

# Cardiff Council

## Code of Guidance

### Regulatory Reform (Fire Safety) Order 2005

#### Purpose of this Guidance

The purpose of this document is to provide guidance on ensuring the Council complies with the Regulatory Reform (Fire Safety) Order 2005.

- 1.0 Introduction
- 2.0 Where this Order applies
- 3.0 The Responsible Person
- 4.0 Duties of the 'Nominated Responsible Person'
- 5.0 Competent Advisers
- 6.0 Fire risk assessment
- 7.0 Disabled Persons
- 8.0 Fire Wardens and their duties
- 9.0 Manager's duties
- 10.0 All employees
- 11.0 General advice
- 12.0 Maintenance and inspection procedures
- 13.0 Further advice and guidance

Related Document: [Checklist for Fire Risk Assessment Review](#).(4.C.385)

#### 1.0 Introduction

- 1.1 The Regulatory Reform (Fire Safety) Order 2005 imposes duties and responsibilities on employers to take proactive responsibility for fire safety. The Council has to ensure that fire risk assessments are made, kept up to date, and that all appropriate controls are in place.
- 1.2 Fire legislation mirrors health and safety legislation. It follows the responsibilities, and hierarchies of risk assessment and controls specified in the Management of Health and Safety at Work Regulations 1999 (as amended).
- 1.3 Cardiff Council's compliance with the Order is enforced by South Wales Fire and Rescue Service. The Fire Service have similar statutory powers as the Health and Safety Executive, for example right of entry, inspection and to serve enforcement/prohibition notices.
- 1.4 Explanatory guides to fire safety risk assessment have been published by HM Government and provide clear and easily understood guidance for all of the Council's undertakings. There are thirteen titles, and one or more of these will be applicable to each Council premises. Information on the guides is included at the end of this Code of Guidance.

#### 2.0 Where the Order applies

- 2.1 The Order applies to all premises and buildings owned or leased to or by Cardiff Council, with the exception of private dwellings.

- 2.2 It includes open spaces and structures, so is applicable to open air events held by the Council in grounds, parks, sports centres and Cardiff Bay, and to marquees and temporary structures.
- 2.3 It includes the shared areas of all residential properties owned or managed by the Council (hallways, stairways/stairwells, lifts, shared community rooms, laundries, kitchens, bin stores etc). It does not apply to private dwellings or individual flats.

### 3.0 The Responsible Person

- 3.1 The responsibility of complying with the Order rests with the 'Responsible Person'. This is the Council, or more specifically the Executive, the Chief Executive, and all other managers. They are able to 'delegate' the duties to anyone who may have control of all, or any part of the premises, day to day management responsibilities, or maintenance as part of their employment in the same way as health and safety responsibilities but the accountability remains with relevant managers..
- 3.2 In practice, there will need to be a nominated Responsible Person identified for each of the Council's premises to be responsible for fire safety, as 'the person who has control of the premises (as occupier or otherwise). Duties of the Responsible Person, or nominated Responsible Person are shown below.
- 3.3 Where there is more than one Service Area or non Council employers within a building, there may be several 'Responsible Persons'. There is a requirement that they, or the nominated Responsible Persons, communicate and co-operate with each other to ensure fire safety.

### 4.0 Duties of the nominated Responsible Person

#### 4.1 The 'nominated Responsible Person' **must**

- Undertake or arrange for a competent person to undertake a suitable and sufficient fire risk assessment, or ensure that the current assessment is valid.
- Appoint one or more competent persons to carry out the preventive and protective measures required by the Order.
- Provide employees with clear and relevant information on the risks identified by the fire risk assessment and the measures taken to prevent fire and to evacuate safely.
- Provide appropriate information, instruction and training to all employees, during their normal working hours, about the fire precautions in the workplace, at induction and throughout their employment.
- Ensure an Emergency Evacuation Plan is produced for the building and brought to the attention of relevant persons. N.B. Employees should receive a copy of the plan and sign that they have read and understood it.
- Provide information on the risk assessment and any preventive and protective measures to the parent of any young person employed.
- Inform any non employees, (visitors, residents, temporary or contracted workers) of the risks to them and provide them with information about the competent persons and fire safety and evacuation procedures on the premises.
- Co-operate and communicate with all other responsible persons on the premises, (which will include non Council employers or bodies) informing them of any significant risks, and how risks are to be controlled/reduced in relation to their employees/members.
- Provide information to any agency employer or Cardiff Works for temporary staff, and

to the temporary staff or other agency staff themselves.

