



Home Office

FIRE SAFETY REFORM PROGRAMME UPDATE

Welcome to the second in a series of regular updates on the Home Office's fire safety reform programme. This update covers the following issues:

- Upcoming changes to the Regulatory Reform (Fire Safety) Order 2005
- Monitoring the impact of our reforms to-date
- Promoting our fire safety reforms
- Supporting our work on Fire Risk Assessor capacity and capability
- An update on our Fire Safety Guidance Programme

We hope you find this update useful and would welcome your feedback and views. You can get in touch with us via the following email address:

firesafetyreform@homeoffice.gov.uk

Upcoming changes to the Regulatory Reform (Fire Safety) Order 2005

Section 156 of the Building Safety Act 2022 (BSA) makes a number of amendments to the Regulatory Reform (Fire Safety) Order 2005 (FSO) to improve fire safety in all buildings regulated by the FSO. The changes, which come into force on **1 October 2023**, include:

- a new legal requirement for all Responsible Persons to record their fire risk assessment in full (previously only the significant findings needed to be recorded and only in specific circumstances);
- a new legal requirement for all Responsible Persons to record the identity of the individual (their name and/or if applicable, their organisation) engaged by them to undertake and/or review a fire risk assessment;
- a new legal requirement for all Responsible Persons to record their fire safety arrangements (demonstrating how fire safety is managed in their premises);
- a new legal requirement for all Responsible Persons to record (and as necessary update) their contact information, including a UK based address, and share this with other Responsible Persons and residents of multi-occupied residential premises where applicable;

- a new legal requirement for all Responsible Persons to take reasonably practicable steps to ascertain the existence of other Responsible Persons and, where applicable, Accountable Persons (a new legal entity made under the Building Safety Act 2022 in the case of higher-risk residential buildings) who share or have duties in respect of the same premises, and to identify themselves to said persons;
- a new legal requirement for the departing Responsible Person to share all 'relevant fire safety information' with the incoming Responsible Person;
- a new legal requirement for all Responsible Persons in a building containing two or more sets of domestic premises to provide residents with relevant fire safety information in a format that is easily understood by the residents;
- an increase in the level of fine that can be issued for offences in relation to the intentionally deceptive impersonation of a fire inspector, failure to comply (without reasonable excuse) with specific requirements imposed by a fire inspector (such as by not providing a copy of the fire risk assessment when requested), and failure to comply with requirements relating to the installation of luminous tube signs to the maximum possible, bringing them into line with all other offences under the FSO, and;
- a new legal provision that in court proceedings for alleged breaches of the Fire Safety Order, compliance with or deviation from guidance issued under Article 50 may be relied upon as tending to establish whether or not there was a breach of the Fire Safety Order.

We published guidance on 3 July to help Responsible Persons understand these new requirements and prepare for their introduction. That guidance can be found here: [Check your fire safety responsibilities under Section 156 of the Building Safety Act 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/check-your-fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022).

In addition to the above, sub-section 156(4) of the Building Safety Act 2022 places a new legal obligation on Responsible Persons not to appoint someone to assist them with the undertaking of a fire risk assessment unless that person is competent. We will not be bringing this into force on 1 October as we are currently working with the sector to develop a suitable implementation plan. We will provide more information on this in the near future.

Monitoring the impact of our reforms to-date

It is now well over a year since the Fire Safety Act 2021 came into force and over six months since the Fire Safety (England) Regulations 2022 took effect. We are very keen to ensure our reforms are as effective as possible in delivering improved fire safety outcomes and would particularly to hear from responsible persons about their experiences in this regard.

To this end, we recently launched a survey of Responsible Persons and we would encourage as many of you as possible to respond or, if you are not a Responsible Person, pass the survey on to anyone you know who is.

The survey is open until **23:59 on Friday 1 September** and can be accessed through the following link: <https://www.homeofficesurveys.homeoffice.gov.uk/s/RP-firesafety/>.

Thank you to those who have volunteered to join our monitoring group for the fire safety reform programme. The Fire Safety Reform Implementation Review Group (FSRIRG) will replace the Design and Implementation Group (DIG) that we established to help inform the develop of the Fire Safety (England) Regulations with a revised purpose and increased scope to cover the entirety of our reform programme. An invite to the newly constituted Group will be issued shortly. We now have excellent representation on the Group from across the fire safety industry but would welcome more representation from Responsible Persons so please do get in touch if you would like to join the Group.

Promoting our fire safety reforms

One of the biggest challenges we face is making sure people are aware of their responsibilities in relation to fire safety and are kept up-to-date when they change. We have been making every effort we can to promote our fire safety reform programme through attendance at various conferences and seminars and of course with the introduction of this bulletin.

We are currently taking part in a series of seminars with the self-catering sector lead by PASCUK that have seen us reach out to around 1500 different businesses, and we would welcome the opportunity for similar engagement with other sectors. While we cannot guarantee that we will be able to fulfil all requests, please do let us know if you have any similar events planned and would like us to attend and we will do all we can to do so.

Supporting our work on Fire Risk Assessor capacity and capability

Alongside our Responsible Person survey, we have also launched a Fire Risk Assessor survey with the aim of gaining a better understanding of the workforce that undertake this important work. This will be used to inform the work we are undertaking with the sector to develop an implementation plan for sub-section 156(4) of the Building Safety Act 2022.

The survey includes questions about how fire risk assessors came into the role as well as their training, qualifications and their experience. This can be accessed through the following link:

<https://www.homeofficesurveys.homeoffice.gov.uk/s/FRAcareerpath/>.

Please do take the time to complete this if you are a fire risk assessor or share this with any fire risk assessors you are in contact with as we are keen to reach as wide an audience as possible.

An update on our Fire Safety Guidance Programme

In our last bulletin we highlighted publication of new series of guides on fire safety in simple premises as well as guidance to help responsible persons understand their duties under the Fire Safety (England) Regulations 2022. In addition to publishing the BSA guide mentioned above, we are also in the process of updating the series of guides on fire safety in simple premises to reflect these new requirements.

Over the next 18 months we aim to publish updates to all our other premise specific guides, with drafting already underway on revised guidance in relation to healthcare premises and sleeping accommodation. We will also be publishing new guidance to support responsible persons in understanding their wider legal duties under the Regulatory Reform (Fire Safety) Order 2005 as well as guidance on the sanctions that can be taken in relation to non-compliance.

Finally, we have made some tweaks to our recently published guidance on the Fire Safety (England) Regulations 2022 and fire doors as well as our factsheet on fire doors to help responsible persons, residents and anyone working in the fire safety sector have a clear understanding of the legal requirements in relation to fire doors.



Links to the published guides mentioned above can be found below:

- [Check your fire safety responsibilities under Section 156 of the Building Safety Act 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/check-your-fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022)
- [Check your fire safety responsibilities under the Fire Safety \(England\) Regulations 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/check-your-fire-safety-responsibilities-under-the-fire-safety-england-regulations-2022)
- [Fire Safety \(England\) Regulations 2022: fire doors - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/fire-safety-england-regulations-2022-fire-doors)
- [Fire safety risk assessment: 5-step checklist - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/fire-safety-risk-assessment-5-step-checklist)
- [Making your small block of flats safe from fire - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/making-your-small-block-of-flats-safe-from-fire)
- [Making your small paying guest accommodation safe from fire - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/making-your-small-paying-guest-accommodation-safe-from-fire)
- [Making your small non-domestic premises safe from fire - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/making-your-small-non-domestic-premises-safe-from-fire)