

Fire Safety

Who is responsible?

In England and Wales, if you're an employer, owner, landlord or occupier of business or other non-domestic premises, you are responsible for fire safety and are known as the 'responsible person'.

As the responsible person, there are certain things you must do by law under the Fire Safety Order, which is enforced by your local fire and rescue authority.

The Fire Safety Order also applies if you have paying guests – e.g. if you run a bed and breakfast, guest house or let self-catering property.

Scotland and Northern Ireland

Fire safety rules are different in Scotland and Northern Ireland.

The 'responsible person'

As the 'responsible person' you must:

- Carry out and regularly review a fire risk assessment of the premises
- Tell staff and/or their representatives about the risks you've identified
- Put in place, and maintain, adequate and appropriate fire safety measures to remove or reduce the risk to life
- Plan for an emergency
- Provide staff information, fire safety instruction and training
- Download *A Short Guide to Making your Premises Safe from Fire* (PDF, 1MB)

NON-DOMESTIC PREMISES

Non-domestic premises are:

- All workplaces and commercial premises
- All premises the public have access to the common parts of multi-occupied residential buildings
- Shared premises. In shared premises it's likely there'll be more than one responsible person. You'll need to coordinate your fire safety plans to make sure people on or around the premises are safe.

For common or shared areas, the responsible person is the landlord, freeholder or managing agent.

Alterations, extensions and new buildings

When building new premises or doing building work on existing premises, you must comply with building regulations. This includes designing fire

safety into the proposed building or extension.

Find more fire safety information on the Planning Portal website.

Penalties and enforcement

You could get fined and/or go to prison if you don't follow fire safety regulations. Local fire and rescue authorities inspect premises and can issue fire safety notices telling you about changes you might need to make to your premises.

Fire risk assessments

The 'responsible person' must carry out and regularly review a fire risk assessment of the premises. This will identify what you need to do to prevent fire and keep people safe. You must keep a written record of your fire risk assessment if your business has five or more people.

Carrying out the assessment

1. Identify the fire hazards.
2. Identify people at risk.
3. Evaluate, remove or reduce the risks.
4. Record your findings, prepare an emergency plan and provide training.
5. Review and update the fire risk assessment regularly.

The fire safety risk assessment chart gives more detailed information about these steps.

You'll need to consider:

- Emergency routes and exits
- Fire detection and warning systems
- Fire fighting equipment
- The removal or safe storage of dangerous substances
- An emergency fire evacuation plan
- The needs of vulnerable people, e.g. the elderly, young children or those with disabilities
- Providing information to employees and other people on the premises
- Staff fire safety training

Help with the assessment

The responsible person can do the fire risk assessment themselves with the help of standard fire safety advice documents.

If you don't have the expertise or time to do the fire risk assessment yourself, you'll need to appoint a 'competent person' to help, e.g. a professional risk assessor.

If you're not sure if your risk assessment has been carried out properly your local fire and rescue authority might be able to give you advice although they can't carry out risk assessments for you.

Fire safety equipment, drills and training – Fire detection and warning systems

You must have a fire-detection and warning system. You may need different types of detectors, depending on the type of building and work carried out in the building.

Fire fighting equipment

The types of equipment you need depend on your business premises. You'll need to have any equipment properly installed, tested and maintained and train your staff to use them if necessary.

Maintenance and testing

You must carry out regular checks to make sure that:

- All fire alarm systems are working
- The emergency lighting is working
- You record any faults in systems and equipment
- All escape routes are clear and the floor is in a good state
- All fire escapes can be opened easily
- Automatic fire doors close correctly
- Fire exit signs are in the right place

Fire drills and training

You need to train new staff when they start work and tell all employees about any new fire risks.

You should carry out at least one fire drill per year and record the results. The results should be kept as part of your fire safety and evacuation plan.

Fire safety and evacuation plans

Your plan must show how you have:

- A clear passageway to all escape routes
- Clearly marked escape routes that are as short and direct as possible
- Enough exits and routes for all people to escape
- Emergency doors that open easily
- Emergency lighting where needed
- Training for all employees to know and use the escape routes
- A safe meeting point for staff

Enforcement, appeals and penalties

Your local fire and rescue authority visits premises to check the fire risk assessment and fire prevention measures are appropriate. Fire safety officers should help you understand the rules and help you comply with them.

They can also take action if they think your fire safety measures aren't adequate. For example, they might issue an informal notice suggesting changes you should consider making to make your premises safer.

They could also give you one of several different formal fire safety notices. The fire and rescue authority will tell you what you need to do to fix the problems given in the notice.

Alterations notice

You could get an alterations notice if your premises has high safety risks or will have high safety risks if the use of the premises changes.

Enforcement notice

You could get an enforcement notice if the fire and rescue authority finds a serious risk that's not being managed. It will say what improvements are needed and by when.

Prohibition notice

These take effect immediately if the fire and rescue authority thinks that the fire risk is so great that access to your premises needs to be prohibited or restricted.

Appeals

You may be able to arrange an informal review from your fire and rescue authority if you disagree with the decision to issue a fire safety notice.

If you've already got the notice, you can appeal to your local magistrates' court within 21 days.

In certain circumstances, you and the fire and rescue authority can ask for a 'determination' from the Communities Secretary to solve a dispute.

Penalties

You can be prosecuted for not following fire safety regulations. If you're convicted you could get a fine or go to prison.

Minor penalties can be up to £5,000. Major penalties can have unlimited fines and up to two years in prison.