- Consider the presence of any dangerous substances (i.e. flammable, explosive or oxidising, and any other noxious or ionising substance) and the risks that they present in relation to fire.
- Provide training in the use of fire fighting equipment where this is considered necessary
- Establish a suitable means for contacting the emergency services and provide them with relevant information about dangerous substances on the premises.
- Ensure that any equipment provided in connection with fire detection, warning and fire fighting, and emergency exit routes and lighting are covered by a suitable system of maintenance and are maintained by a competent person in an efficient state, efficient working order and in good repair.
- Ensure that a suitable person works with the person carrying out the Fire Risk Assessment.
- Ensure an action plan is developed and implemented following the risk assessment (as appropriate).

## 5.0 Competent Advisers

5.1 Competent advisers (Fire Risk Assessors, Fire Risk Assessment Reviewers, Fire Wardens and persons trained in the use of fire fighting equipment (where appropriate), must have sufficient training and knowledge or experience and other qualities to enable them to carry out their duties. 'Other qualities' will depend on the delegated duty.

5.2 Fire Risk Assessors will be required to have appropriate qualifications and accreditation by an approved body (for example the FPA, BRE, or IFE). These assessments will, usually, be undertaken by Building Control Officers or a contractor identified by Strategic Estates. In the case of schools, the fire risk assessments are carried out by officers in Education Services.

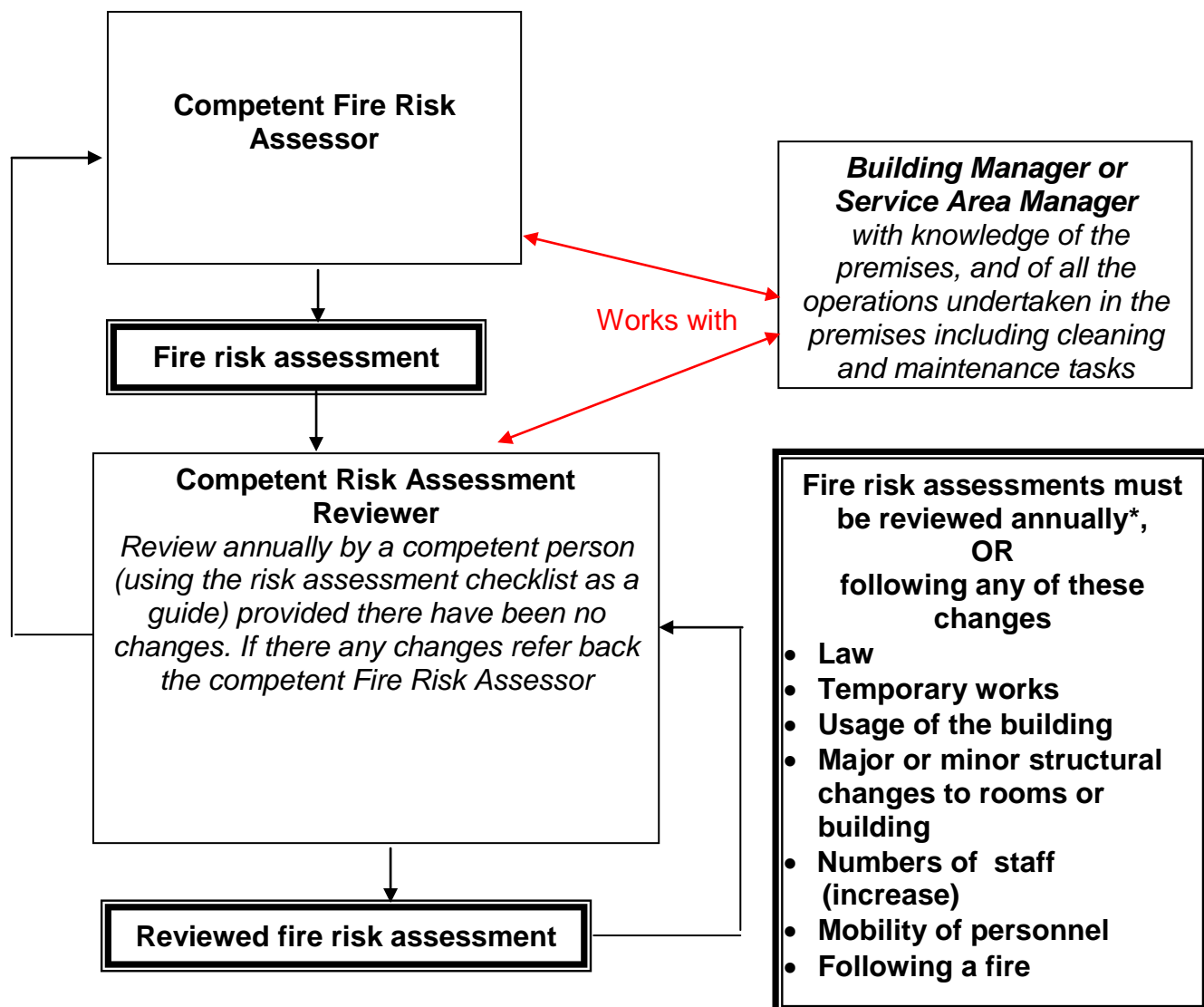
5.3 In order that the Fire Risk Assessor can fulfil the criteria required for assessment, the assessor **must** be accompanied by a suitable person who has working knowledge of the premises and all work activities taking place. The assessment must consider all activities at all times of the day/year, and any 'one off' situations that may arise, (for example, firework displays at a school, periodic maintenance of systems that create a fire risk etc.)

