

Question: we have recently had a fire safety audit and have been advised about our risk assessment is suitable and sufficient. We have come to an impasse we say we are ok the fire authority is disagreeing. We feel that the risk assessment is good the authority is still not happy. Should we stand our ground or allow the fire authority to dictate!

Answer: This is very difficult to answer without seeing the actual assessment. If you have got an electronic copy and care to forward it to me, I will have a look over it and will then be able to advise you further.

Question: Where can I find further information for the statement 'Appropriate to the risk of the building'?

Answer: 'Appropriate' must take into account the nature of the building, the use it is put to, the type of occupancy and risk within when judged against the relevant technical and industry standards. For instance the Home Office Guidance Documents, British Standards BS9999, BS5839, BS5266 etc.

Question: Can you please give me some further advice re 'Purpose group' what is this and where can I find further information to place into my fire strategy

Answer: Buildings are generally classified by purpose group. This summarises the use and hence the anticipated nature of risk, i.e. Hotels, Offices, Factories, etc. If you have access to the Barbour technical index system, or can access some other technical support, have a look in BS9999 and/or the Building Regulations. BS9999 gives you a whole list of uses and then a numerical 'Risk Profile' for each use. The risk profile can then be used to assess the required levels of management, occupancy factors and maximum numbers etc when balanced against the risk.

Question: What was the significance of the 'New Look' fire and the subsequent legal action and the penalty?

Answer: The New Look fire in November 2009 was significant in that it set a precedent in terms of case law and level of fine £250,000 for failing to provide a 'suitable and sufficient' fire risk assessment, and £150,000 for failing to carry out adequate staff training. The fire started in a second floor store room and the alarm was mysteriously turned off - building was evacuated safely but was gutted and had to be demolished. The fine was the largest in UK since the RRO came into effect.

Question: What rights do we have if we do not agree with the fire brigade assessment and we believe our FRA is suitable and sufficient?

Answer: The only right you have is to Appeal against an Enforcement Notice if one is served on you. But I would suggest long before that you meet the fire officer or his senior manager and discuss your differences. As to whether the FRA is suitable and sufficient is very difficult to answer without seeing the actual assessment. If you have got an electronic copy and care to forward it to me, I will have a look over it and May then be able to advise you further.

Question: What are Tony's thoughts on braille marked emergency evacuation directional signage

Answer: Braille marked signage hit the headlines a few years ago and at the time appeared to be more a commercial venture than a serious suggestion from the industry. It is a case of common sense prevailing in this matter, as the main difficulty is knowing where to put a sign so that a blind person could actually locate it. Raised numbers in lift cars and on floor levels are fine as these are in specific self-determining locations, but when you think about exit signs where would you put them. My own experiences tend to suggest that once you show a blind person where an alternate route is in a building they will remember and find it much easier that a persons with all senses intact. In a building that is not frequented often by blind persons I would err on the side of caution and suggest specific staff roles and/or a buddy system

Question: Should communal landings in blocks of flats be totally sterile, or can tenants "take ownership" of these areas, provided they are kept clear for evacuation.

Answer: Landings and staircases in blocks of flats etc must be kept sterile - that is the only way to deal with the matter. Whilst it seems harsh I have seen so often the 'give an inch and take a mile' scenario where a pot plant has been readily accepted, next an easy chair appeared, then a table, and eventually all sorts of household effects. In one I actually found a freezer and a wardrobe on the landing, which had literally become an extension of the dwelling. So the answer is no - the building is designed to have a zero fire loading and it must be kept that way.

Question: Should volunteer fire wardens/fire marshals in a workplace be paid extra?

Answer: I am not aware of any particular industry view on 'extra-duty' payment for fire wardens. This has to be a corporate business policy. However, I am aware it is becoming increasingly difficult to get people to volunteer and the day may well be coming where you/we will need to consider a small incentive similar to the first aid one used extensively throughout the UK. At the moment that is really down to each employer.

Question: What is Tony's opinion on upgrading leafs of fire doors, rather than wholesale replacement of fire doors with door sets eg certified within frames.

Answer: Upgrading existing doors is fine as long as the door and frame are in good condition. We are working with several large housing authorities where the total replacement of every door in their housing stock would be genuine in terms of cost. Most doors are the old BS476 30 minute solid core type that close onto a 25mm rebate. I would suggest that probably 8 out of 10 of these particular doors are good enough to upgrade by the addition of in tumescent strips, smoke seals and self-closing devices.

Question: Where should Fire Risk Assessments be kept (e.g. if communal areas of Local Authority Flats have no manned reception – only a staircase!). Some flats only have a sterile open concrete staircase to a first floor flat (e.g. converted semi-detached split into Gd & 1st Fl flats).

Answer: Acceptable for the FRA Report to be kept at head office, as long as it is readily available for inspection upon demand.

Question: Gypsy sites encounter problems with misuse of fire hoses to wash-down vehicles. Is it acceptable to replace these with fire extinguishers, & if so, how many?

Answer: I would accept portable fire extinguishers in lieu of hose reels in gypsy camps our caravan parks, but you will need to discuss this locally with the fire brigade and possible EHO as the matter may well come under the licensing conditions as well as RRO. The two problems encountered in this area are a) theft - the extinguishers mysteriously walk off in the night, and b) frost protection. However both can be overcome - you can fit an antitheft alarm to the extinguishers and most companies have an ethylene glycol type of additive for frost protection of water or AFFF extinguishers. I would suggest minimum of 2 x 9 litre water gas or AFFF extinguishers per 'Fire Point' where there was a hose reel. If a fire has developed beyond the point of needing more than a couple of extinguishers to put it out then a normal domestic type hose reel would not extinguish it either.

