



Buckinghamshire
FIRE & RESCUE SERVICE
we save lives

Fire Safety question and answers

General guidance on the Regulatory Reform (Fire Safety) Order 2005

Q. Does fire safety law apply in the current Covid-19 situation?

A. Yes, the Regulatory Reform (Fire Safety) Order 2005 (the Order) still applies. It is the duty of the Responsible Person defined in Article 3 of the Order (see question below) to ensure risk from fire is identified and suitable measures implemented, these should be recorded in your fire risk assessment. The Order applies for the protection of life safety and not the protection of property, although there will be property protection benefits. Fire safety measures that are in place to protect people in, or in the immediate vicinity of a premises will need to be maintained in good working order (for advice on maintenance see section below). Where the Order is not the legislation relating to fire safety, the relevant legislation is still in force as there is currently no relaxation in fire safety law.

Q. Will the fire service come and tell me my premises is safe to continue to use?

A. No, unless it is identified as a significant risk. As the Responsible Person, it is your duty to ensure risk from fire is identified and suitable measures implemented. You can do this by reviewing and updating your current fire risk assessment and/or seeking advice from a competent fire risk assessor. You can contact your local fire and rescue service (FRS) for general fire safety advice and seek advice from a competent fire risk assessor – a guide to choosing a competent risk assessor is available from the National Fire Chiefs Council at: www.cfoa.org.uk/19532

Q. Will the fire and rescue service visit my premises as normal?

A. In the current situation FRSs are following Government guidance on limiting non-essential contact and as such, are taking a risk-based approach to all Protection (fire safety) activity and focusing their resources on the highest risks. You should contact your local FRS should you require further advice and guidance.

Q. My Manager and Supervisor who normally deal with fire safety are self-isolating and I do not know what to do?

A. It is the Responsible Person's responsibility to ensure there are sufficiently trained staff to assist them in managing fire safety.

The Responsible Person as defined in Article 3 of the RR(FS)O 2005 is a hierarchy

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.

where the Responsible Person is:

1. The employer.
2. Where there is no employer the person who has control of the premises.
3. The owner.

You should contact your Manager and/or Supervisor, observing Government guidelines, to seek advice and there should be a premises fire risk assessment which will assist. Where doubt exists, you should seek advice from a competent fire risk assessor and advice on choosing an assessor can be found at:

www.nationalfirechiefs.org.uk/Finding-fire-risk-assessor.

Q. Is the current legal notice I received from my local fire and rescue service valid.

A. Yes, the current situation with COVID-19 has not changed the status of any notices issued under the RR(FS)O 2005. You should contact the issuing FRS if you require further advice and guidance.

Q. What happens if I cannot complete the work before the notice expires?

A. Please seek advice from your local FRS at the earliest opportunity.

Q. Will services still come and check that I have complied with my notice?

A. Fire services will check, but this will be carried out on a risk-based approach depending on individual circumstances.

Means of Escape

Q. Can I lock some fire exits that we are no longer using for security, as we have a reduced number of occupants and are not using all the premises?

A. There needs to be a suitable and sufficient number of fire exits for the number of occupants within your premises that are immediately available without the use of a key or code. This should ensure occupants do not have to travel excessive distances or pass through an area of high fire risk or move towards a fire to escape. This should be supported with adequate escape signage to identify the escape routes to be used in event of fire, with any changes being relayed to all occupants in a format they understand. You should assess this for the current occupancy and use and record in your fire risk assessment, where doubt exists you should seek advice from a competent person.

Q. Can we wedge open fire doors to stop people from touching handles?

A. No, fire doors are an important fire safety measure. Keep fire doors closed and follow government advice on hand washing and cleansing hard surfaces. Fire doors

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.

can only be held open by automatic releasing hold-open devices, specifically designed and installed for this purpose.

Q. I am re-opening my premises and need to implement a 'one-way' system to maintain social distancing, what do I need to consider?

