



FORCE FIRE CONSULTANCY LTD.

11 Brunel Road Gorse Lane Industrial Estate
Clacton on Sea, Essex CO15 4LU
Tele No 01255 221515 Fax 01255 222493
Email : enquiries@forcefire.com



The Regulatory Reform (Fire Safety) Order 2005

Fire Risk Assessment Report – Part Two

Methodology and References

FOR

**Blenheim Court,
Shakespeare Avenue,
Royal Wootton Bassett,
Wiltshire
SN4 8HH**



**Prepared For
McFarlane Properties**

Martin Evans BSc

Member of Institute of Fire Prevention Officers

16 August 2023



CONTENTS

1	Introduction.....	3
2	Competency of Force Fire Consultants.....	3
3	Methodology.....	4
4	General Fire Safety Hazards	5
5	Evaluation of the Risk.....	6
6	Action Plan Time Scales.....	7
7	Definitions - The Regulatory Reform (Fire Safety) Order 2005.....	8
7.1	Meaning of "responsible person" (Article 3).....	8
7.2	Meaning of "relevant person"	8
8	Relevant Articles of the Regulatory Reform (Fire Safety) Order 2005	9
8.3	Article 8 - Duty to take general fire precautions.....	9
8.4	Article 9 - Risk Assessment.....	9
8.5	Article 10 - Principles of prevention to be applied.....	10
8.6	Article 11 - Fire safety arrangements	10
8.7	Article 12 - Elimination or reduction of risks from dangerous substances	10
8.8	Article 13 - Fire fighting and fire detection	10
8.9	Article 14 - Emergency routes and exits.....	10
8.10	Article 15 - Procedures for serious imminent danger and for danger areas	10
8.11	Article 16 - Additional emergency measures in respect of dangerous substances.....	11
8.12	Article 17 - Maintenance	11
8.13	Article 18 - Safety Assistance.....	11
8.14	Article 19 - Provision of information to employees.....	11
8.15	Article 20 - Provision of information to employers and the self-employed from outside undertakings.....	11
8.16	Article 21 - Training.....	11
8.17	Article 22 - Co-operation and co-ordination	11
8.18	Article 23 - General duties of employees at work	11
8.19	Article 29 - Alterations notices.....	11
8.20	Article 37 - Fire-fighters switches for luminous discharge tubes	12
8.21	Article 38 - Maintenance of measures provided for protection of fire fighters..	12
8.22	Article 32 – Offences.....	12
9	The Fire Safety (Employees Capabilities) (England) Regulations 2010 No. 471	13
10	Fire Safety Management	14
10.1	Acceptance of the Fire Risk Assessment	14
10.2	Allocation of resources.....	14
10.3	Delegation of responsibility	14
10.4	Development of a fire safety culture	14
10.5	Implementation of the findings of the Fire Risk Assessment	14
10.6	Auditing the progress	15
10.7	Maintenance of fire safety provisions	15
10.8	Insurance Implications	15
10.9	Recommendations for the minimum category of fire alarm systems for various premises occupancies.....	15

1 Introduction

Part Two of the fire risk assessment details the methodology used in carrying out the risk assessment, extracts from The Regulatory Reform (Fire Safety) Order 2005 and advice on effective fire safety management

Part Two should be read in conjunction with Part One of the fire risk assessment as they both make up the integral and complete document.

A copy of both parts of the fire risk assessment will be made available to any authorised person on request.

The risk assessment is reviewed regularly or when;

- (a) there is reason to suspect that it is no longer valid; or
- (b) there has been a significant change in the matters to which it relates including when the premises, special, technical and organisational measures, or organisation of the work undergo significant changes, extensions, or conversions, and where changes to an assessment are required as a result of any such review, the “responsible person” will make them.

2 Competency of Force Fire Consultants

The Fire Safety Order clearly states that there are two means by which competent persons might be identified. They must have both ‘sufficient training *and* experience’ or alternatively they must possess ‘knowledge *and* other qualities’, which will in both cases, enable them to properly carry out the task at hand.

All Force Fire Consultants have served in local authority fire and rescue services or defence fire authorities. They have extensive operational experience of dealing with a multitude of different types of fires in a variety of premises types. This has resulted in a thorough understanding of the causes of fire, how fires develop in different materials, the spread of fire, and the behaviour of people when confronted by smoke and fire.