Question: With blocks of domestic/tenanted flats, what duties apply to evacuation drills & training for use of fire fighting equipment.

Answer: Generally speaking if you have a common fire alarm system throughout a building and you have an evacuate policy as opposed to a stay put one then you should be carrying out an evacuation drill at least once per year. You must demonstrate that if anything goes wrong you have done all you reasonably can to ensure that tenants are aware of the procedures etc. However, the RRO does not apply beyond the flat door and if the tenants choose not to take part then there is little you can do, but that is then down to them, and they would not be able to point a finger or accuse you of negligence. Mostly, by prior arrangement we find that tenants do take part and most tend to enjoy the occasional fire drill. Secondly, the RRO and supporting documentation implies that where portable equipment is provided then persons should be trained how to use it. That is almost impossible in blocks of flats etc so for that reason extinguishers are not favoured in sterile common parts of such buildings. They should not be provided for use in the case of a fire in a flat - that is down to each tenant. Where it is a house in multiple occupation or staffed accommodation then you may have to consider some form of 'familiarisation' training. That does not need to be a commercial operation - just someone to explain the type, purpose (classification), location and method of use would be appropriate.

Question: Following Lakanal, there has been some discussion on competency of those carrying out Fire Risk Assessments. What is the minimum training recommended for those undertaking FRA's. Is this likely to change?

Answer: Competency is a very emotive and difficult word in terms of the RRO to try to explain. What you must do is to cover yourselves in that whoever undertakes your risk assessments knows what he or she is doing. Whatever the subject matter the answer is very much the same i.e. that the person carrying out the assessment has a relevant background, experience of the subject, underpinning knowledge of the subject, willingness to do the task and a genuine understanding of what is right or what can go wrong, plus any supporting teaching or qualifications. That can only be judged on an individual basis and not as a generalisation. There is a distinct possibility that third party accreditation will come into the frame one day. We ourselves are accredited onto the register of the Institute of Fire Safety Managers. That is based upon candidates all round ability and presentation of a selection of recent risk assessments. A lot of major companies outsource their risk assessments by using a register as a pre-selection yard stick

Question: Where you may "inspect and possibly approve a tenant's FRA, how do you limit your liability?

Answer: The liability is not yours, as you are only looking at it as part of your overall management of the building. It is the tenants responsibility to ensure that 'in-law' they have produced a fire risk assessment that is suitable and sufficient As a landlord or managing agent you are simply looking to ensure that a tenant has fulfilled that obligation and as part of managing the overall risk properly. If you do not think the FRA is good enough then you should tell them so and refer them to some guidance document i.e. PAS 79 2007, or BS9999. By looking at their document you should not be validating the assessment, but purely forming an opinion as part of managing the building.

Question: Is it safe or in breach of legislation to have fire doors pinned open during normal working hours, relying on the employees to shut in the event of an emergency?

Answer: The short answer is that it is a legal requirement to maintain fire doors in the closed position as part of the protection to the means of escape. You should not have any fire doors pinned open at all, but if it is essential to hold them open for ventilation or ease of working etc, then they may be held on approved magnetic devices that are interfaced into the fire alarm and detection system; or where there is a fire alarm but no detection then a "Door guard type of' fitting can be used. These operate off sound and at a specific decibel rating that is emitted by the fire alarm.

Question: Do you recommend retrofitting for sprinkler systems in tower blocks?

Answer: The retrofitting of sprinklers in a tower block is a great but very expensive idea. I have to say after the Lakanal House fire in Camberwell, there is nobody in the fire industry that would not support the idea, but you have to qualify the statement in that not all buildings are like that and may not justify the expenditure. It really depends upon the age, height and condition of the building, but if you have any that are similar to Lakanal then I would seriously consider it.

Question: What is your opinion on fire extinguishers? I'm from a university with residential student accommodation. Local brigade fire inspecting officers consistently advise that the best course of action is for the students to evacuate and not to get involved in 'fire fighting'. The accommodation has detection and alarm systems, compartmentation, separation, and the prevention / protection measures that one expects to find in a modern building. Are extinguishers still necessary?

Answer: The RRO requires that subject to the features of the premises, activity carried out, hazards present, or other relevant circumstances in order to safeguard the safety of 'relevant Persons' the responsible Person must ensure that the premises are equipped with appropriate fire-fighting equipment. The need or otherwise must be assessed through the fire risk assessment, and a case made if you choose not to install or remove any. From your question 'Residential Student Accommodation' with the risks that brings I would find it difficult to justify not providing any extinguishers. As to how many and of which type - you would need to look at each building or risk separately. But you certainly do not want three or four extinguishers along corridors or on landings every 10 metres or so as I have witnessed. Most equipment can be rationalised considerably down to a single Water or AFFF extinguisher within 30 metres (or so), and at least one per floor level. If you have a major electrical risk, such as switch rooms, large open plan offices with a significant number of computers, or an IT training room etc then CO2 extinguishers may also be necessary. I do not disagree entirely with the view of the local fire officers in that without doubt the safest course of action is to evacuate the building and leave the fire fighting to them. However, that is fine except to say that 80% of fires in the UK are extinguished in the early stages by a portable extinguisher. It also depends upon your geographical location. If you are 2 minutes round the corner from the fire station then ordinarily you will get a quick response, but out in the country some 3 or 4 miles away then first stage fire fighting with an extinguisher would almost certainly be worthwhile. Bear in mind that if you provide extinguishers then you will need to consider some form of 'familiarisation' training. That does not need to be a commercial operation - just someone to explain the type, purpose (classification), location and method of use would be appropriate.

