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# WELCOME

Katie Cornhill

Joined the fire service in January 1998

Fire safety inspector since October  
2004

Currently a member of the residential  
care expert team for HFRS

# Housekeeping

- Toilets
- Mobile phones
- Emergency
- Questions?
- Feedback please!

# Managing Fire Safety

“A fire safety policy, that is created or improved as a result of a fire risk assessment’s findings, is an essential tool in complying with the Fire Safety Order.”

Fire Risk Management Journal.  
*February 2012 - Page 27*

# Managing Fire Safety

## A presentation to explore/discuss

- The background of the Regulatory Reform (Fire Safety) Order 2005 (the FSO)
- The requirements of the FSO
- Managing fire safety
- Article 11 - Fire Safety Arrangements
- What are effective fire safety arrangements?
- Why effective arrangements are recorded?
- How effective arrangements can be recorded?
- How and why a fire risk assessment should be an essential tool in evaluating fire safety arrangements?

# Background of the FSO

- Risk based self regulating legislation
- Regulatory Reform Act 2001 (2006)
- Management of Health and Safety at Work Regulations 1992 (later amended to 1999 Regs)
- Fire Precautions (Workplace) Regulations 1997 (later amended to 1999 Regs)
- Fire Precautions Act 1971 and many other instruments

# Background to the Articles of the FSO

Many of the articles in the FSO are borrowed from the Management Regulations. Health & Safety was replaced by Fire Safety and Employer replaced by Responsible Person.

# Background to the Articles of the FSO

- Regulation 3 of the management Regs is Risk Assessment. This is article 9 of the FSO
- Regulation 4 of the management Regs is Principles of prevention to be applied. This is article 10 of the FSO. Both requiring the hierarchy of control measures to be adopted
- Regulation 7 – Article 18
- Regulation 8 – Article 15
- Regulation 9 – Article 13 (3)
- Regulation 10 – Article 19
- Regulation 11 – Article 22
  
- And so on

# Background to the Articles of the FSO

Regulation 5 of the management Regs is Health and Safety Arrangements;

- (1) Every employer shall make and give effect to such arrangements as are appropriate, having regard to the nature of his activities and the size of his undertaking, for the effective planning, organisation, control, monitoring and review of the preventive and protective measures.*
- (2) Where the employer employs five or more employees, he shall record the arrangements referred to in paragraph (1).*

# Background to the Articles of the FSO

Article 11 of the FSO is Fire Safety Arrangements;

- (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.*

# Fire safety arrangements?

## Article 11 - Fire Safety Arrangements;

*(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.***

# “Preventive and protective measures”

....means the measures which have been identified by the RP in consequence of a *risk assessment* as the general **fire** precautions he needs to take to comply with the requirements and prohibitions imposed on him by or under this Order;

*From article 2 interpretation*

# “general fire precautions”

....has the meaning given by article 4;

*From article 2 interpretation*

(4). – In this Order “general **fire** precautions” in relation to premises means, subject to paragraph (2) –

- (a) measures to reduce the risk of **fire** on the premises and the risk of the spread of **fire** on the premises;
- (b) measures in relation to the means of escape from the premises;
- (c) measures for securing that, at all material times, the means of escape can be safely and effectively used;
- (d) measures in relation to the means for fighting **fires** on the premises

# “general fire precautions” cont’d

- (e) measures in relation to the means for detecting **fire** on the premises and giving warning in case of **fire** on the premises; and
- (f) measures in relation to the arrangements for action to be taken in the event of **fire** on the premises, including -
  - (i) measures relating to the instruction and training of employees; and
  - (ii) measures to mitigate the effects of the **fire**

# The requirements of the FSO

- Article 5 defines the responsible persons duties as those imposed by articles 8 to 22 and article 24. (Part 2 **FIRE SAFETY DUTIES**)
- But when considering recording the arrangements, don't forget;
  - Articles 23, 37 and 38
  - Notices such as Alterations, Enforcement and Prohibition