Our Fire Consultants have also spent some years in a Fire Safety capacity as Inspecting and Enforcement Officers. This has enabled them to become familiar with the numerous guides and codes of practice relevant to the types of premises they surveyed. They are familiar with the protocols and procedures that local authority fire services follow in enforcing the Regulatory Reform (Fire Safety) Order 2005.

The experience and knowledge that our consultants have gained enables them to be able to give informed and reasoned advice to our Clients to ensure that they can comply fully with the applicable legislation. The skills and competency of our Consultants combine with a methodical approach to ensure a suitable and sufficient Fire Risk Assessment is produced.

It should be noted that acting on behalf of our Client in undertaking the Fire Risk Assessment, Force Fire Consultancy Ltd becomes a responsible person as well as the Client being a responsible person under the duty of Article 5.(3) of the Regulatory Reform (Fire Safety) Order 2005.

3 Methodology

There are five aspects that our consultant has used his professional judgement to consider:

Identification of Hazards

Assessment of those at Risk

Evaluation of the Risk

Methods of Control

Further Controls that are Necessary

Due regard has been given to the standards of fire safety required for the premises and training that is necessary to maintain and wherever possible to improve those standards, and the records to be kept.

Having considered these aspects our consultant has provided his findings in Part One of the fire risk assessment

4 General Fire Safety Hazards

These are the deficiencies in the general fire precautions that can affect safety when a fire has started somewhere in the premises and fall into the following categories:-

Means of escape

Means for securing that the means of escape can be safely and effectively used at all material times

Means for giving warning and detecting fire

Means for fighting fire

Maintenance of systems and provisions

Fire safety management, planning and the Fire Emergency Plan

Fire safety procedures and training

Our Consultant has applied his professional knowledge, judgement and experience to check and assess fire and general hazards in the premises. Any findings are provided in Part One of the fire risk assessment.

5 Evaluation of the Risk

The Health and Safety Executive defines risk as: “the chance, high or low, that somebody could be harmed together with an indication of how serious the harm could be.” Therefore ‘risk’ is a combination of the likelihood (of fire) and the consequences (of fire) being realised.

Setting out a risk assessment matrix gives some guidance to the severity of the risk and a basic matrix is shown below. The matrix is too simple to cover affects due to deficiencies in the fire safety standards in premises as the insignificant can result in tragedy

Likelihood of Fire	Potential Consequences of Fire		
	Slight Harm	Moderate Harm	Extreme Harm
Low	Trivial risk (5)	Tolerable Risk (4)	Moderate Risk (3)
Medium	Tolerable Risk (4)	Moderate Risk (3)	Substantial Risk (2)
High	Moderate Risk (3)	Substantial Risk (2)	Intolerable Risk (1)

Fires do occur due to three main reasons:

1. They are started deliberately
2. They occur because people are not alert to fire hazards
3. They occur because people are careless of fire hazards

6 Action Plan Time Scales

The “responsible person” should review the measures and initiate action in the recommended time scale as follows:

Risk level	Action	Timetable
Trivial (5)	No action is required and no detailed records need be kept	No action required
Tolerable (4)	No major additional fire precautions required. Reasonably practicable improvements may involve minor cost.	All work that can be undertaken by site staff is to be progressed with aim for completion in two months. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within three months of the return of tenders
Moderate (3)	Risk reduction measures should be implemented taking into account cost. Where moderate risk is associated with extreme harm, a further assessment should be made immediately to reduce the risk or potential harm.	All work that can be undertaken by site staff is to be progressed with aim for completion in one month. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within two months of the return of tenders
Substantial (2)	To reduce the risk considerable resources might have to be allocated. If the premises is unoccupied, it should remain so until the risk has been reduced. If the premises is occupied, urgent action should be taken.	All work that can be undertaken by site staff is to be progressed with aim for completion in one week. Work requiring outside contractors should be put out to tender and tenders returned within one month. All deficiencies should be rectified as soon as practicable following the return of tenders with completion within one month of the return of tenders
Intolerable (1)	Premises (or relevant premises) should not be occupied until the risk is reduced.	Our Consultant will endeavour to get all INTOLERABLE risks rectified at the time of the assessment. If an INTOLERABLE risk cannot be cleared immediately, due to there being no Client representative on site, Force Fire Consultancy Head Office will contact the Client by telephone with details of the INTOLERABLE risks and the immediate action required.