Question: What's so wrong with "tick box" assessments in the likes of retailers if it is based on a careful analysis of the business?

Answer: Tick box assessments are generic and not premises specific. Whilst I understand the reason for asking the question, I have seldom seen a tick box questionnaire or assessment pro-forma that I covers everything it should or that can be made to be premises specific. No two places are the same, and whilst I acknowledge that you can generalise on a lot of questions, ticks do not give you extended answers as 'expected in an assessment. You could summarise the use of a tick box proforma by saying it is generally a compliance audit and not an assessment. You mentioned the retail industry - bear in mind that the New Look fire in November 2009 was significant in that it set a precedent in terms of case law. A fine of £250,000 was imposed for failing to provide a 'suitable and sufficient' fire risk assessment, and £150,000 for failing to carry out adequate staff training. The fine was the largest in UK since the RRO came into effect. On a premises by premises basis, you would have to use your judgement as to whether a tick box risk assessment complies with 'the spirit of intention' of the RRO in capturing the risk and many related actions, or is it simply being used a quick and economical method of overcoming the problem.

Question: What is your opinion on a stay put policy for a tower block or a sheltered housing complex?

Answer: Modern buildings built in compliance with the Building Regulations are designed with full compartmentation and 'a Stay Put' policy in mind. Sheltered accommodation that has communal areas and staffing is a different consideration, and there are variables that come into play. Is the premises staffed through 24/7, do the residents spend a lot of time in the communal areas, would they be safe in their bedrooms if a 'Stay Put' policy was implemented., and if so could they be progressively evacuated via protected routes to ultimate safety if the need arose. These are specific questions that would need to be answered on a building by building basis via the FRA.

Question: What do you advise about the storage of mobility scooters on a corridor of a tower block or in a sheltered housing unit?

Answer: Mobility scooters are often kept inside a building, but should only be accepted as long as they are out of the way i.e. under a staircase or in a recess. However, the scooter must NOT be charged in that location. The batteries on these machines are suspect and are vulnerable to overheating under overcharging conditions. There have been several in recent years that have exploded. So whatever, you accept be mindful of that.

Question: Do you recommend a sprinkler system in new build houses?

Answer: Short answer is Yes it is a good idea, but will only serve to protect property and not necessarily preserve life. We applaud the initiative of smoke detection in new houses and equally acknowledge that sprinklers are the only way to control a fire and inhibit the spread. However, in a single domestic residence they are expensive to install and expensive to maintain when judged against the risk. It would be good if the insurance industry took a stance on this and contributed by way of a discounted premium etc, but so far no initiative has been led. So, yes I would endorse it on the right and sensible basis.

Question: Some shafts which go up from one floor to another in new buildings are not fire stopped but have a fire door enclosing the room/cupboard in which they are held. Is this best practise now?

Answer: Yes - this is acceptable for a vertical riser under Building Regulations. Provided the shaft is enclosed properly at each level by well fitting FD30 s doors and are kept locked shut then there should not be a problem. However, many such locations become storage and dumping grounds for the tenants and this is when you need to step in and control/eliminate the risk.

Question: How do you recognise a protected lift shaft?

Answer: A protected lift shaft should be enclosed in fire resisting construction throughout and is usually found either within a staircases enclosure or within its own shaft. There must be a fire resisting lobby between the lift and habitable room (accepts wicks) and it must discharge either directly or via a protected route to ultimate safety.

Question: Is it acceptable for 1st floor offices to only one fire exit route. If it is acceptable what do you tell staff who find this a little disturbing?

Answer: Yes it is acceptable in small buildings that generally only have one (or two at the most) floors above the ground. It is based upon the maximum travel distance from the furthest point of the top floor either into the staircase if it is fully enclosed with fire doors onto it, or if open then to the door to outside, which should not be more than 18 metres.

Question: Are regular building surveys a requirement for buildings to detect failure in fire systems e.g. holes in compartmentation?

Answer: Yes - it is expected that such things should be picked up on a routine inspection basis as opposed to having to wait for a fire risk assessment to expose the problems. The management of a building is a day to day proactive function and the office or building manager should have these tasks in hand as part of a routine programme. Having a regular check routine in place is not a legal requirement; however one can hardly demonstrate compliance with the RRO and good management practice if there is no such thing in place....!

Question: With regards to a single tenancy house {two bedroom} - what systems in terms of equipment i.e. Fire doors, extinguishers, smoke alarms etc would you recommend?

Answer: If this is a single tenancy consisting of one family, in a single unit of housing such as a street front property, then there is no requirement. This is the same as a private house and the tenant is expected to make his/her own arrangements. If there is any connection with any other part of the building then it is different and would need to be assessed accordingly, but as a minimum the front door would need to be fire resisting and self-closing etc. There is no requirement upon a landlord to provide fire extinguishers or other equipment as the area inside the flat is not covered under the RRO. Some landlords however do provide domestic smoke detectors which are hard wired into the mains, and a fire blanket in the kitchenette, but this is on a goodwill basis only.