5.4 The competent Fire Risk Assessor will review Risk Assessments every 3 years except in respect of sleeping accommodation and other high risk areas (e.g. St. Davids Hall and New Theatre) when the review will be every year.

5.5 Between reviews by the competent Fire Risk Assessor, provided there have been no material changes, (e.g. in usage, for example introduction of hazardous or flammable material storage, introduction of heat generating equipment, or any change in the structure of the building), the review can be carried out by a Competent Fire Risk Assessment Reviewer (e.g. building manager) who has received appropriate training, if necessary, and using the checklist (see related document). Where there have been any changes to the use or layout since the initial assessment, the assessment must be referred back to the competent Fire Risk Assessor for review.

5.6 If there are any changes between reviews, the Fire Risk Assessment must be reviewed by a competent Fire Risk Assessor.

## Fire Risk Assessment Process Flowchart



\* **Competent Fire Risk Assessors must review all risk assessments every 3 years except in respect of sleeping accommodation and other high risk areas where the review is every year.**

### 6.0 Fire Risk Assessment

6.1 Every Council premises must have a fire risk assessment. Where there is more than one Service Area within a building, then each Service Area should also have a fire risk assessment addressing local issues such as fire risks and controls (housekeeping, work related risks such as dangerous substances in use, keeping internal and external fire exits and fire doors clear). This information must be made available to the competent Fire Risk Assessor.

6.2 An action plan should be developed and implemented reflecting the findings of the risk assessment.

6.3 The principles of fire risk assessment are identical to those for health and safety, and are summarised as follows:

## 6.4 Identify the hazards

Fire is a chemical reaction that usually requires three conditions to start or spread – Fuel, Heat and Oxygen. To prevent fires, one or more of these three elements must be excluded. It is not usually practicable to exclude oxygen, but exclusion or management of fuel and heat sources will reduce the likelihood of any fire.

### *Sources of ignition*

- 81% of all fires in the South Wales area are caused by arson<sup>1</sup>, so it is considered that adequate security and removal of all accessible fuel sources is vital.
- Consideration of all ignition sources within the building and processes should be made including naked flames, heaters, cookers, ovens, engines, or work processes (hot work, welding, cutting, tar boilers either as part of normal employment or by Contractors on site).
- Faulty electrical wiring or equipment, overloading of electrical equipment or sockets
- Chemical processes, particularly use and storage of oxidising substances
- Smoking materials
- Electrical or static sparking in areas where there may be concentrations of flammable substances or gases

### *Sources of fuel*

- Build up of waste, both internally and outside buildings
- Poor housekeeping
- Display materials
- Overstocking of products
- Flammable and highly flammable substances and gases
- Storage bins

### *Sources of Oxygen*

- Medicinal and commercial oxygen bottles
- Air conditioning.
- Oxidising substances

## 6.5 Identify the people at risk

- Consideration must be made of all persons using the premises, including employees, temporary staff and contractors, cleaners and caretakers, clients, pupils, visitors and members of the public.
- Consideration must also be made of those particularly at risk, including those working alone or in isolation, children, new or expectant mothers, elderly and infirm visitors/residents, and employees or members of the public with disabilities.