# Article 8 - Duty to take general fire precautions

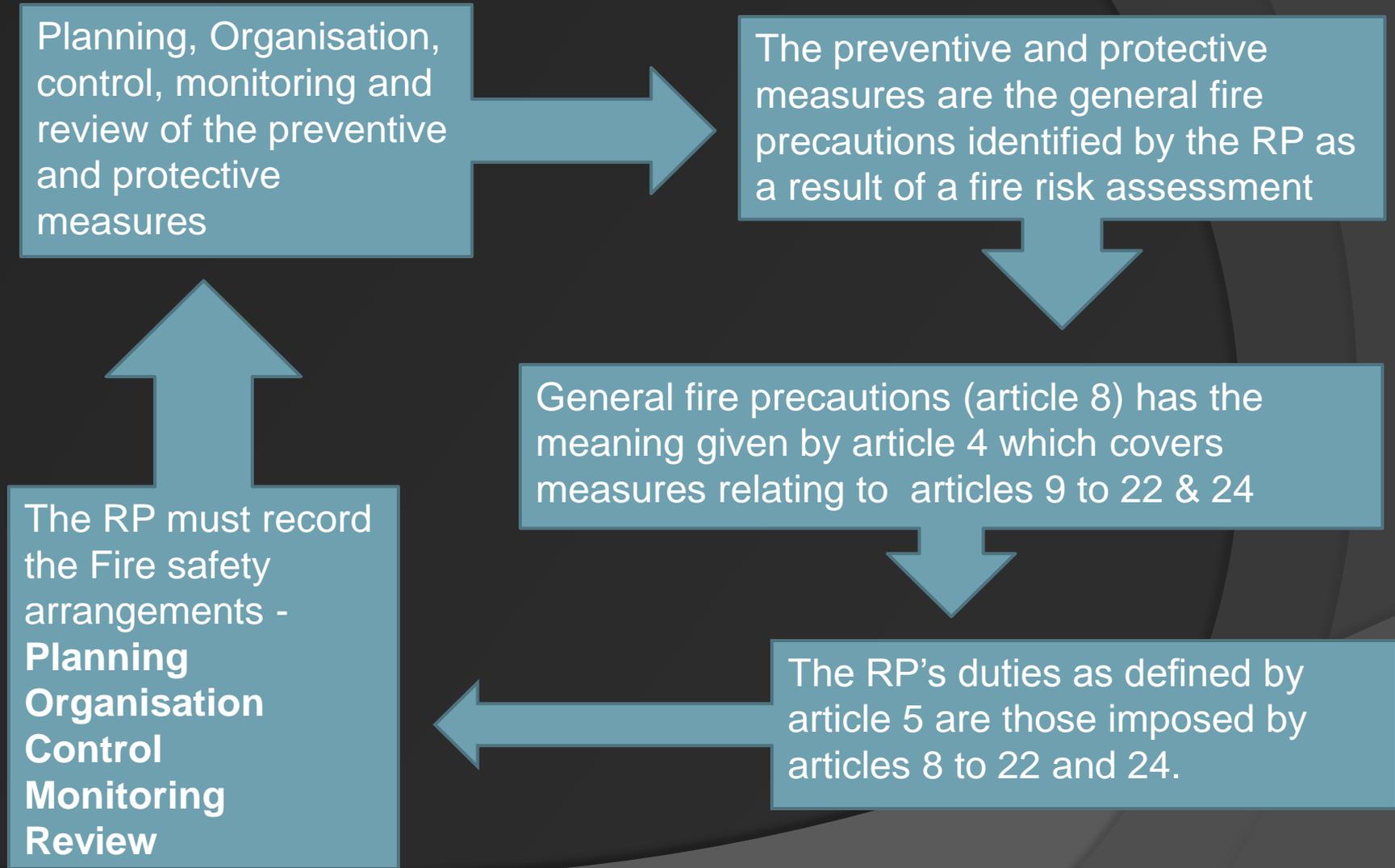
- (1) The responsible person must –
  - (a) take such general **fire** precautions as will ensure, so far as is reasonably practicable, the safety of any of his employees; and
  - (b) in relation to relevant persons who are not his employees, take such general **fire** precautions as may reasonably be required in the circumstances of the case to ensure that the premises are safe.

# Meaning of “general fire precautions”

- (a) measures to reduce the risk of **fire** on the premises and the risk of the spread of **fire** on the premises;
- (b) measures in relation to the means of escape from the premises;
- (c) measures for securing that, at all material times, the means of escape can be safely and effectively used;
- (d) measures in relation to the means for fighting **fires** on the premises
- (e) measures in relation to the means for detecting **fire** on the premises and giving warning in case of **fire** on the premises;
- and
- (f) measures in relation to the arrangements for action to be taken in the event of **fire** on the premises, including -
  - (i) measures relating to the instruction and training of employees; and
  - (ii) measures to mitigate the effects of the **fire**

A failure under a duty imposed by articles 9 to 22 and 24 of the FSO is likely to attract a failure under article 8 also

# Fire Safety Arrangements (managing and policy)!



# Managing fire safety

**Planning** is setting up an effective management system to implement fire safety policy which is proportionate to the hazards and risks.

Adequate planning includes:

(a) adopting a systematic approach to the completion of a risk assessment.