A. If a one-way system or other process is introduced to control the flow of occupants, its impact on the means of escape must be assessed to ensure all occupants have a suitable means of escape in event of fire, specifically they do not have to travel excessive distances. You should assess this for the proposed occupancy and record in your fire risk assessment; where doubt exists, you should seek advice from a competent person.

Q. What should I do about my fire escape route as it passes through next door which is closed?

A. You need to assess and evaluate the impact this has on your ability to escape your premises in event of fire and the availability of other escape routes. Where safe to do so, and in accordance with government guidelines, you should liaise with the Responsible Person of the other premises to see if an agreement can be reached. This should be recorded in your fire risk assessment and, where doubt exists, you should seek advice from a competent person.

Q. What do I do as my premises is a multi-occupied building and some businesses have remained closed?

A. You need to assess and evaluate the impact this has on all your fire safety measures. It is highly recommended you do this in conjunction with other premises owners and the premises management company, to assess the risk and record the findings in your fire risk assessment. Where doubt exists, you should seek advice from a competent person.

Evacuation

Q. Should we still be carrying out fire drills?

A. Fire drills are an important part of any successful emergency evacuation procedure and can assist in a safe evacuation in the event of a fire, it is imperative everyone understands what to do in the event of a fire. You need to assess the current situation considering the familiarity of your occupants and the last fire drill. If required and depending on your premises, you can familiarise new occupants with the premises and may be able to carry this out via a desktop drill, this is important when staff have been working at a different site previously. It is also extremely important to take into consideration the need for Personal Emergency Evacuation Plans (PEEPs) and how these will be managed and supported as part of your overall Emergency Evacuation Procedures and fire risk assessment.

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.

Q. Should staff evacuate a premises if the fire alarm sounds, as social distancing may be impacted.

A. It is important that your evacuation strategy is implemented. Whilst social distancing may be impacted during evacuation, this can be managed by following government guidelines on maintaining hygiene at the Assembly Point.

Q. Should occupants evacuate a premises if the fire alarm sounds as social distancing may be impacted?

A. It is essential all occupants leave a premises in event of fire to ensure their safety and go to the pre-determined Assembly Point (see below). Whilst social distancing may be impacted during evacuation, this can be managed and by following government guidelines on maintaining hygiene at the Assembly Point.

Q. How do I maintain social distancing at the Assembly Point?

A. You need to review and revise your current emergency plan and Fire Marshall provision, including the Assembly Point, considering the number of occupants and ensure all occupants are issued with revised instructions and are aware of what is expected.

Q. What do I do as my evacuation relies on staff and some of them are sick and self-isolating?

A. You need to immediately identify your current staffing levels, as part of reviewing your fire risk assessment, and how this will impact the use of your premises, the safety of those staff still at work and your emergency evacuation procedures. Particular consideration should be given to PEEPs and those most vulnerable. You should consider where practical, relocating occupants within the premises and minimising the areas in use, and investigating all avenues to provide the required number of staff. Where doubt exists seek further advice from a competent person and contact your local FRS.

Training

Q. Do I have to provide fire safety training?

A. Yes, it is important that all staff and those who may be working at the premises e.g. maintenance, are given fire safety training relevant to their role, responsibilities and needs in event of fire. You should review the current level of training against each individual and update where required, this is essential for any occupants who may not be familiar with your premises.

Q. What do I do if my usual cleaning and maintenance team is replaced with people unfamiliar with my building fire safety arrangements?

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.

A. All staff and those working on the premises need to be familiarised with the premises and informed of the arrangements and any specific risks to which they may be exposed and what is expected of them in event of fire.

