



Introduction to

The Regulatory Reform (Fire Safety) Order 2005

What is the RRO?

The Regulatory Reform (Fire Safety) Order 2005 (often referred to as “The RRO” or “The Order”) is an Order made under the Regulatory Reform Act 2001 and combines previous fire safety law into a single piece of legislation. Fire Certificates are no longer provided and those previously issued have no legal status, although they can be used as a basis for fire safety measures.

The Order requires any person who exercises some level of control within premises to take reasonable steps to reduce the risk from fire and ensure occupants can escape safely if a fire does occur.

Although a fire risk assessment was necessary under previous legislation, the RRO requires the responsible person to make a suitable and sufficient assessment of the risks to which relevant persons are exposed, for the purpose of identifying the general fire precautions needed to comply with the Order.

Where Does the Order Apply?

The Order applies to virtually all premises and covers nearly every type of building, structure and open space but excludes premises occupied by a single family group.

Any premises requiring a licence (such as a care home) is automatically included and must carry out a fire risk assessment and act appropriately on the findings. The significant findings of the fire risk assessment must be recorded when 5 or more people are employed or a licence is in force.

Who is the Responsible Person?

The Order defines the responsible person as “the person who is ultimately responsible for ensuring the fire safety measures are completed.” This will usually be the employer (if the workplace is to any extent under his control), the owner or any other person who has control of the premises. The responsible person must also appoint one or more competent persons, depending on the size and use of the premises, to assist in carrying out their fire safety duties to protect relevant persons.

Who are Competent & Relevant Persons?

A **competent person** is a person with enough training and experience or knowledge and other qualities to enable them to properly assist in undertaking the preventative and protective measures.

A **relevant person** is any person lawfully on the premises or any person in the vicinity who may be affected by fire on or from the premises.

What are the Main Requirements?

The order requires the responsible person to:

- Carry out or nominate someone to carry out a suitable and sufficient fire risk assessment
- Consider who may be especially at risk
- Eliminate or reduce the risk from fire as is reasonably practical and provide general fire precautions to deal with any residual risk
- Take additional measures to ensure fire safety where flammable or explosive materials are stored or used
- Create a plan to deal with any emergency and document the findings
- Review the findings as necessary

Who Enforces the Order?

The Order is enforced in Wiltshire by the Wiltshire and Swindon Fire Authority with the following enforcement options:

- Offer informal advice on improving fire safety provisions
- Issue a “Notification of Deficiencies” advising formally of shortfalls in fire safety provisions
- Issue an “Enforcement Notice” detailing requirements and setting timescales for actions
- Issue an “Alterations Notice” if required to prevent changes to provisions already in place
- Issue a “Prohibition or Restriction Notice” to prevent or restrict use in all or part of the premises
- Prosecution through the courts in extreme or persistent cases of non compliance

Where Can I Get More Help?

The Government has produced a series of fire safety guides that may be purchased from The Stationary Office (www.TSO.gov.uk) or downloaded free of charge from The Communities and Local Government website. A link to this can be found on the Wiltshire and Swindon Fire Service website at www.wiltshirefire.gov.uk on the Technical Fire Safety pages in the “Guidance Documents” section.

These guides detail the steps required in order to complete a fire risk assessment and include additional information and advice on the Law and what you must do to comply.