Risk assessment methods should be used to decide on priorities and to set objectives for eliminating hazards and reducing risks. This should include a programme, with deadlines for the completion of the risk assessment process, together with suitable deadlines for the design and implementation of the preventive and protective measures which are necessary;

(b) selecting appropriate methods of risk control to minimise risks;

(c) establishing priorities and developing performance standards both for the completion of the risk assessment(s) and the implementation of preventive and protective measures, which at each stage minimises the risk of harm to people. Wherever possible, risks are eliminated through selection and design of facilities, equipment and processes.

# Managing fire safety

**Organisation** includes:

- (a) involving employees and their representatives in carrying out risk assessments, deciding on preventive and protective measures and implementing those requirements in the workplace. This may be achieved by the use of formal health and safety committees where they exist, and by the use of team working, where employees are involved in deciding on the appropriate preventive and protective measures and written procedures etc;
- (b) establishing effective means of communication and consultation in which a positive approach to health and safety is visible and clear. The employer should have adequate health and safety information and make sure it is communicated to employees and their representatives, so informed decisions can be made about the choice of preventive and protective measures. Effective communication will ensure that employees are provided with sufficient information so that control measures can be implemented effectively;
- (c) securing competence by the provision of adequate information, instruction and training and its evaluation, particularly for those who carry out risk assessments and make decisions about preventive and protective measures. Where necessary this will need to be supported by the provision of adequate health and safety assistance or advice.

# Managing fire safety

**Control** includes:

- (a) clarifying health and safety responsibilities and ensuring that the activities of everyone are well co-ordinated;
- (b) ensuring everyone with responsibilities understands clearly what they have to do to discharge their responsibilities, and ensure they have the time and resources to discharge them effectively;
- (c) setting standards to judge the performance of those with responsibilities and ensure they meet them. It is important to reward good performance as well as to take action to improve poor performance; and
- (d) ensuring adequate and appropriate supervision, particularly for those who are learning and who are new to a job.

# Managing fire safety

RP's should measure what they are doing to implement their fire safety policy, to assess how effectively they are controlling risks, and how well they are developing a positive fire safety culture. **Monitoring** includes:

- (a) having a plan and making adequate routine inspections and checks to ensure that preventive and protective measures are in place and effective. Active monitoring reveals how effectively the fire safety management system is functioning;
- (b) adequately investigating the immediate and underlying causes of incidents and accidents to ensure that remedial action is taken, lessons are learnt and longer term objectives are introduced.

In both cases it may be appropriate to record and analyse the results of monitoring activity, to identify any underlying themes or trends which may not be apparent from looking at events in isolation.

# Managing fire safety

## **Review** involves:

- (a) establishing priorities for necessary remedial action that were discovered as a result of monitoring to ensure that suitable action is taken in good time and is completed;
- (b) periodically reviewing the whole of the fire safety management system including the elements of planning, organisation, control and monitoring to ensure that the whole system remains effective.

# Fire Safety Policy

- Traditionally hidden within a health & safety policy within the arrangements section
  - Training (FFE)
  - Fire actions
  - Evacuation procedure
- Increasingly acknowledged that fire safety should be separate from health & safety – a stand alone policy
- Identical to traditional health & safety policies
  - A statement of intent
  - An organisation section (risk assessment?)
  - An arrangements section (Specifics of articles 8 to 22 and 24)

# Statement of intent

- A clear commitment to the organisations aims
  - Safe environment from fire
  - Life safety of all relevant persons
  - Business continuity
- Brief and written in clear and simple language
- Small statements or bullet points
- Seek to contain measurable objectives
  - (Article 4?)
- Posted in a prominent location

# Organisation section

- Define names?, positions, roles and responsibilities
- Duties of persons should be carefully organised so that they are congruent (be careful of overlaps)
- Delegated financial responsibility could be highlighted
- Contingency planning should be included
- An organisational chart is always useful

# Arrangements section

- Focused around the requirements of those highlighted by the ACOP for the Management Regs
- Specific details of planning, organisation (some), control, monitoring and review of the preventive and protective measures in place
- Congruent with the fire safety duties of the FSO and some miscellaneous (23, 37, 38, Alterations, Enforcement and Prohibition)
- Business continuity should also be reflected

