

Lift & Escalator Owner News

Subject: Fire Safety (England) Regulations 2022 – checks of lifts

The Fire Safety (England) Regulations 2022 came into force on 23 January 2023 and places duties on the “responsible person” in a residential building (defined as a building which contains two or more sets of domestic premises). The regulations have been made under the Regulatory Reform (Fire Safety) Order 2005 which already requires responsible persons to ensure lifts for firefighters use and evacuation lifts have a suitable system of maintenance.

The following is intended to assist responsible persons with their duties in relation to lifts. Some apply to a high-rise residential building which is a building containing two or more sets of domestic premises that is at least 18 m above ground level or has at least seven storeys.

Floor plans and building plan to identify location of all lifts – regulation 6

The responsible person must prepare (and keep updated) a plan for each floor of a high-rise residential building, place a copy in the secure information box. The floor plans must identify the location of all lifts and identify any lift for use by firefighters or an evacuation lift. See also our guidance on [Identifying lifts for fire service use & evacuation lift types](#).

Lifts for use by firefighters and evacuation lifts – monthly routine checks – regulation 7

The responsible person must undertake *monthly routine checks* of lifts for use by firefighters, and evacuation lifts. Where the responsible person identifies any fault with a lift for use by firefighters or an evacuation lift, they must take steps to rectify the fault. Where a fault cannot be rectified within 24-hours, the responsible person must report the fault (and later when it has been rectified) to the local fire and rescue authority. The responsible person must make a record of the monthly checks and make this available to residents.

Monthly routine checks are intended to be undertaken by the responsible person i.e. not requiring specialist lift personnel. Monthly routine checks confirm that the lift is in efficient working order and in good repair, carried out in accordance with the relevant industry standard or any recommendations made by the manufacturers of equipment within any operators’ manual. To assist responsible persons carrying out these tasks, please refer to: [Checks-and-inspections-of-lifts-used-by-firefighters-evacuation-lifts-and-lifts-with-recall](#)

As part of these checks, we recommend that the responsible person checks the operation of any evacuation lift switch or firemen’s/firefighting/firefighters lift switch using their key to ensure it recalls the lift car to the exit floor/fire service access level; and is then in evacuation control or firemen’s/firefighting/firefighters lift control. Please refer to the owner’s manual (provided to the owner by the installer of the lift when new) for details of how the lift should operate and for any other recommended checks. Any fault should be reported to the lift maintenance provider to allow it to be investigated and rectified.

The responsible person retain responsibility even if the checks are delegated or subcontracted. Note it is very unlikely that these monthly routine checks would be covered by any lift maintenance agreement.

Fire doors – regulation 10

Regulation 10 includes requirements for fire doors. Lift landing doors do not meet the description of fire doors and are not included in the scope of this regulation. Lift landing doors typically open onto a lobby/areas that are protected by fire doors described in this regulation.

FAQ's

Why has the Fire Safety (England) Regulations been introduced?

The Grenfell Tower incident resulted in deaths of 72 residents. The Government ordered a public inquiry into the incident.

From the findings there were recommendations to prevent an accident happening similar to this again and new regulations were introduced.

Who is this LEIA Guidance Note for?

- People who have responsibilities under the Regulatory Reform (Fire Safety) Order 2005
- People who have responsibilities under the Fire Safety (England) Regulations 2022
- People who are a “Responsible Person” where various duties to fire safety in residential buildings (such as blocks of flats or student accommodation)
- Lift Maintenance providers

Which Buildings do the Fire Safety (England) Regulations apply too?

These apply to all residential buildings in England and Wales (alternative Regulations apply to Scotland and Northern Ireland) that are principally Blocks of Flats, including Student Accommodation.

Buildings which duties are imposed on are

- buildings which contain two or more sets of domestic premises
- buildings which contain common parts through which residents would need to evacuate in the case of an emergency
- buildings of greater than 11m in height
- high-rise residential buildings

What is a high-rise residential building?

- the building is at least 18 metres above ground level, measured from the lowest ground level adjoining the outside of the building to the height of the floor in the top storey (ignoring any top storey that contains only plant or machinery); or
- the building is seven storeys or more, excluding any storeys below ground level).

What is a Responsible Person?

The meaning “Responsible Person” is a legal definition and can’t be enforced onto authorities or others to make someone a Responsible Person or be delegated to others.

The Responsible Person will be the person who has control of the premises in connection with carrying on a business.

This will, typically, be the freeholder or the managing agents for the block, or, for example, a residents’ management company.

If any part of the building is a workplace, the employer of persons employed to work in that workplace will be a Responsible Person, for example, a concierge is employed or parts of the building are used for commercial purposes.

Overall control of the building most commonly rests with the freeholder, managing agents or a residents’ management company.

What if I am unsure whether I am classed as a Responsible Person?

