

## REGULATORY REFORM (FIRE SAFETY) ORDER 2005

**The above Order applies to all churches, church halls and outdoor church activities.**

### **1. Background**

- 1.1 The Government is committed to reducing death, bodily injury and damage caused by fire. To implement this initiative the Regulatory Reform (Fire Safety) Order 2005 (RRO), which took effect from 1 October 2006, repeals and replaces over 100 pieces of previous fire safety law.

### **2. How do these changes affect churches, church halls and other church activities?**

- 2.1 All churches and church halls are brought under the new legislation as 'places of public assembly' – there are **NO** exceptions.
- 2.2 Outdoor activities, whether acts of worship, garden fetes, fairs or whatever also count as public assemblies, and appropriate fire safety measures must be taken.
- 2.3 Church buildings used as offices, charity shops or the like will have been covered by previous legislation but PCCs need to review their arrangements in the light of the new rules. In particular, fire certificates will no longer apply.
- 2.4 PCCs need: -
1. To appoint a Responsible Person to ensure fire safety. The Responsible Person can be more than one person e.g. the PCC itself.
  2. To ensure that the Responsible Person appoints one or more Competent Persons to carry out a Fire Risk Assessment, although this may be one and the same person.
    - A person is regarded as competent where they have sufficient training and experience or knowledge and other qualities to enable them to properly assist in undertaking the preventive and protective measures.
    - If a church has someone with experience of similar procedures in Health and Safety at Work, or who is an architect, building surveyor or fire officer, it should be possible for such a person to carry out the assessment without further assistance.
    - For a complex building, it may be necessary to employ a third party to carry out or assist with the assessment. Care should be taken to see that properly qualified people are employed. These may be: -

## Advisory Committees for the Care of Churches of the Dioceses of Coventry and Leicester

- the church architect or surveyor who conducts the Quinquennial survey
  - a corporate member of the Institution of Fire Engineers
  - a person holding a degree in Fire Safety Engineering
  - a company specialising in conducting Risk Assessments
- Where a third party is involved, they need to be accompanied around the building by the churchwardens, priest or other person with a good knowledge of how the building is used throughout the year.
  - Sometimes, companies selling/leasing fire extinguishers may express willingness to conduct the assessment. They may not, however, be ideal in that, in particular, their knowledge of building construction may be inadequate. If, however, they can show that they are properly qualified, they could be considered.
  - Currently several organisations have arrangements for accrediting those who can undertake risk assessments. These include the Fire Protection Association, the Institution of Fire Engineers and the Loss Prevention Certification Board.
3. To carry out a 'Fire Risk Assessment' of all buildings and open air meeting sites, making written records of the Assessment(s) and detailing the physical and management changes need to make the building(s) comply with the legislative requirements and to keep the Fire Risk Assessment up-to-date. (See below for where to find the legislative requirements and guidance on carrying out Risk Assessments).
  4. To ensure that any third parties, occupying any part of the church buildings (such as a charity in office accommodation for example) appoint their own 'Responsible Person' and liaise with the PCC on fire safety measures. Any regular church facility hirer, e.g. a playgroup, will need to do likewise.
  5. To ensure that occasional hirers (e.g. those who hire a church hall for a birthday party) are made aware that they are now legally responsible for conducting their activities in a safe way from fire. The PCC will need to ensure such persons are aware of the fire precautions to be heeded and what to do if a fire occurs.
  6. To consider changes to the Hire Contract for users under 4 and 5 above as part of the management of the fire risk.
  7. To ensure that, for congregations meeting in a non-church building or complex, the PCC's 'Responsible Person' co-operates with the owner, landlord and other occupants on fire safety matters and keeps church members informed of what is expected of them.
  8. To ensure that any necessary changes to the building(s) which require Minor Works permission or a Faculty are properly authorised **in advance** of any installations. The need to comply with the RRO does **not** exempt a PCC from the need to obtain the necessary permissions for any changes to the building(s).

### 3. Conducting a Fire Risk Assessment

3.1 The comprehensive Risk Assessment should: -

- Give consideration to include the safety of: -
  - Property
  - Fire fighters
  - Neighbours
  - The environment around the site
- Identify any possible dangers and risks including sources of ignition
- Identify people who may be at risk, especially those: -
  - Working alone or in isolated areas
  - Children
  - Parents with babies
  - The elderly
  - The infirm
  - People with disabilities
- Evaluate the level of risk, and remove or reduce any fire hazards where possible
- Protect people by providing fire precautions such as fire extinguishers, emergency escape routes and exits – whilst churches do not have to have fire exit signs, emergency lighting or outward opening doors, arrangements must be in place to ensure that persons can evacuate the buildings safely
- Record any major findings and the action taken, prepare an emergency plan, inform and instruct relevant people such as stewards and provide necessary training
- Review the fire risk assessment regularly and make changes where necessary

The legislation requires “reasonable and practicable” fire safety precautions to be taken.

