

David Sugden, Chairman of the **Passive Fire Protection Federation** (www.pfpf.org), looks at how the Regulatory Reform (Fire Safety) Order 2005 could affect the entire building industry, from architects and specifiers, to contractors, sub-contractors and builders.

New fire laws could make hot work for the building industry

Businesses and organisations in England and Wales face a potential crisis: the law on fire prevention and safety (in all non-domestic premises) changed on 1st October 2006. The Regulatory Reform (Fire Safety) Order 2005 (RRFSO)¹ has serious implications for the building industry. Passive fire protection measures should be built into buildings to ensure safe escape and prevent fire spread, and risk assessments under the RRFSO must specifically cover these. But few are prepared for the new responsibilities - or the potential impact.

The new fire law is fundamentally different from previous regulations, focussing on fire prevention. Nominated individuals must take responsibility for the safety of staff and buildings. As with other recent legislation, the law is not as clear-cut as it could be.

As it stands, building contractors, sub-contractors, maintenance firms, architects and specifiers may be legally partly responsible – and liable – for the performance of any installed fire protection products used in a building. So if you specify, install, maintain or repair fire doors, for example, you may ultimately share responsibility for anything that goes wrong.

If you own or run business premises you are now personally responsible for fire prevention and safety and must complete a risk assessment to comply. If you do not have a relevant and up-to-date risk assessment you face prosecution - and your insurance may be invalidated.

But many people have never heard of the RRFSO. And most don't realise they have to check 'passive' fire protection products as well as 'active' measures such as extinguishers and alarms. How many businesses and organisations – even in the industry – know what to check, let alone how?

¹ S.I. 2005 No. 1541.

It is passive fire protection measures that keep a building standing during fire, allowing people to escape and fire fighters to enter. Structural steelwork protection; fire-resistant paints; glazing; fire doors; ducts and dampers; fire stopping should all be specified and installed correctly. Maintenance is essential, but often neglected.

With new legislation now in place there is a chain of responsibility – and liability – that affects almost everyone in the building industry in one way or another. Will it take loss of life and property, and business failures from invalidated insurance before the industry accepts that prevention is better than cure?

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