Question: Where do we stand with regard to laws and convictions should a fire occurs, if the risk assessment is taken a) external consultant, and b) internally, as the delegated responsible person.

Answer: In the event of a fire the risk assessment is called for and examined. This is the case whether it has been done internally or by an external consultant. The fire authority will look to see that an assessment is in place, if it is 'suitable and sufficient' for the nature of premises and whether any recommended actions have been taken. The New Look fire in November 2009 was significant in that it set a precedent in terms of case law and level of fine £250,000 for failing to provide a 'suitable and sufficient' fire risk assessment, and £150,000 for failing to carry out adequate staff training. The fire started in second floor store room and the fire alarm was mysteriously turned off - building was evacuated safely but was gutted and had to be demolished. The fine was the largest in UK since the RRO came into effect.

Question: Responsible persons that you mention to conduct the fire risk assessment: surely an external consultant has no accountability. The accountability is with the landlord/owner. Therefore is it better to have an internal responsible person and not external consultant?

Answer: As far as liability is concerned the responsible person would enter into a contract to have his risk assessment done by an external person. Providing he/she has used due diligence in ensuring that, as far as can be reasonably ascertained, that person is competent to carry out the assessment, and then the external person carries the full liability. There are several such cases where an external consultant has had a notice served against him. Similarly if a company chose to use an internal person and there is no reason they shouldn't, then if anything went wrong they too would have to demonstrate that in their opinion the person they used was competent to carry out the assessment. That then brings into play the definition of competent, which is a very emotive and difficult word in terms of the RRO to try to explain. What you must do is to cover yourselves in that whoever undertakes your risk assessments knows what he or she is doing. Whatever the subject matter the answer is very much the same i.e. that the person carrying out the assessment has a relevant background, experience of the subject, underpinning knowledge of the subject, willingness to do the task and a genuine understanding of what is right or what can go wrong, plus any supporting teaching or qualifications. That can only be judged on an individual basis and not as a generalisation.

Question: How would Tony deal with the inconsistency of 'opinion' from fire officers in regards to what is a suitable and sufficient fire risk assessment?

Answer: This is very difficult to answer and it does vary from one fire authority to another. However the answer is to talk to each and try to understand what in their opinion is wrong with what you have in place. It is usually a format problem which may not be familiar or easy to read. However without seeing the actual assessment, I could not offer anything further. If you have got an electronic copy and care to forward it to me, I will have a look and may be able to advise you further.

Question: A risk assessment may indicate a requirement for emergency lighting in temporary site accommodation due to winter working and closed security screens. Also the CDM regs stipulate lighting requirements for sites.

Answer: Not sure what the question is here but if a risk assessments suggest emergency lighting then it will normal be for good reason, and you are advised to comply with or question the reason.

Question: Is it obligatory to keep fire doors closed

Answer: The short answer is that it is a legal requirement to maintain fire doors in the closed position as part of the protection to the means of escape. You should not have any fire doors pinned open at all, but if you feel it would be beneficial to hold them open for ventilation or ease of working etc, then they may be held on approved magnetic devices that are interfaced into the fire alarm and detection system; or where there is a fire alarm but no detection then a "Door guard type of' fitting can be used. These operate at a specific decibel rating that is emitted by the fire alarm.

Question: What is Tony's opinion on the 'requirement' for Fire Marshals, which is often suggested as a must? In large, multi chambered buildings, it may just not be practicable to recruit the number required, in all locations, covering all times of occupancy (people mobile work now). Even if numbers could be recruited, the layout complexity could put them at risk. Is it fair to adopt the 'every man/woman' for themselves approach, so long as all persons vulnerable are covered and accounted for? What would you suggest is an appropriate approach in the above scenario, when layout complexity and recruitment is so difficult? Thank you!

Answer: The RRO requires appropriate plans be put in place for the safe evacuation and accountability of persons from a building. There is no legal requirement to have fire wardens, but there is a requirement to manage the building properly. Therefore there must be some mechanisms in place for checking that everyone is out of the building. In the old days with a static workforce it was easy as a roll call was the easy option. But now as you say the workplace is so nomadic the only safe away is to do a quick scan of the floors. Some companies are considering offering incentives to be a fire warden, similar to first aiders. It is not appropriate to adopt every man for himself policy - that would soon bring about a 'criticism that would be picked up in your risk assessment otherwise it may be considered to be 'not suitable and sufficient.'

Question: At what point does the installation of a) a fire alarm system and b) smoke detection become mandatory. In small premises, a shout of 'fire' could be sufficient?

Answer: There is cut-off point when a fire alarm becomes a legal requirement. It is more a case of when a shout of fire is inadequate. That depends upon the use of the building, number of floors, number and disposition of people and whether a simple shout could be clearly and unambiguously heard above all else, throughout all parts. Only the very smallest of premises would come under that category, but of course many do. This then all boils down to the findings of the risk assessment.

Question: Can you use the fireman's specific lift before the fire service attends to remove less able persons?

Answer: Yes - providing it is in a protective enclosure, goes directly to ground where there is a place to exit to ultimate safety, and where it can be called to the relevant floors. It must have communication within it or from the lift lobbies and should have an independent source of power supply, taken from the intake side of the main distribution boards.

Question: Comment; ask what the competence is of the trainer!!