You should seek legal advice if you are unsure as to the correct identity of the Responsible Person

Are duties limited to the Responsible Person?

It is not envisaged that any of the checks will need to be carried out by specialists or contractors as the checks required generally involve only visual inspection or simple functional operating checks. The Responsible Person, or a person Authorised Person by them, may well be better placed to carry out the checks at the required periods and have closer control over any reporting that may be required.

The Responsible Person may wish to engage their lift maintenance provider to carry out the checks on their behalf, however the Responsible Person will retain legal responsibility for the checks being carried out, and reporting (if this is required).

What checks should the Responsible Person do on any lift used for the Fire and Rescue Service or Lifts used for Evacuation?

Requirements copied from GOV.UK ‘Check your fire safety responsibilities under the Fire Safety (England) Regulations 2022’ 13 December 2022.

The monthly check will involve operation of the firefighters’ switch (or evacuation lift switch) to ensure that it causes the lift to return to the fire and rescue service access (or evacuation) level, after which it can be operated only by the controls within the car. It should then be ensured that these controls enable the lift to be taken to an upper floor, on which the doors can then be opened and closed from within the car. You should also ensure, by means of a random check, that the landing controls are disabled and cannot call the lift to the floor in question.

The LEIA Guidance Note provides these checks in a report format within Appendix 2 (Firefighters lifts), and Appendix 3 (Evacuation lifts)

Do Lift Landing Doors form part of the Fire Safety (England) Regulations?

No – checks by the Responsible Person do not include Lift Landing Doors

Does the Responsible Person need to keep records of all of the checks?

Yes - The Responsible Person must keep records of all of these monthly checks and make them accessible to residents of the building.

What happens if a fault is discovered?

The Responsible Person must take steps to get the fault rectified. If the fault can't be rectified within 24hrs of its discovery then the Fire and Rescue Service must be informed

How do I notify the Fire and Rescue Service that a fault has been discovered?

The local fire and rescue service must be notified by electronic means. The National Fire Chiefs Council (NFCC) have developed a template which can be used
<https://www.nationalfirechiefs.org.uk/Information-sharing-with-fire-and-rescue-services>

What should I do when the fault is rectified?

The Responsible Person must inform the Fire and Rescue Service by electronic means when the fault has been rectified using the template from the NFCC.

<https://www.nationalfirechiefs.org.uk/Information-sharing-with-fire-and-rescue-services>

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GOV.UK
Home > Government > England > Fire Safety (England) Regulations
Guidance
Fact sheet: Lifts and essential fire-fighting equipment (regulation 7)
Updated 24 February 2023

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STATUTORY INSTRUMENTS
2022 No. 547
FIRE PRECAUTIONS, ENGLAND
The Fire Safety (England) Regulations 2022
Made: 17th May 2022
Laid before Parliament: 18th May 2022
Coming into force: 23rd January 2023

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Lift and Escalator Industry Association (LEIA) Publication
July 2022 - revised December 2022 with link to guidance
Lift & Escalator Owner News
Subject: Fire Safety (England) Regulations
The Fire Safety (England) Regulations 2022 will come into force on 23 January 2023. The regulations will require the responsible person to ensure that lifts for use by firefighters and evacuation lifts are in good working order and in good repair, carried out in accordance with the relevant industry standard or any recommendations made by the manufacturers of equipment within any operator's manual. To assist responsible persons carrying out these tasks, please refer to: [LEIA Guidance Note: Checks and inspections of lifts for use by firefighters, evacuation lifts and lifts with recall checks for lifts](#).
As part of these checks, we recommend that the responsible person checks the operation of any evacuation lift switch or fireman's lift switch to ensure it recalls the lift car to the next floor/level and is then in evacuation control or fireman's lift switch control. Please refer to the owner's manual (provided to the owner by the installer of the lift) for details of how the lift should operate and for any other recommended checks. Any fault should be reported to the lift maintenance provider to allow it to be investigated and rectified.

What we have done

The Fire Safety (England) Regulations 2022 made it a legal requirement from 23 January 2023 for responsible persons in high-rise residential buildings to undertake additional monthly checks of any lifts within the building that are designed, installed and maintained to be used by fire-fighters (with the addition of evacuation lifts) and of the mechanism which allows fire-fighters to take control of lifts. Monthly checks are also be required on all evacuation lifts and key fire-fighting equipment (which is defined in the regulations).

Where responsible persons identify, either through the monthly checks or via any other routine checks, that a relevant lift or mechanism has a fault or is out of service, they must report it to the local fire and rescue service electronically. Responsible persons will be required to record the outcome of these monthly checks in an open and transparent way that is accessible to residents (for example by posting them on a notice board or making them available to a resident's association).

LEIA Guidance Note
Checks and inspections of lifts for use by firefighters, evacuation lifts, and lifts with recall
19/12/2022