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<https://www.london-fire.gov.uk/safety/property-management/changes-to-fire-safety-law-how-it-affects-you/>

From the 1 October 2023, [Section 156 of the Building Safety Act 2022](#) makes changes to The Regulatory Reform (Fire Safety) Order 2005 that will affect **all Responsible Persons**.

<https://www.legislation.gov.uk/ukpga/2022/30/section/156/enacted>

What you need to do as a Responsible Person

Documenting and recording

All Responsible Persons must now record all findings from their fire risk assessment, regardless of the size or purpose of the premises.

- Previously, there was a requirement to record only significant findings in a fire risk assessment in buildings that had five or more employees; a licence in place; and an alterations notice served on it. This is no longer the case.

All Responsible Persons must now record their fire safety arrangements.

- Fire safety arrangements are how you manage the fire safety in your building. These can be anything from procedures you need to have written down to policies you have in place.

All Responsible Persons must now record the identity of the individual employed, or contracted by them, to undertake or review any or all of the fire risk assessment. This includes:

- Their full name
- Their organisation name, if applicable

If you appoint someone to help undertake or review your fire risk assessment they must be competent. By that we mean that must have sufficient training and experience or knowledge.

Cooperation and coordination

All Responsible Persons must now have a UK based address where they, or someone on their behalf will accept notices and other documentation.

- This must include their contact information and be recorded and updated as it changes
- This must be shared with other relevant responsible persons and any residents of multi-occupied residential buildings.

All Responsible Persons must now make sure they identify and make themselves known to any other Responsible Persons at the same premises.

- For example, other Responsible Persons could include businesses or managing agents with the responsibility for fire safety in the part of the building they control.

Any departing Responsible Persons must take reasonable steps to share all relevant fire safety information with the incoming Responsible Persons. This is to maintain a chain of fire safety information across the whole of a building's lifetime.

Guidance

Check your fire safety responsibilities under Section 156 of the Building Safety Act 2022 (accessible)

<https://www.gov.uk/government/publications/check-your-fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022/fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022>

To which buildings do these new fire safety requirements apply?

These requirements apply to all non-domestic premises, such as where people work, visit or stay, including workplaces, and the non-domestic parts of multi-occupied residential buildings (e.g. communal corridors, stairways, plant rooms). The requirements do not apply within individual domestic premises.

Local fire and rescue authorities remain the primary enforcing body for the Fire Safety Order, including these additional requirements. The Housing Act 2004 lists enforcement by the Local Authority in non-domestic parts of multi-occupied residential buildings (for example communal corridors, stairways) as well. The enforcing body will be the Health and Safety Executive in the case of non-occupied buildings on a construction site, the Defence Fire Safety Regulator for sites occupied for the purposes of the armed forces, and the Crown Premises Fire Safety Inspectorate in buildings occupied or owned by the government.

Background to Section 156 of the Building Safety Act 2022

The Building Safety Bill received Royal Assent in April 2022 and became the Building Safety Act 2022. The new legislation has the effect of amending the Fire Safety Order to:

- require that all Responsible Persons must record their completed fire risk assessment, and in full (where previously only specific information was required to be recorded)
- require that all Responsible Persons must record the identity of any individual (their name), and/or if applicable, their organisation (name) engaged by them to undertake/review any or all of the fire risk assessment, and share this with residents of multi-residential unit premises where applicable;
- require that all Responsible Persons must record their fire safety arrangements (demonstrate how fire safety is managed in your premises)
- require that all Responsible Persons must record (and as necessary update) their contact information, including a UK-based address, and share this, along with the identified fire safety risks, preventative and protective measures, any competent persons nominated to assist with fire-fighting and detection measures, with other Responsible Persons and residents of multi-domestic unit premises where applicable
- require that all Responsible Persons must take reasonably practicable steps to ascertain the existence of other Responsible Persons who share, or have duties in respect of the same premises, and of Accountable Persons (which are a new legal entity made under the Building Safety Act in the case of higher-risk residential buildings) in relation to the premises – they must then identify themselves to said persons and cooperate with accountable persons so that the accountable persons can carry out duties imposed by the Building Safety Act 2022;

- require that departing Responsible Persons must share all 'relevant fire safety information' with incoming Responsible Persons
- require Responsible Persons of 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
- increase the level of fines for some offences
- strengthen the status of statutory guidance issued under Article 50 of the Fire Safety Order

Recording your fire risk assessment and other information

You must now record the fire risk assessment in full (including all the findings) and the fire safety arrangements for your premises in all circumstances.

You should make available as much information as possible about fire safety in your premises. This new requirement replaces the previous requirement to record only the significant findings of the risk assessment. It also removes the previous limitations on the circumstances within which you are required to record both the risk assessment and the fire safety arrangements at your premises, such as only being required to record this information if there were five or more employees or where subject to licensing or an alterations notice.

If you employ a fire risk assessor to assist you in completing a fire risk assessment, you should record their name, and where applicable, their organisation name. This will ensure there is a clear record for enforcing authorities as to who completed the assessment and will enable you to share this information with both residents (where applicable) and any incoming Responsible Person after you. You are responsible for ensuring that your fire risk assessment is suitable and sufficient and if you employ someone to do this for you we would recommend that you ensure they are competent to do so.

Cooperation and coordination between Responsible Persons

It is important that you work with other Responsible Persons in the premises to help facilitate a cohesive approach to fire safety throughout the entire building. As such, you must take such steps as are reasonably practicable to identify whether there are any other Responsible Persons in your premises who share or have duties in respect of it.

For example, in multi-occupancy commercial buildings, other Responsible Persons would not only include the other businesses, but would also include a landlord (and possibly a managing agent) who has overall responsibility for the safety within the building.

Once you have identified that there are other Responsible Person/s, you will need to inform each other of your names (or that of someone acting on your behalf) and a UK based address where you are able to receive notices or other documentation.

It will also be necessary to inform each other of the extent of your responsibilities under the Fire Safety Order and make a record of this information. You should know the extent to which you are responsible for the premises, which may be detailed in a contract, but, if you are unsure, we advise you to contact the building owner or manager to determine the extent of your control.

You should provide any information in writing, and it is advised that you record this in such a way that it can be readily accessed if you need it as evidence of information sharing. You are

required to keep a record of the information provided about the extent of your duties in relation to the premises.

It is vital that your fire risk assessment, and any fire safety measures you take as a result, align with, and complement, the fire risk assessment(s) and fire safety measures for the rest of the building in order to provide a whole building approach to fire safety.

Whenever possible, you should let the other Responsible Persons know when you have a new Responsible Person taking over your part of the premises, so that they can provide the necessary information detailed above to the incoming Responsible Person.