Answer: Not sure what the question is here but competency is a very emotive and difficult word in terms of the RRO to try to explain. What you must do is to cover yourselves in that whoever undertakes your risk assessments or indeed fire training knows what he or she is doing. Whatever the subject matter the answer is very much the same i.e. that the person carrying out the assessment or training has a relevant background, experience of the subject, underpinning knowledge of the subject, willingness to do the task and a genuine understanding of what is right or what can go wrong, plus any supporting teaching or qualifications. That can only be judged on an individual basis and not as a generalisation. There is a distinct possibility that third party accreditation will come into the frame one day. We ourselves are accredited onto the register of the Institute of Fire Safety Managers. That is based upon candidates all round ability and presentation of a selection of recent risk assessments or training modules.

Question: Can we leave it to the fire services to evacuate disabled persons?

Answer: No you cannot knowingly choose to leave a disabled person in the building to be rescued (eventually) by the fire brigade. It is expected that you will make a plan and make every effort to get that person out prior to the fire brigades arrival. If as a very last resort you cannot, through physical impossibility or by putting other lives at risk then of course the fire brigade will rescue the person(s). But please not as a first option.....!

Question: Comment; the RRO has been in for 4 years but the need to carry out a FRA has been since 1999 (amended to Management regs)

Answer: Yes Risk assessment is not new - it has been in force as far as fire legislation is concerned since the commencement of the Fire Precaution (Workplace) Regulations in 1997 (amended 1999). But there was nothing in those regulations that specified a risk assessment - it was the cross over between them and the Management of H&S Regs.

Question: Is it usual for disclosure of a FRA to be a condition of tenancy in a shopping centre?

Answer: Yes - it is the only way that centre management can be certain that a tenant has complied with his/her responsibilities.

Question: Is it usual for disclosure of a FRA to be a condition of tenancy in a shopping centre?

Answer: The leasing agreement usually contains a clause to the effect that 'the tenant' will undertake to comply with all statutory legislation. To enable you to ensure that this is happening as regards the RRO and statutory legislation, you are entitled to ask to see a copy of the assessment. But there is no entitlement for you to actually have a copy to keep on file.

Question: Will the fire action notice suffice as the emergency plan in smaller basic premises?

Answer: Yes in very small premises. Very often the fire routine is the only information available or necessary in a small tenanted or owned premises.

Question: Self closers on doors - been fitted but tenants stating they cannot open door - been adjusted to minimum resistance but tenant states still hard to open door and wants them removed what advice can be given??

Answer: Self-closers on fire doors should be adjustable to accommodate even the frailest of persons. I would need to look at the type of closers in use, but have sorted out a similar problem with one of our clients where Perko's had been fitted. The installing contractor was not aware that they could be adjusted. Only advice is to look at different closers - Briton make several which are suitable for disabled etc.

Question: I have recently carried out some FRA's on fairly new builds and found numerous issues in relation to fire compartmentation. These issues were never picked up by BC Officers Fire Officers. Statements have been made that well the building passed building control. My question really is - is what are BC officers looking at when signing off a new build??

Answer: Sorry to say but we have the same experience with new builds. Quite what the BCO is looking for we cannot quite make out because there are glaring mistakes and shortcuts noted on many nowadays. There is a mechanism to challenge the Building Control Dept and the fact that the building has been signed off is blatantly unsatisfactory. I have recently criticised an acceptance of a new false ceiling and revolving doors in a shopping centre where they blatantly affect the smoke extraction and inlet air provisions - successfully on this occasion as remedial action had to be taken. So my advice is to challenge any blatant discrepancies, but be prepared to go all the way.

Question: We have a number of high rise social housing accommodations which has relied on the intervention of the fire service to assist in the evacuation procedure. These blocks have a stay put policy procedure in place. If the person with the fire is unable to self evac down the stairs due to their physical disabilities how do we get them down the stairs how do we accommodate these people and ensure that they can evacuate the block without as we keep getting told not relying on the intervention of the fire service these blocks are not manned 24hrs

Answer: There are times when you cannot do the impossible. Having a Stay Put policy for everyone except the person involved in the fire is one thing, but getting the affected person out during or after the event is very different. I suggest you call in the senior fire safety officer and go through the scenarios with him/her. They cannot unreasonably expect you to make provisions to rescue affected persons by internal or self-help means -in an unmanned building - that is unreasonable and clearly in the event of fire, their job. I would ask the question then - if you have a Stay put policy why for a single dwelling fire are you looking to evacuate the block. This is normally only done as a last resort and then only in a worsening situation. In which case the fire brigade are duty bound to assist.

Question: Why has the CLG not produced a guidance document specific for Social Landlords as the guides that have been produced do not fit in with the issues that social landlords face? As most buildings do not have staff present to assist in evacuating etc

Answer: Short answer is that as yet the various bodies do not really understand or know enough about social housing, implications on landlords and fire etc to be able to produce anything worthwhile.

Question: In NI when the legislation is finally rolled out, how retrospective will it be? Do we have to have all the legislation cover straight away, or are current provisions covering the requirements of the RRFSSO, or do we have to meet its requirements straightaway? Or is there a lead in period?

Answer: The legislation will not be retrospective however like the UK when the RRO came in there was no lead time, it applied to designated premises from day one. However, what invariably happens is that it takes the fire authority a fair while to catch up and become proactive in their validation and enforcement roll, and there is usually a degree of 'softly softly' in the first instance and understanding while they get their head round it all, possibly for the first six to twelve months. However, most premises with the possible exception of the housing sector came under the NI Workplace Regulations, so there may not be such a generous period of grace in this instance. The delays of course are because of the political, financial and resource implications upon the fire authorities.