Q. With reduced staffing, I do not have enough personnel trained in the use of fire extinguishers, can anyone use them?

A. It is important any person expected to use a fire extinguisher to reduce fire risk or to secure a safe escape is trained, they should:

- Be familiar with the operating instructions.
- Understand which extinguisher can be used on which type of fire.
- Be aware of the fire extinguisher locations. Additionally:
- Fire extinguishers should be kept clean to prevent cross-contamination.
- Processes which require fire extinguishers to form part of their procedures e.g. Hot Works should not be carried out (unless they are completed by fully competent people with all aspects of the processes including responding to a fire).
- Fire extinguishers should be maintained on a regular basis

Testing and Maintenance

It is imperative people living and working in the built environment are safe, and are kept safe, regardless of the current COVID-19 lockdown and phased return conditions. There is no relaxation of fire safety legislation and it is the responsibility of the responsible person and/or duty holder to ensure they are testing and maintaining all fire safety measures to maintain a safe premise.

The Government's view is that workers in the fire safety industry provide vital support to critical functions and in certain circumstances should be considered key workers within the provisions of HM Government guidelines. They must also keep themselves safe whilst carrying out these essential activities by following the latest Government advice which can be found at www.gov.uk/coronavirus.

If your premises are empty, fire safety systems for the protection of life may not be required to be maintained as the RR(FS)O 2005 primary concern is with life safety. If there is no-one on or in the immediate vicinity of the premises who may be reliant on your fire safety measures (e.g. in accommodation above a premises), then the RR(FS)O 2005 allows a risk-based approach to testing and maintenance where it remains vacant. If doubt exists advice must be sought from a competent person. However, you must ensure any fire safety system for the protection of life is fully checked by a competent person as soon as possible when the premises are going to

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.

come back into use, ensuring they are all tested before occupation, especially for any sleeping risk premises.

If any doubt exists as to the purpose of any fire safety system that may not be maintained, prior to ceasing testing and maintenance advice must be sought from a competent person and/or your local FRS.

For advice and guidance on maintaining fire safety measures go to:

- The Fire Industry Association - Latest COVID-19 update specific to the fire industry - www.fia.uk.com/news/latest-covid-update-specific-to-the-fire-industry.html
- The British Automatic Fire Sprinkler Association - www.bafsa.org.uk/essential-info-regarding-the-protection-of-buildings-from-fire-during-covid-19/
- The Institute of Workplace and Facilities Management - www.iwfm.org.uk/coronavirus-resources.html
- The Building Engineering Services Association:
 - o COVID-19 Guidance and Support - www.thebesa.com/covid19/
 - o COVID 19 – Building Maintenance SFG20, SFG 30 Mothballing & Reactivation - www.thebesa.com/media/837544/sfg20-building-maintenance-guidance-covid-19.pdf

Q. Do I still need to maintain my fire safety systems (fire alarm, emergency lighting, fire extinguishers)?

A. In businesses that are still open and operating, the routine testing and maintenance of all fire safety measures is essential in keeping people safe to ensure they operate and perform as required in event of fire.

Q. Do I still need to test my fire alarm?

A. In businesses that are still open and operating, the routine testing and maintenance of all fire safety measures is essential in keeping people safe to ensure they operate and perform as required in event of fire.

Q. My business is closed now, can I attend if I am notified by an Alarm Receiving Centre or the Fire and Service that the alarm is sounding, and I am a keyholder?

A. You should make every effort to attend the premises whilst adhering to current Government advice as best as possible. This will allow the release of essential front-line FRS resources from the premises and reduce the chance of calls to the FRS at this challenging time. On attendance at the premises you should you keep yourself safe and if there are indications of a fire immediately leave the premises and phone 999.

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.

Fire prevention and Risk Management

Q. What can I do to further reduce the risk of fire in my premises?

A. Alongside normal day to day fire prevention measures consider:

- Prohibiting any hot works unless necessary. If they do need to take place, ensure they are carried out by a competent person with a suitable and sufficient risk assessment in place with appropriate checks following completion of the work.
- For all premises that may be unoccupied or partially occupied, ensure that all electrical appliances are switched off and the plugs are removed from sockets where possible.
- Keep any stock or waste that may build up away from the building and keep access to these secure to reduce the risk from arson.

