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**To: All Branches**

Dear Colleagues,

**Fire Risk Assessments - UK Employers Legal Requirements:**

## Introduction

This LTB is being issued to provide information to CWU Health and Safety Reps across the Union in all employers, in all parts of the UK and as a reminder of the importance of fire safety as well as ensuring employers are in full compliance with their fire safety legal responsibilities.

The relevant legislation for England and Wales, Scotland and Northern Ireland is referenced below. Key links to government, enforcing authority and safety professional websites, information, legal guidance and templates are listed below also.

All employers must carry out and regularly review a fire risk assessment of their premises and keep it up to date. This will identify what is needed to prevent fires and keep the workforce and visitors safe. Written records of fire risk assessment must be retained.

## Carrying Out The Assessment

- Identify the fire hazards.
- Identify people at risk.
- Evaluate, remove or reduce the risks.
- Record the findings, prepare an emergency plan and provide training.
- Review and update the fire risk assessment regularly.

## Items 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, for example the elderly, young children or those with disabilities
- providing information to employees and other people on the premises
- staff fire safety training

### **Most Fires Are Preventable**

Those responsible for workplaces and other buildings to which the public have access can avoid them by taking responsibility for and adopting the right behaviours and procedures.

### **General Fire Safety Hazards**

- Fires need three things to start – a source of ignition (heat), a source of fuel (something that burns) and oxygen:
- Sources of ignition include heaters, lighting, naked flames, electrical equipment, smokers' materials (cigarettes, matches etc.), and anything else that can get very hot or cause sparks.
- Sources of fuel include wood, paper, plastic, rubber or foam, loose packaging materials, waste rubbish and furniture.
- Sources of oxygen include the air around us.

### **Actions**

Once the risks have been identified, appropriate action must be taken to control them. Consider whether the risks can be avoided altogether or, if this is not possible, how they can be reduced and managed. Also, employers must consider how to protect people if there is a fire:

- Carry out a fire safety risk assessment.
- Keep sources of ignition and flammable substances apart.
- Avoid accidental fires, e.g., make sure heaters cannot be knocked over.
- Ensure good housekeeping at all times, e.g., avoid a build-up of rubbish that could burn.
- Consider how to detect fires and how to warn people quickly if they start, e.g., installing smoke alarms and fire alarms or bells.
- Have the correct fire-fighting equipment for putting a fire out quickly.
- Keep fire exits and escape routes clearly marked and unobstructed at all times.
- Ensure workers receive appropriate training on procedures they need to follow, including fire drills.
- Review and update risk assessments regularly.

### **The Law**

- In England and Wales the Regulatory Reform (Fire Safety) Order 2005 covers general fire safety.

- In Scotland, requirements on general fire safety are covered in Part 3 of the Fire (Scotland) Act 2005, supported by the Fire Safety (Scotland) Regulations 2006.
- In Northern Ireland fire safety requirements are covered in Part 3 of The Fire and Rescue Services (Northern Ireland) Order 2006 and The Fire Safety Regulations (Northern Ireland) 2010.

## What do Employers have To do?

To help prevent accidental fires or explosions, employers first need to identify:

- What substances, materials, processes etc., have the potential to cause such an event, i.e., substances that burn or can explode and what might set them alight.
- The people who may be at risk/harmed.
- Once risks have been identified, management should consider what measures are needed to reduce or remove the risk of people being harmed. This will include measures to prevent these incidents happening in the first place, as well as precautions that will protect people from harm if there is a fire or explosion.