Comment: Northern Ireland is still waiting for this legislation; it's sitting with the minister, and the public safety committee, who do not seem to be in any rush to actually implement the RRFSSO.

Question: Should you have smoke detectors in electrical risers

Answer: Yes - where it is practical and reasonable in terms of risk, to do so. If there is a risk of a fire starting and developing within being detected for some time then I would suggest detection should be installed. Most risers nowadays have detection built in at the construction stage.

Question: Completion of deficiency notices or enforcement notice does not exclude you from prosecution.

Answer: No you are quite right - In the context of the conversation we were talking about complying with the RRO and generally speaking complying with the conditions of a Deficiency Notice or Enforcement Notice. I made the statement that if you comply with the terms of the notice then (on that matter) you should not be prosecuted. On other matters or failure to comply then yes, you could well end up with a prosecution.

Question: Second question - Is there a standard competency level'/standard for people undertaking fire risk assessments?

Answer: Competency is a very emotive and difficult word in terms of the RRO to try to explain. What you must do is to cover yourselves in that whoever undertakes your risk assessments knows what he or she is doing. Whatever the subject matter the answer is very much the same i.e. that the person carrying out the assessment has a relevant background, experience of the subject, underpinning knowledge of the subject, willingness to do the task and a genuine understanding of what is right or what can go wrong, plus any supporting teaching or qualifications. That can only be judged on an individual basis and not as a generalisation. There is a distinct possibility that third party accreditation will come into the frame one day. We ourselves are accredited onto the register of the Institute of Fire Safety Managers. That is based upon candidates all round ability and presentation of a selection of recent risk assessments

Question: Just to let Tony know that the official figures from CLG indicate that the total number of non dwelling fires in the UK have gone down year in year. However, the cost of each fire in terms of financial losses has increased

Answer: Thanks for the figures and yes domestic fires have fallen thankfully due to a raised awareness and more smoke detectors in the home nowadays - but fire loss figures are way up as compared to previous years. Trouble is with fire statistics they are all three or four years old when you get them

Question: I understand the duty holder responsibilities for communal areas of High Rise flatted accommodation - but what should we be doing for the residential flats themselves? I.e. if works is undertaken by a leaseholder which may affect fire compartmentalization.

Answer: Competency is a very emotive and difficult word in terms of the RRO to try to explain. What you must do is to cover yourselves in that whoever undertakes your risk assessments knows what he or she is doing. Whatever the subject matter the answer is very much the same i.e. that the person carrying out the assessment has a relevant background, experience of the subject, underpinning knowledge of the subject, willingness to do the task and a genuine understanding of what is right or what can go wrong, plus any supporting teaching or qualifications. That can only be judged on an individual basis and not as a generalisation. There is a distinct possibility that third party accreditation will come into the frame one day. We ourselves are accredited onto the register of the Institute of Fire Safety Managers. That is based upon a candidates all round ability and presentation of a selection of recent risk assessments

Other than landlords rights you have no obligation under the RRO for any fire precautions inside a tenants flat. However you have the absolute right under the RRO and Building Regulations to enforce the compartmentation requirement between flats and corridors and between flats themselves both vertically and horizontally. Any action by a tenant that undermines or destroys the integrity of the fire compartment (including his/her front door) can be challenged and a requirement imposed and enforced by court order if necessary, to restore the structure to its original state.

Question: PAS 79 and HSE both define competence and gives further guidance

Answer: I agree and am aware of both those definitions. However in conversation and live on a webinar they do not really tell people what they want to know - what is an underpinning knowledge, or an acceptable level of experience. Neither of them talks about a defined qualification unlike Health & Safety. Competency is a very emotive and difficult word in terms of the RRO to try to explain. What I suggest people do is to cover themselves in that whoever undertakes their risk assessments knows what he or she is doing. Whatever the subject matter the answer is very much the same i.e. that the person carrying out the assessment has a relevant background, experience of the subject, underpinning knowledge of the subject, willingness to do the task and a genuine understanding of what is right or what can go wrong, plus any supporting teaching or qualifications. That can only be judged on an individual basis and not as a generalisation. There is a distinct possibility that third party accreditation will come into the frame one day. However, it is as always tinged with commercial gain. So we have to wait for government leads. We ourselves are accredited onto the register of the Institute of Fire Safety Managers. That is based upon a candidates all round ability and presentation of a selection of recent risk assessments.

Question: What is a good route to professional qualifications/accreditations for fire risk assessment?

Answer: There are several routes. One is via the Fire Service College - they offer a good foundation course and follow on module for practical fire risk assessment. Likewise the Fire Protection Association does the same. If you have a NEBOSH Certificate they do a one week bolt on fire module covering fire risk assessments. Any of which can be a pre-requisite to join an organisation and become accredited onto a risk assessment register. If you don't have any qualifications as yet and are involved in fire safety on a day to day basis whatever the level, don't worry because you could do worse than join the Institute of Fire Safety Managers at a technical level. They have a progression route to accreditation and run meetings/workshops throughout the year for members and guests. Have a look at their website or Email me for any further information.