7 Definitions - The Regulatory Reform (Fire Safety) Order 2005

7.1 Meaning of "responsible person" (Article 3)

3. In this Order "responsible person" means

(a) in relation to a workplace, the employer, if the workplace is to any extent under his control;

(b) in relation to any premises not falling within paragraph (a)—

(i) the person who has control of the premises (as occupier or otherwise) in connection with the carrying on by him of a trade, business or other undertaking (for profit or not); or

(ii) the owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business or other undertaking.

7.2 Meaning of "relevant person"

(a) any person (including the "responsible person") who is or may be lawfully on the premises; and

(b) any person in the immediate vicinity of the premises who is at risk from a fire on the premises,

but does not include a fire-fighter who is carrying out his duties (fire-fighting, road traffic accidents and other emergencies)

Article 5 gives direction to the principal articles where the "responsible person" must comply with duties set within those articles:

Article 5: Duties under this Order

1. Where the premises are a workplace, the "responsible person" must ensure that any duty imposed by articles 8 to 22 or by regulations made under article 24 is complied with in respect of those premises.
2. Where the premises are not a workplace, the "responsible person" must ensure that any duty imposed by articles 8 to 22 or by regulations made under article 24 is complied with in respect of those premises, so far as the requirements relate to matters within his control.

Articles 8 to 22, 29, 37 and 38 form the main part of the Fire Safety Duties with only article 23 not applying directly to the "responsible person" but to employees

8 Relevant Articles of the Regulatory Reform (Fire Safety) Order 2005

The subject heading of each article in Part 2 of the Fire Safety Order – fire safety duties is listed below:

Article 8:	Duty to take general fire precautions
Article 9:	Risk assessment
Article 10:	Principles of prevention to be applied
Article 11:	Fire safety arrangements
Article 12:	Elimination or reduction of risks from dangerous substances
Article 13:	Fire-fighting and fire detection
Article 14:	Emergency routes and exits
Article 15:	Procedures for serious and imminent danger and for danger areas
Article 16:	Additional emergency measures in respect of dangerous substances
Article 17:	Maintenance
Article 18:	Safety assistance
Article 19:	Provision of information to employees
Article 20:	Provision of information to employers and the self-employed from outside undertakings
Article 21:	Training
Article 22:	Co-operation and co-ordination
Article 23:	General duties of employees at work
Article 29:	Alterations Notice
Article 37:	Fire Fighters Switches for Luminous Discharge Tubes
Article 38:	Maintenance of measures provided for protection of fire fighters

8.3 Article 8 - Duty to take general fire precautions

“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”

8.4 Article 9 - Risk Assessment

“The “responsible person” must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions he needs to take...”

8.5 Article 10 - Principles of prevention to be applied

"Where the "responsible person" implements any preventative and protective measures he must do so on the basis of the principles specified in Part 3 of Schedule 1

The principles are—

- a) Avoiding risks;
- b) Evaluating the risks which cannot be avoided;
- c) Combating the risks at source;
- d) Adapting to technical progress;
- e) Replacing the dangerous by the non-dangerous or less dangerous;
- f) Developing a coherent overall prevention policy which covers technology, organisation of work and the influence of factors relating to the working environment;
- g) Giving collective protective measures priority over individual protective measures; and
- h) Giving appropriate instructions to employees"

8.6 Article 11 - Fire safety arrangements

"The "responsible person" must...make and give effect to...arrangements...for the effective planning, organisation, control, monitoring & review of the preventive and protective measures"

8.7 Article 12 - Elimination or reduction of risks from dangerous substances

"Where a dangerous substance is present...the "responsible person" must ensure that risk...related to the...substance is either eliminated or reduced as far as is reasonably practicable"

8.8 Article 13 - Fire fighting and fire detection

"Where necessary...the "responsible person" must ensure that the premises are...equipped with...fire detectors and alarm and fire-fighting equipment"