## Key points to remember

- Employers/management need to think about the risks of fire and explosions from the substances that are used or created in the business and consider how they might remove or reduce the risks.
- Use supplier safety data sheets as a source of information about which substances might be flammable.
- Consider reducing the amount of flammable/explosive substances stored on sites.
- Keep sources of ignition (e.g., naked flames, sparks) and substances that burn (e.g., vapour, dusts) apart.
- Get rid of flammable/explosive substances safely.
- Review risk assessments regularly.
- Maintain good housekeeping, e.g., avoid a build-up of rubbish, dust or grease that could start a fire or make one worse.
- Employers/management also need to consider the presence of dangerous substances that can result in fires or explosions as part of the fire safety risk assessment. This is required under the Regulatory Reform (Fire Safety) Order 2005 (in England and Wales) and under Part 3 of the Fire (Scotland) Act.
- The Fire and Rescue Authorities deal with general fire safety matters in workplaces apart from on construction sites including shipbuilding where these are dealt with by HSE or its agents. Enforcement responsibility for fire safety where dangerous substances are kept and used generally lies with HSE (or local authorities if they inspect the premises).

## Further detailed Information

- The [Department for Communities and Local Government \(DCLG\) website](#) has advice on the legislation, including premises-specific guidance documents designed to help you meet your responsibilities under the Regulatory Reform (Fire Safety) Order 2005.

- The Welsh Government website also provides information.
- The North Wales Fire & Rescue Service has an excellent Website providing Fire Safety Law Information at: <https://www.nwales-fireservice.org.uk/keeping-you-safe/at-your-business/risk-assessment-process/links-to-wales-government-guides/>
- [The Scottish Government](#) provides similar information to help you meet your responsibilities under the Fire (Scotland) Act 2005.
- The HSE website has Fire Safety Information at: <https://www.hse.gov.uk/toolbox/fire.htm> Fire Safety and Employer Guide at: <https://books.hse.gov.uk/bookstore.asp?Action=Book&ProductId=9780113412297>
- The 'Health & Safety Advisor' has a free Fire Protection Toolkit which includes fully editable fire protection templates, checklists & training documents. A resource for individuals with health and safety responsibilities at work to keep you up to date and compliant with the fire regulations currently being enforced in the UK: <https://www.safety-adviser.co.uk/lead/ed/fire-protection-toolkit/?c=google&qclid=EAIaIQobChMI5e2Egdir6gIVGLLtCh0KYwO4EAAYASAAEqKxO D BwE>
- [The Shropshire Fire & Rescue Service](#) has an excellent 'free' Generic Fire Risk Assessment Template provided to ensure compliance with the Regulatory Reform (Fire Safety) Order 2005 which affects employers and those who are responsible for industrial, commercial and residential premises. At the heart of this legislation, is the need for the 'responsible person' for each premises to ensure a fire risk assessment is carried out by a competent person. This has to be completed in consultation with the Trade Union Health and Safety Representative. The competent person will then evaluate the risks arising from the hazards and decide whether the existing fire precautions are adequate, or whether more needs to be done. This risk assessment needs to be subject to regular review. The documents below have been produced by Shropshire Fire & Rescue Service to help businesses carry out and record a suitable and sufficient fire risk assessment. These are at: <https://www.shropshirefire.gov.uk/safety-at-work/generic-fire-risk-assessment-template>
- The HSE(Northern Ireland) produce an Employers Guide booklet 'Managing Fire Safety In The Workplace' which explains how employers can reduce the risk of fire in the workplace and keep within the law. It provides a step-by-step guide to carrying out a fire safety risk assessment and includes a number of useful fire safety templates. This can be located at: <https://www.hseni.gov.uk/publications/managing-fire-safety-workplace> The Northern Ireland Fire and Rescue Service website is at: [www.nifrs.org](http://www.nifrs.org)

### **Footnote: Fire Safety – Future Building Safety Regulations**

The government has asked the HSE to establish a new building safety regulator in the wake of the Grenfell Tower disaster and following recommendations in the 'Building a Safer Future' report by Dame Judith Hackitt. The new regulator will oversee the safe design, construction and occupation of high-risk buildings so that residents are safe and feel safe. It will be independent and give expert advice to local regulators, landlords and building owners, the construction and building design industry, and to residents.

Yours sincerely



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**National Health, Safety & Environment Officer**