Question: My Company uses a space in a building which last year had a fire evacuation, which my staff were not involved in. The detector didn't work and no one knew they were missing when they were at the evacuation point. I am due to review them soon and want to know how I can ensure they keep me in the loop. Can I ask for the reports from the evacuation to be sent to me to ensure I am looking after my staff?

Answer: If you use a space in a building then you should have been involved in the evacuation from the start. I am not sure what you mean when you say the detector did not work and no one knew they were missing. Was there a fire, did the alarm go off, and who was missing because they were at the evacuation point? You need to get your own company and staff involved and legally you must take part in or run a separate evacuation drill at least once per year. Yes, you should have feedback from the building manager about an evacuation but I hesitantly say that may not be the case if you chose not to be involved.

Question: Where should Personal Emergency Evacuation Plans is held within an organisation?

Answer: PEEPS are individual and should be kept by the relevant person(s) and HR or H&S Manager. They must be available for scrutiny at the time of fire risk assessment, following a fire and at the request of a fire officer. Accordingly they should form part of the Emergency Plan. As to where they are physically kept is unimportant as far as compliance is concerned, but I would suggest in a fire roof safe, and certainly elsewhere than in a file or on the PC through single server in the office. I would back them up somewhere safe for your own protection so that you can retrieve them and use them as evidence should anything serious ever happen.

Question: I have been asked to carry out fire risk assessments for low risk buildings. I have recently passed an H&S diploma but was considering taking an FRA certificate. Do you think this would be beneficial or would my diploma be deemed as sufficient?

Answer: I would need to ask the question as to what is a low risk building. Has somebody predefined that before you go or are you saying that from experience of doing some assessments already? It really depends upon your own knowledge - are you comfortable doing them at the level they are or if you find something a bit out the ordinary would you be able to recognise it and deal with it. I make this point as even the lowest risk buildings have fire risks within them. Take a look under the desks or behind the scenes at the multi-way adapters in use etc. Are you happy with them re they overloaded etc and do the fire come out of floor boxes under the sharp edges of their lids for instance.

Not sure what your H&S diploma is. But if it NEBOSH it will serve you in good stead and is a good start. So there are several routes for you to consider. One is via the Fire Service College - it offers a good foundation course and follows on modules for practical fire risk assessment. Likewise the Fire Protection Association does the same. If you have a NEBOSH Certificate they do a one week bolt on fire module covering fire risk assessments. Any of which can be a pre-requisite to join an organisation and become accredited onto a risk assessment register. Other than the Diploma if you don't have any qualifications as yet and are involved in fire safety on a day to day basis whatever the level, don't worry because you could do worse than join the Institute of Fire Safety Managers, at a technical level. They have a progression route to accreditation and run meetings/workshops throughout the year for members and guests. Have a look at their website or Email me for any further information.

Question: I work for a large gas company and lately we have had some asbestos removal work done, this has high- lighted that above the fire doors there is no fire breaks. They don't seem overly bothered about it I keep approaching management about it but because the building was built in the 60s what building regs does it fall under I am trying to get a document and breach of legislation that I can go to them with please can you help.

Answer: I am afraid you may need some help here. Firstly Building Regulations do not apply once a building has been built and occupied, unless structural alterations are made to it in which case only the alterations would then have to comply. Apart from being above doors you do not say where you think the separation n or compartment lines should be. If the doors are fire doors onto a means of escape for instance then there is little point in having them with an opening over the top. My initial suggestion is to try and locate the old fire certificate, which most people have kept for nostalgic reasons. If you can find it, it will show you the lines of fire resistance that is a starting point. If not then you may have to seek some help because you will need to define the lines of separation yourself and that may not be within your comfort zone. See how you get on and come back to Barbour if you need any more help.

Question: What is a demised area?

Answer: The demised area is the area let to tenants, an area that they are solely responsible for under their lease. In a multi-occupied building the landlord or managing agent looks after the common parts and each tenant looks after his/her own demised portion.

Question: Do all work areas need to have alternative means of escape or can they have just one escape route?

Answer: It depends upon the use of the area in question but generally speaking a single escape route is acceptable in a 'normal' or medium risk environment between 18 and 26 metres. However that has to be qualified by the nature of risk, Risk Profile and potential fire growth rate. Most buildings are built to the minimum (18m) then there is no disparity whatever the use. In high risk areas the maximum distance is reduced to 12 metres, beyond that or where a room is occupied by more than 60 able bodied persons then a second escape route would normally be required.

Question: Disabled people - difficulty with walking, are we allowed to leave persons in protected areas or should we use evac chairs. Has there been any case law?

Answer: No you should not knowingly chose to leave a disabled person in the building to be rescued (eventually) by the fire brigade. Even though you have defined refuges it is expected that you will make a plan and make every effort to get that person out prior to the fire brigades arrival. If as a very last resort you cannot, through physical impossibility or by putting other lives at risk then of course the fire brigade will rescue the person(s). But please not as a first option.....! No case law as far as I know on this particular aspect.

Question: Emergency plan review and practice how often?

Answer: Review the emergency plan every six months or so to make sure it is still relevant and up to date. Any major changes in people processes or building layout etc may prompt an update. The plan should be tested in line with an evacuation drill which should be held at least once per year - for large buildings or where staff turnover is high then twice a year is the norm.

Question: Has the incidence of fire decreased since the introduction of the RFO?