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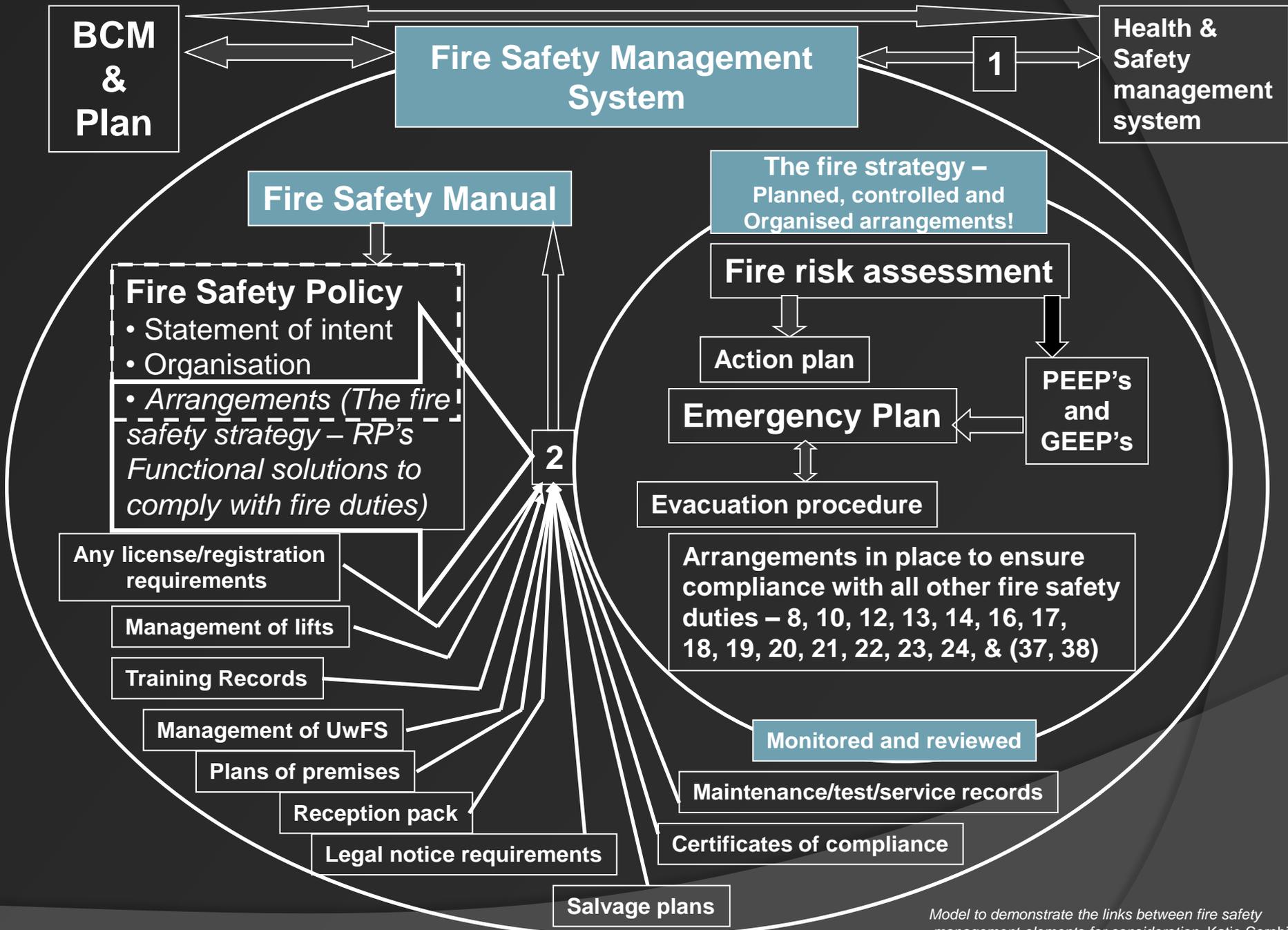
# “Preventive and protective measures”

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*From article 2 interpretation*

# Fire risk assessment

- Is one of the RP's duties that they may choose to employ safety assistance to achieve
- Should examine the existing fire safety policy before evaluating any other general fire precautions
- Recommendations should include
  - Fire safety arrangements that need to be made and given effect
  - Fire safety arrangements that need to be recorded as part of the RP's planning, organisation, control, monitoring or reviewing of their fire safety duties
  - Fire safety arrangements that are in place but not effective and how to deal with this
  - Fire safety arrangements that are in place and effective but not recorded



Model to demonstrate the links between fire safety management elements for consideration, Katie Cornhill, 16/09/2011.

- **Refer to previous slide**

A model to show the elements of a fire safety management system

BCM – Business continuity management

1 – Matters that have a bearing on both H&S and fire safety management tools

- Near miss
- Asbestos register
- Portable appliance testing
- COSHH register
- Electrical regulation requirements

2 – Represents the point at which consideration of other fire related matters (business continuity, property & asset protection, environment etc) is given.

Arrangements are then put in place and recorded and subsequently filtered for effectiveness by the fire risk assessment.

# Summary

## We have explored

- The background of the Regulatory Reform (Fire Safety) Order 2005 (the FSO)
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- Article 11 - Fire Safety Arrangements
- What are effective fire safety arrangements?
- Why effective arrangements are recorded?
- How effective arrangements can be recorded?
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# Questions/ discussion?