Q. With the suspension of some waste collection services what do I do?

A. Please consider the disruption to waste and refuse collections and minimise as far as is practicable the build-up of waste and refuse, ensuring any excess storage does not block escape routes and is stored away from premises. This should form part of your fire risk assessment review with consideration to arson risk (see below).

Q. What can I do to protect people who are working from home?

A. For employees who will be working from home, please encourage them to:

- Take the time to check home fire safety arrangements, and ensure that smoke alarms are fitted, tested and are working correctly.
- Use electrical items safely e.g. do not 'daisy chain' extension leads.
- Make sure all members of the family know what to do if there is a fire particularly, elderly people and children.
- Bedtime Checks – Close doors, unplug electrical appliances and chargers, check heaters are off, and any candles and cigarettes are properly extinguished.
- Remind everyone if there is a fire:
 - o Get Out.
 - o Stay Out, and.
 - o Call the Fire Service Out by dialling 999.

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.

For further advice on fire safety in the home:

- Government 'fire kills' campaign – www.firekills.campaign.gov.uk/
- Buckinghamshire Fire and Rescue Service - web site – www.bucksfire.gov.uk//safety-category/at-home/

Q. With the suspension of garden waste collection and the closure of some household recycling centres is it OK to burn rubbish in my garden / yard?

A. We urge everyone to consider if there is a real need to burn rubbish or garden waste as whilst FRSs are still responding to emergency calls, a response to an uncontrolled bonfire places an unnecessary increased burden on the FRS at this extremely challenging time. Any bonfire should follow some simple rules and it should be ensured it is meeting government guidelines on garden bonfires and burning domestic waste, which can be located here:

- Firstly, is it necessary?
- If it is necessary, then bonfires should be sited well away from buildings, fences, trees and garden buildings and structures.
- If possible, the burning of garden rubbish should take place within a garden incinerator.
- DO NOT use flammable liquids or accelerants to start the bonfire.
- The bonfire should always be supervised.
- A means to control the bonfire should be at hand e.g. a garden hose.
- Always check local laws/byelaws to check you comply.

For further advice on risk management:

The British Standards Institution have selected the most relevant standards in key areas of personal protective equipment (PPE) and business continuity and risk management and have made them freely available here.

Arson advice

The Fire Protection Association has provided a free guide:

- Security and arson protection advice for building and business owners and insurers – a free guide to managing the risk during the COVID-19 outbreak: www.thefpa.co.uk/news/news/news_detail.security-and-arson-protection-advice-for-building-and-business-owners-and-insurers-a-free-guide-to-managing-the-risk-during-the-covid-19-outbreak.html

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.

Miscellaneous

Q. What do I do if refurbishment work affecting fire safety measures in my premises has ceased (is going to cease) as the construction company has (is going to) temporarily close for business?

A. You need to assess the risk these changes pose to the occupants and as far as is possible require the contractor to leave the premises in a safe condition. The premises fire risk assessment must be reviewed and revised to take account of the circumstances e.g. changes to automatic fire detection and alarm systems, means of escape, emergency procedures, if any doubt exists then seek advice from a competent person. Further information on construction sites:

- The Construction Leadership Council:
 - o Advice on temporary suspension of sites - www.constructionleadershipcouncil.co.uk/wp-content/uploads/2020/03/CLC_Advice-on-temporary-suspension-of-sites1.pdf
 - o Site Operating Procedures - www.constructionleadershipcouncil.co.uk/news/site-operating-procedures-version-4-published/

Note: The purpose of this non-statutory guidance is to provide Responsible Persons with general advice, to assist with a consistent, standardised approach. The guidance does not constitute legal advice. Legal duties of Responsible Persons will remain those specified by the Regulatory Reform (Fire Safety) Order 2005. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005.