Answer: Fires have not decreased since the introduction of the RRO however; domestic fires have fallen thankfully due to a raised awareness and more smoke detectors in the home. Fire loss figures are way up as compared to previous years, hence the question mark as regards the RRO working. The feeling within the industry is that much emphasis has been placed on the risk assessment so much so that people have actually taken their eye off the bigger picture. Trouble is with fire statistics they are all three or four years old when you get them.

Question: Apologies if this gets covered in the latter stages of the presentation - a suitable and sufficient risk assessment is required to be carried out by a COMPETENT person - how can this be demonstrated in practice especially in a complicated facility that for instance includes COMAH, DSEAR etc? It is, after all, difficult to keep up-to-date with Building Regs changes etc.

Answer: Competency is a very emotive and difficult word in terms of the RRO to try to explain. What one should do is to cover yourselves in that whoever undertakes your risk assessments knows what he or she is doing. Whatever the subject matter the answer is very much the same i.e. that the person carrying out the assessment has a relevant background, experience of the subject, underpinning knowledge of the subject, willingness to do the task and a genuine understanding of what is right or what can go wrong, plus any supporting teaching or qualifications. That can only be judged on an individual basis and not as a generalisation. There is a distinct possibility that third party accreditation will come into the frame one day. We ourselves are accredited onto the register of the Institute of Fire Safety Managers. That is based upon candidates all round ability and presentation of a selection of recent risk assessments.

Question: Competency question has not been answered - how do you obtain that depth of knowledge required to carry out a suitable and sufficient risk assessment. Or - what course(s) are there available to obtain the relevant qualification?

Answer: There are several routes available. One is via the Fire Service College - they offer a good foundation course and follow on module for practical fire risk assessment. Likewise the Fire Protection Association does the same. If you have a NEBOSH Certificate they do a one week bolt on fire module covering fire risk assessments. Any of which can be a pre-requisite to join an organisation and become accredited onto a risk assessment register. If you don't have any qualifications as yet and are involved in fire safety on a day to day basis whatever the level, you could join the Institute of Fire Safety Managers. They have a progression route to accreditation and run meetings/workshops throughout the year for members and guests. Have a look at their website or Email me for any further information.

Question: What are the recommended inspection intervals for steel emergency stair cases?

Answer: Yes ordinarily they should be checked so as to avoid any vertical or horizontal fire spread. Not easy though as access is not always available. More important to look at the bottom and see where they originate from or terminate as often they seem to take a turn through boiler houses or plant rooms with no damper.

Question: How often should FRA's is reviewed? Is there any benchmark?

Answer: The RRO and guidance says that they should be reviewed periodically or when structural or material changes have taken place. Material being changes in layout, process staffing levels or change in work practices, etc. However, most people prefer to cover themselves and do a review at least annually.

Question: Could you clarify what the present requirement is for emergency lighting in blocks of flats? Thank you

Answer: Emergency lighting is required in all places that persons transgress, that include the common parts and staircases etc of blocks of flats. Generally speaking unless is there is an abundance of borrowed lighting every recessed landing, staircase or hallway should be covered. You cannot be specific though with that - bear in mind we are only looking at enough light to escape from fire (moonlight is the old comparison). Don't go overboard, but it really depends upon the length of the staircase, overhang f the ceiling and length of the hall and landings. Each property (or group of similar ones) will need to be looked at and the requirement specified. Be careful though if you get a contractor to survey the sites you could end up with a lighting unit every 2 or 3 metres whether needed or not.

Question: With regards to Fire Risk Assessment....Are we basically saying that we need an ex fire fighter to carry out the risk assessments?

Answer: No and I am sorry if I gave you that impression, but quite honestly it is very difficult to generalise about Competency. If I copy a reply that I have sent to someone else you will get the gist of it.

Competency is a very emotive and difficult word in terms of the RRO to try to explain. What you should do is to cover yourselves in that whoever undertakes your risk assessments knows what he or she is doing. Whatever the subject matter the answer is very much the same i.e. that the person carrying out the assessment has a relevant background, experience of the subject, underpinning knowledge, willingness to do the task and a genuine understanding of what is right or what can go wrong in terms of fire safety, plus any supporting fire or H&S qualifications. That can only be judged on an individual basis and not as a generalisation. There is a distinct possibility that third party accreditation will come into the frame one day. We ourselves are accredited onto the register of the Institute of Fire Safety Managers. That is based upon a candidates all round ability and presentation of a selection of recent risk assessments.

There are several routes of becoming competent or improving ones knowledge; one is via the Fire Service College - they offer a good foundation course and follow on module for practical fire risk assessment. Likewise the Fire Protection Association does the same. If you have a NEBOSH Certificate they do a one week bolt on fire module covering fire risk assessments. Any of which can be a pre-requisite to join an organisation and become accredited onto a risk assessment register. If you don't have any qualifications as yet and are involved in fire safety on a day to day basis whatever the level, you could join the Institute of Fire Safety Managers. They have a progression route to accreditation and run meetings/workshops throughout the year for members and guests. Have a look at their website or Email me for any further information.

Question: Tony, how can I identify whether spare office furniture stored on an unused office floor constitutes an unacceptable fire load?

Answer: You need to avoid the risk of arson and I would be reasonably happy if:

- a) The relevant floor or room being used for storage is kept locked.
- b) There is smoke detection in the room or adjacent corridors,
- c) There is little or no readily combustible material kept in the room or accessible nearby,
- d) That only specific (trusted) people have access, and
- e) You monitor it regularly to ensure it remains safe and of low risk.