## 4. Government Guidance Documents

4.1 The Government has issued a range of detailed guidance notes. These include:

- Small and Medium Sized Places of Assembly (up to 300 persons) – this includes churches and church halls
- Large Places of Assembly (over 300 persons) – this includes large churches and cathedrals
- Offices and Shops

4.2 The guide that should be used is based on average attendance. Where up to 300 persons usually applies, for services / events that exceed 300 people, a separate risk assessment should be undertaken for that service / event.

4.3 Each of the guides is divided into two parts

- **Part 1** describes the five stages of carrying out a 'Fire Risk Assessment' and the particular points that must be taken into account for the type of premises covered by the Guide
- **Part 2** contains more information, which can be used in making the Assessment and determining what needs to be done.

4.4 An entry level guide "A short guide to making your premises safe from fire" and a fire risk assessment form are also available.

4.5 All the guides can be downloaded free of charge in pdf file format from: -

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

**NOTE:** The guides have between 100 and 200 pages each and will take time to print out, but you may not need to print all the pages. A number of diagrams are in colour but are understandable in black and white.

4.6 Printed copies can be bought at £12 each (including p&p) from: -

DCLG Publications  
P O Box 236  
WETHERBY  
West Yorkshire  
LS23 7NB  
T: 0870 830 7099  
F: 0870 122 6237  
E: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

4.7 The Churches Main Committee (CMC) also has a booklet entitled **Fire Precautions Guide** at £2 (including p&p). This has been updated to take account of the new legislation. The CMC can be contacted at [www.cmainc.org.uk](http://www.cmainc.org.uk) or t: 020 7898 1878.

- 4.8 For the West Midlands and Warwickshire, the guide **Keep your business in business** may be consulted at: -

West Midlands Arson Task Force (KIBB)  
West Midlands Fire Service Headquarters  
Lancaster Circus Queensway  
Birmingham  
B4 7DE  
T: 0121 380 6733

and can be downloaded free from: -

[www.wmarstontaskforce.gov.uk/kybib](http://www.wmarstontaskforce.gov.uk/kybib)

- 4.9 The Guides do not explicitly require background information in the Risk Assessment, but it is sensible that any assessment should start off with an introductory section giving details of the building, its construction, how it is used and existing fire precautions.

## **5. Record of the Fire Risk Assessment**

- 5.1 It is a legal requirement that where 5 or more persons are employed a formal record of any insignificant findings and remedial measures which have or may need to be taken must be made.
- 5.2 However, the PCC is advised that, irrespective of the number of employees or even if there are none, that it makes a record of the risk assessment and records the measures that have been put in place to be kept with the Church Log Book. This will enable future Responsible Persons to have an adequate record of what has occurred in previous years.

## **6. Conclusion**

- 6.1 In practice, there is very little change from the current legislation. The need to carry out a Fire Risk Assessment has not changed although this now applies to all premises and open air events and there is no longer the need for there to be a least one employee for it to be a legal requirement. The assessment now also requires the Responsible Person to think about the effect of a fire on their neighbours.
- 6.2 Although the Guidance Notes are very detailed, they are designed to be used by lay people. The introduction to the guidance says that it is not prescriptive and that there is no obligation to adopt any particular solution in the guide if fire safety can be met in some other way. For example, churches do not have to have Fire Alarm systems, fire exit signs, emergency lighting or outward opening doors if the risk assessment shows that these are not necessary. However, arrangements must be in place to ensure that a fire can be detected and that persons can evacuate the buildings safely.
- 6.3 The Order will be enforced by the Fire Authorities who can enter premises at any reasonable time and issue improvement and prohibition notices.

## 7. Further Assistance

- 7.1 The organisations noted below are able to undertake the fire risk assessments or provide details of Competent Persons: -

**The Building Research Establishment Limited (BRE)**

**Bucknalls Lane**

Watford

WD25 9XX

T: 01923 664883

E: [FRAquote@bre.co.uk](mailto:FRAquote@bre.co.uk)

**The Institution of Fire Engineers**

London Road

Moreton-in-Marsh

Gloucestershire

GL56 0RH

T: 01608 812580

E: [info@ife.org.uk](mailto:info@ife.org.uk)

**The Fire Protection Association**

London Road

Moreton-in-Marsh

Gloucestershire

GL56 0RH

T: 01608 812500

E: [fpa@thefpa.co.uk](mailto:fpa@thefpa.co.uk)