<p>Fire safety in offices and shops ISBN-13: 978 1 85112 815 0</p> <p>Fire safety in factories and warehouses ISBN-13: 9778 1 85112 816 7</p> <p>Fire safety in premises providing sleeping accommodation ISBN-13: 978 1 85112 817 4</p> <p>Fire safety in residential care premises ISBN-13:978 1 85112 818 1</p> <p>Fire safety in educational premises ISBN-13: 978 1 85112 819 8</p> <p>Fire safety in small and medium places of assembly ISBN-13: 978 1 85112 820 4</p> <p>Fire safety in large places of assembly ISBN-13: 978 1 85112 821 1</p> <p>Fire safety in theatres and cinemas ISBN-13: 978 1 85112 822 8</p> <p>Fire safety at outdoor events ISBN-13: 978 1 85112 823 5</p> <p>Fire safety in healthcare premises ISBN-13: 978 1 85112 824 2</p> <p>Fire safety in the transport network ISBN-13: 978 1 85112 825 9</p> <p>Fire safety in animal premises and stables ISBN 978 1 85112 884 6</p> <p>Fire safety means of escape for disabled people ISBN 978 1 85112 873 7</p> <p>A guide to making your small block of flats safe from fire</p> <p>A guide to making your small paying-guest-accommodation safe from fire</p> <p>A guide to making your small non-domestic premises safe from fire</p> <p>Enforcement and sanctions for non-compliance</p>

The above publications and hyperlinks are current at the time of preparation of this Guidance Note (see date in footer).

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