## 6.6 Evaluate and remove risk or reduce or protect from risk

- Evaluate the risk of a fire starting
- Evaluate the risk to people from a fire
- Remove or reduce the fire hazards - by controlling the risk of a fire starting fires can be prevented, for example, securing grounds and buildings to prevent arson, proactively controlling heat sources, inspecting and maintaining electrical and gas supplies, enforcing the Council No Smoking Policy, ensuring good housekeeping.
- Remove or reduce the risks to people from a fire – effective maintenance and testing

---

<sup>1</sup>SWFRS Improvement Plan 2011/2012

of fire detection and alarm systems.

- Protect people by providing fire precautions – effective and tested procedures for evacuation, providing instruction and safe clearly indicated routes to safety.

## 6.7 Record, Plan and Train

- Record any major findings on the risk assessment and any controls that are in place/need to be implemented.
- Communicate and co-operate with any other 'Responsible Person' or their representative.
- Prepare an emergency evacuation plan
- Written emergency evacuation plans must be given to all staff and clearly displayed within the building.
- Inform and instruct relevant staff.
- Provide training
- Carry out fire drills for all relevant people.

## 6.8 Review

- The fire risk assessment must be reviewed by a competent person at least annually; if circumstances or procedures change; if there is a change in occupation or use, for example, bulk storage of flammable material, or introduction of heat generating machinery or equipment.; if there are changes to the structure or layout of the building, whether temporarily (for example contractors are on site working near one of the fire exits, or carrying out hot work) or permanently. Where there are significant material changes, then the risk assessment must be referred back the competent Fire Risk Assessor.
- It may also be necessary to review the assessment and any procedures following feedback from staff or the emergency services after a fire drill or fire evacuation.

## 7.0 Disabled Persons

7.1 Procedures must be in place for evacuation of persons with impaired mobility or other disability that may affect their ability to evacuate safely. It is no longer acceptable to leave mobility impaired people in refuges within the building unless unavoidable. South Wales Fire and Rescue Service will ask if there is anyone in the building when they arrive, but valuable time is lost in searching for people that may be trapped in the building; the onus is on the employer to make suitable arrangements for full evacuation of disabled persons.

7.2 Staff, or regular users of facilities, with disabilities may need an individual 'Personal Emergency Evacuation Plan' (PEEP) to ensure that suitable assistance (including trained staff as appropriate) or equipment is available at relevant Council venues where they may be required to go above the ground floor. This plan must be made in consultation with the individual concerned.

7.3 There may also be situations where, for fire safety reasons, meetings with disabled staff and/or visitors must take place in rooms that have horizontal access to the exterior of the building. Health and safety takes precedence over disability discrimination.

7.4 A Standard Evacuation Plan is required for every building. This Plan advises of the control measures in place, to enable the safe evacuation of persons with disabilities in the event of a fire. This information must be displayed at Reception Points..

Further guidance on the completion of PEEPs and Standard Evacuation Plans is included in the Code of Guidance 'Means of Escape for Disabled People'

7.5 Lifts generally, must not be used in the event of a fire. There may be exceptions to this rule if there are specifically adapted lifts (Fire Service access lifts) for the evacuation of people with disabilities.. These will be clearly marked as suitable for such use in a fire.

## **8.0 Fire Wardens and their duties**

8.1 There must be sufficient trained Fire Wardens to ensure cover at any time that the building is occupied.

8.2 Most fire warden training is provided by approved external training providers.

8.3 Fire Warden Duties are as follows

- To attend all related training sessions
- Know the evacuation procedure
- Maintain all fire notices
- Check that escape routes are kept clear
- Check fire fighting equipment
- Ensure adequate warden cover with other wardens
- Advise Manager in writing of any shortcomings
- Keep up to date register of employees and visitors.
- Sound alarm if not already sounded
- Ensure everyone leaves the building
- Switch off accessible electrical equipment and ensure windows are closed
- Inspect all rooms in assigned area
- Take roll call at assembly point
- Report any absences or problems.
- Review any shortcomings after the evacuation

## **9.0 Managers duties**

9.1 All Managers have the duty to ensure that the fire risk assessment is up to date and ensure that the control measures are in place (e.g. that fire escape routes are kept clear).

9.2 Managers must ensure that staff are provided with fire evacuation procedures on induction and periodically throughout their employment

9.2 Managers must ensure that there is adequate fire warden cover

9.3 To ensure that there are sufficient staff trained in fire fighting where appropriate

## **10.0 All employees**

10.1 The Order imposes duties on all employees. They must:

- Take reasonable care for themselves and anyone else who may be affected by their actions or omissions at work with relation to fire safety
- Co-operate with the Council as the employer, and comply with training or instructions
- Inform their Line Manager of any shortcomings of the procedures in any situation or

with any of the instructions and training.