8.9 Article 14 - Emergency routes and exits

"Where necessary...to safeguard the safety of relevant persons, the "responsible person" must ensure that routes to emergency exits...and the exits themselves are kept clear at all times... Where necessary...emergency routes and exits requiring illumination must be provided with emergency lighting...in case of failure of their normal lighting""

8.10 Article 15 - Procedures for serious imminent danger and for danger areas

"The "responsible person" must establish & where necessary give effect to...procedures...to be followed in the event of serious & imminent danger to relevant persons, nominate...competent persons to implement procedures...inform & instruct relevant persons concerned"

8.11 Article 16 - Additional emergency measures in respect of dangerous substances.

"The "responsible person" subject to the risk assessment, must ensure that information on emergency arrangements is available, suitable warning and other communication systems are established, escape facilities are provided and maintained, provide information to relevant accident and emergency services and display information at the premises. In the event to an incident occurring take immediate steps and permit only essential persons to the affected area and provide PPE, specialised equipment and plant"

8.12 Article 17 - Maintenance

"Where necessary in order to safeguard the safety of the relevant persons the "responsible person" must ensure that the premises and any facilities, equipment & devices provided...are subject to suitable system of maintenance and are maintained...in efficient working order and in good repair"

8.13 Article 18 - Safety Assistance

"The "responsible person" must...appoint one or more competent persons to assist him in undertaking the preventive & protective measures"

8.14 Article 19 - Provision of information to employees

"The "responsible person" must provide his employees with comprehensive and relevant information"

8.15 Article 20 - Provision of information to employers and the self-employed from outside undertakings

"The "responsible person" must ensure that comprehensible and relevant information is provided to employees from outside undertakings and to ensure such employees from outside undertakings are provided with appropriate instructions and comprehensible and relevant information regarding any risks to that person".

8.16 Article 21 - Training

"The "responsible person" must ensure that his employees are provided with adequate safety training"

8.17 Article 22 - Co-operation and co-ordination

"Where two or more "responsible person's" share, or have duties in respect of, premises (Whether on a temporary or a permanent basis) each such person must, co-operate, Take all reasonable steps to co-ordinate necessary measures, and provide information"

8.18 Article 23 - General duties of employees at work

"Every employee must, while at work take reasonable care for the safety of himself and others co-operate with their employer, inform their employer or any other employee with specific responsibility for the safety of his fellow employees of any hazard"

8.19 Article 29 - Alterations notices

"Where an alterations notice has been served in respect of premises, the "responsible person" must, before making any of the specific changes which may result in a significant increase in risk, notify the enforcing authority of the proposed changes".

8.20 Article 37 - Fire-fighters switches for luminous discharge tubes

"This article applies to apparatus...designed to work at a voltage exceeding the prescribed voltage" "The cut-off switch must be...so placed and coloured or marked as to satisfy the local fire authority". "The "responsible person" must give notice to the...authority showing where the cut-off switch is to be placed and how it is to be coloured or marked"

8.21 Article 38 - Maintenance of measures provided for protection of fire fighters

"Where necessary in order to safeguard the safety of fire-fighters in the event of a fire, the "responsible person" must ensure that the premises and any facilities, equipment and devices provided ... for the use by or protection of fire-fighters are subject to a suitable system of maintenance and are maintained... in efficient working order and in good repair".

8.22 Article 32 – Offences

It is an offence for a "responsible person" to:-

- (a) Fail to comply with any requirement or prohibition imposed by articles 8 to 22 and 38 where that failure places one or more relevant persons at risk of death or serious injury in case of fire;
- (b) Fail to comply with any requirement or prohibition imposed by regulations made under article 24 where that failure places one or more relevant persons at risk of death or serious injury in case of fire;
- (c) Fail to comply with any requirement imposed by article 29(3) or (4) (alterations notices);
- (d) Fail to comply with any requirement imposed by an enforcement notice;
- (e) Fail to ensure that luminous tube signs which are installed in premises complies with article 37 (3), (4), (6), (8) or (9)

It is an offence for any person to:-

- (a) Fail to comply with article 23 (general duties of employees at work) where that failure places one or more relevant persons at risk of death or serious injury in case of fire;
- (b) Make in any register, book, notice or other document required to be kept an entry which he knows to be false
- (c) Give any information which he knows to be false
- (d) Obstruct, intentionally, an inspector in the exercise or performance of his powers or duties under this Order;
- (e) Fail, without reasonable excuse, to comply with any requirements imposed by an inspector under article 27(1) (c) or (d);
- (f) Pretend, with intent to deceive, to be an inspector;
- (g) Fail to comply with the prohibition imposed by article 40
- (h) Fail to comply with any prohibition or restriction imposed by a prohibition notice.

9 The Fire Safety (Employees Capabilities) (England) Regulations 2010 No. 471

This regulation came into force on 6 April 2010 and applies to England only. It requires employers to take employees' 'capabilities' as regards health and safety, so far as they relate to fire, into account when entrusting tasks to them.

The regulation is intended to ensure that all tasks are allocated to employees with the necessary *skill and experience* to do them safely and applies to all tasks carried out in the course of the business, not just those (such as carrying out risk assessments) which relate directly to health and safety.

10 Fire Safety Management

The aim of the fire risk assessment is to ensure compliance with The Regulatory Reform (Fire Safety) Order 2005. The success of a fire risk assessment is largely dependent upon the “responsible person’s” understanding of the perceived risk and the potential consequences. The assessment details the importance of effective fire safety management. The “responsible person” should take into consideration the following:

10.1 Acceptance of the Fire Risk Assessment

This risk assessment, covering all significant risks, which may affect those who may be affected by fire, has been carried out to comply with the “responsible persons” duty to carry out a suitable and sufficient fire risk assessment.

The “responsible person” should accept the findings and recommendations of this fire risk assessment and review to ensure that the findings are understood and supported by senior management and communicated to all employees and where appropriate other relevant persons.

The concept of Force Fire Consultancy Ltd fire risk assessments and services is to provide the best cost-effective advice and services to comply with The Regulatory Reform (Fire Safety) Order 2005.

10.2 Allocation of resources

Dependent on the level of risk within the premises and the premises type, will determine the level of resources required to ensure a satisfactory standard of fire safety. Where substantial risks have been identified in the action plan, resources may have to be allocated in order to comply with the required findings

The items identified in the action plan have been prioritised and the “responsible person” should ensure that all the findings and actions identified are rectified

10.3 Delegation of responsibility

It is important, particularly in large premises or organisations, that certain responsibilities are delegated to appropriate competent persons.

The competent persons should be given the appropriate authority to allocate the relevant resources as considered necessary.

10.4 Development of a fire safety culture

The appropriate findings of the fire risk assessment should be communicated to all employees and other relevant persons. The organisation should develop an appropriate culture of fire safety awareness. Employees should understand the need to report any potential fire safety hazards, acts or omissions to the “responsible person” for fire safety matters.

10.5 Implementation of the findings of the Fire Risk Assessment

The findings of the fire risk assessment should be implemented within the recommended time scales given in the action plan.

10.6 Auditing the progress

The items identified within the action plan should be audited to ensure that the findings have been rectified within the given time scales or an appropriate plan is put in place to carry out any works identified when sufficient resources are made available

The fire risk assessment should be annotated accordingly

10.7 Maintenance of fire safety provisions

Once the findings and items identified in the action plan have been completed, the fire safety provisions should be maintained to a satisfactory standard. The fire risk assessment should be reviewed annually and if any significant changes have been made within the premises.

10.8 Insurance Implications

Implementation of the findings of the fire risk assessment and continual maintenance of appropriate fire safety provisions should assist in ensuring that any insurance premiums for the premises are maintained as low as possible.

10.9 Recommendations for the minimum category of fire alarm systems for various premises occupancies.

The following recommendations are made in order that clients can achieve an adequate level of fire alarm provision for their premises.

Type of Premises	Recommended Minimum Category of Fire Alarm System
Offices; shops; factories; warehouses; educational premises; places of assembly; theatres and cinemas; transport premises and facilities	Category M, with possible need for automatic fire detection in certain remote areas, areas where a fire could develop unobserved, as a compensating feature for inadequate structural fire protection, etc.
Hotels, hostels and large boarding houses	Category L2
Residential care premises (residents capable of evacuating themselves)	Category L2
Residential care premises (more than 10 residents above ground floor or a significant proportion of residents dependent on staff assistance for evacuation)	Category L1