## 11.0 General advice

### 11.1 Evacuation procedures

- Fire exit routes must be kept clear at all times, and must not be used for the storage or display of combustible materials or electrical equipment.
- Fire doors must be accessible and usable at all times when buildings are occupied.
- Fire doors must not be obstructed or covered with roller shutters, gates or locked when there may be staff (including cleaners/caretakers or contractors working out of hours) or visitors on site.
- Evacuation assembly points must be clearly indicated, and staff are advised that they must report to their designated assembly point and confirm their presence to the fire warden, and notify them of any absences of colleagues where appropriate.
- Staff are advised that they should not be leaving the site during an emergency evacuation. There is a considerable safety risk where staff are attempting to leave car parks in vehicles as staff are evacuating to the same area, and emergency vehicles entering.
- Other vehicles must also be prevented from entering or leaving the site for safety reasons.
- Fire drills should be held at least annually, preferably six monthly, (and for Schools and Community Education Centres, termly) and must include all staff. There is a requirement for staff working out of normal office hours to be able to evacuate safely, so that fire drills may need to be repeated during evenings or at the weekend.
- Where the building is to be used at dusk or during the night, and there is no 'borrowed' light from surrounding buildings, then emergency lighting must be installed.

### 11.2 Fire fighting

- Fire fighting equipment must be accessible, clearly indicated, and suitable for the surroundings (for example in offices where there are electrical equipment and DSE workstations a water based extinguisher will not be suitable).
- **The Council priority is for 'life safety' over and above the premises. Staff are advised in all cases to evacuate the building, and call the emergency services.**
- The only reason that a member of staff should have to use an extinguisher is to affect an escape where the route is blocked by fire. Instruction on the use of each type of extinguisher is shown in pictograms on the side of the appliance. If a member of staff is competent (i.e. has received training in the use of extinguishers) and confident in their ability they can attempt to put out small fires providing they are not putting themselves or anyone else's safety at risk.



### 11.3 Prevention of fire spread

- Buildings are 'compartmentalised' into areas to prevent the spread of fire between floors and sections of the building/corridor. Fire doors separate the compartments and are installed to delay fire and smoke reaching adjacent areas or fire exit routes. Any damage to fire doors or breaches in compartmentalisation (holes to walls, damage to hinges or doors and glazing) should be reported immediately to the Building Manager and to the Line Manager.
- Wherever possible, doors and windows should be closed when the alarm sounds, and heat generating equipment shut off before evacuation to prevent secondary fires.
- Fire doors must be kept shut, unless they are on an automatic system. This may be a magnetised electrical system that switches off as the alarm sounds releasing the doors, or in smaller premises may be used for individual doors where the sound of the fire alarm triggers the release of a bolt holding the door open. In all other situations, fire doors must be kept shut and must not be wedged or held open with hooks, wedges or equipment.

### 12.0 Maintenance and inspection procedures

12.1 The Order requires that the premises, fire fighting equipment and devices for fire safety are subject to a maintenance system and maintained in working order. A schedule of equipment testing and maintenance and recording is available on the Health and Safety Intranet site or available as a 'Fire Log Book' which includes schedules and forms for the recording of testing and maintenance and can be obtained from the Health and Safety Team, Corporate Services.

### 13.0 Further advice and guidance

Further advice and information is available from the Health and Safety Team, Corporate Services (02920 872635) and on the Health and Safety Intranet site.

Cardiff Council Code of Guidance - Means of escape for disabled people (1.CM.180)

All Responsible Persons are advised to obtain the appropriate Fire Safety Risk Assessment guide(s) for their area of responsibility. These include guidance for:

- (i) Offices and shops
- (ii) Factories and warehouses
- (iii) Sleeping accommodation
- (iv) Residential care premises
- (v) Educational premises
- (vi) Small and medium places of assembly (up to 300 people)
- (vii) Large places of assembly
- (viii) Theatres, cinemas and similar premises
- (ix) Open air events and venues
- (x) Healthcare premises
- (xi) Transport premises and facilities
- (xii) Means of Escape for Disabled People
- (xiii) Animal Premises and Stables

Further details are available on the Health and Safety Intranet site, or the

*The Department for Communities and Local Government Publications*  
PO Box 236,  
Wetherby  
West Yorkshire,  
LS23 7NB

Tel: 0870 830 7099

Fax: 0870 1226 237

Web: [www.firesafetyguides.communities.gov.uk](http://www.firesafetyguides.communities.gov.uk)