



Home Office

Reviewing the Regulatory Reform (Fire Safety) Order 2005 and Wider Reforms

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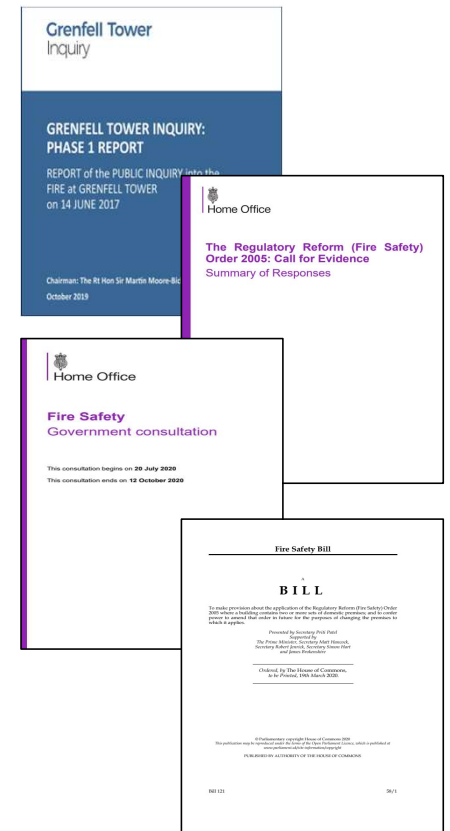


Fire Safety Reform

- **Package of reforms to improve fire safety in all regulated premises** where people live, stay or work and to deliver key Grenfell Tower Inquiry recommendations.
- **Introduction of the Fire Safety Bill** which clarifies the application of the Fire Safety Order to ‘external walls’ and flat entrance doors.
- **Publication of a Fire Safety Consultation** which:
 - sets out how we propose to implement the Grenfell Tower Inquiry Phase 1 report recommendations that require a change in law;
 - sets out proposals to strengthen the Fire Safety Order and improve compliance; and,
 - seeks views on the effectiveness of the arrangements for consultation and information sharing between building control bodies and fire and rescue authorities.

The Fire Safety Consultation sets out proposals to strengthen fire safety in all regulated buildings in England.

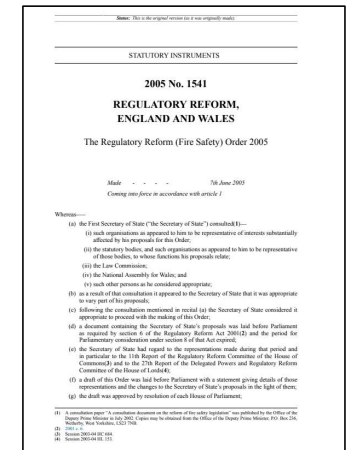
The consultation is open and closes on 12 October.





Strengthening the Fire Safety Order and Improving Compliance

- The 2019 FSO Call for Evidence was the first step in a process **to ensure that the FSO continues to be fit for purpose** as part of the Government's consideration of the reform of the wider building and fire safety landscape. A summary of the responses received was published on 19 March 2020.
- Most respondents agreed that **the FSO generally works for the premises it regulates**. Respondents did, however, suggest that the Order requires strengthening in several areas to improve standards of fire safety in premises regulated under it.
- The **Fire Safety Consultation proposes changes to address these areas**, including:
 - Facilitating the identification of Responsible Persons and compliance with the Order;
 - Ensuring the quality of fire risk assessments and the competence of those who complete them;
 - Ensuring residents are at the heart of the new system through the provision of fire safety information to ensure they feel and are safe in their homes;
 - The preservation of essential fire safety information over a building's lifespan;
 - Adequacy of fines for enforcement under the FSO;
 - Definition of high-risk workplace buildings; and,
 - Overhaul of existing FSO Guidance and in some instances provision of new guidance.





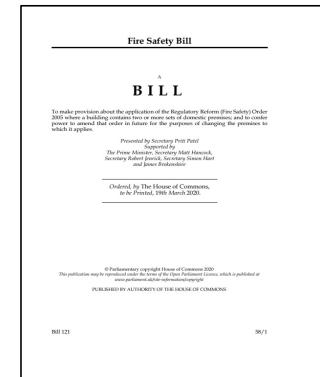
The Fire Safety Bill

The issue

- There is legal ambiguity over whether the FSO covers ‘external walls’ and flat entrance doors for multi-occupied residential buildings. This leaves Responsible Persons, Fire Risk Assessors and enforcing authorities to decide how to interpret the Order for multi-occupied residential buildings, with mixed approaches.
- We **need to ensure that unsafe materials on existing buildings are identified, and as appropriate, are remediated** (alongside ensuring buildings are not built with unsafe materials in the first place).

Aims of Fire Safety Bill

- The Bill will clarify that the FSO applies to **‘external walls’ and flat entrance doors**.
- It will also affirm that **enforcement action can be taken by Fire Rescue Services** in respect of these aspects of the building.
- The Bill also makes clear the FSO includes common parts, structure and buildings of multi-occupied residential blocks. Concerning structure we have made clear during the Bill process that this does not mean intrusive structural assessments need be carried out.





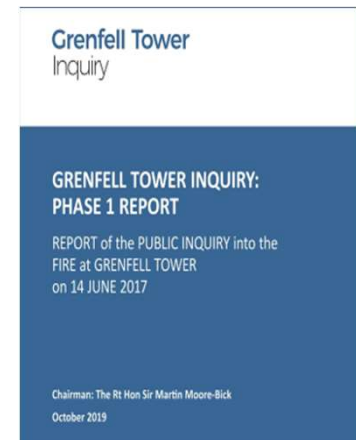
Fire Safety Bill: what it means in practice

- The Bill will mandate Responsible Persons to:
 - Take into account ‘**external walls**’, the **doors between the domestic premises and common parts and structure (where it is considered to impact on fire safety) in their fire risk assessment**
 - Take any additional ‘general fire precautions’ as may *reasonably be required* in the circumstances of the case to ensure that the premises are safe (for residents and others lawfully on the premises).
- The Bill will also affirm the **enforcement powers of authorities** (predominately the FRAs) that they may take enforcement action when Responsible Persons fail to comply with assessing external walls and flat entrance doors.
- The **Fire Safety Bill has passed through the House of Commons** and will now be subject to scrutiny in the House of Lords. We expect the Bill to achieve **Royal Assent by November**.
- We are **engaging with stakeholders in the form of a Task and Finish Group***, which will provide a report by the end of September with recommendations on how best to commence the Fire Safety Bill.



Grenfell Tower Phase 1 Inquiry Report Recommendations

- The Fire Safety Consultation builds on the Fire Safety Bill and **outlines how the Government proposes to implement the Grenfell Tower Inquiry Phase 1 recommendations, in England**, that require a change in law.
- We have **gone beyond the Grenfell Tower Inquiry's recommendations** in several areas. In others, our proposals prioritise residents' safety in a way that is practical and effective, as well as proportionate to the risks the Inquiry has identified.
- Building on Sir Martin Moore Bick's recommendations, the Fire Safety consultation sets out detailed proposals for their implementation. The **objective of these proposals is two-fold**:
 - to ensure that fire and rescue services have the right information about a high-rise residential building to provide an effective operational response; and,
 - to provide a further step change to ensure the safety of residents in their homes.





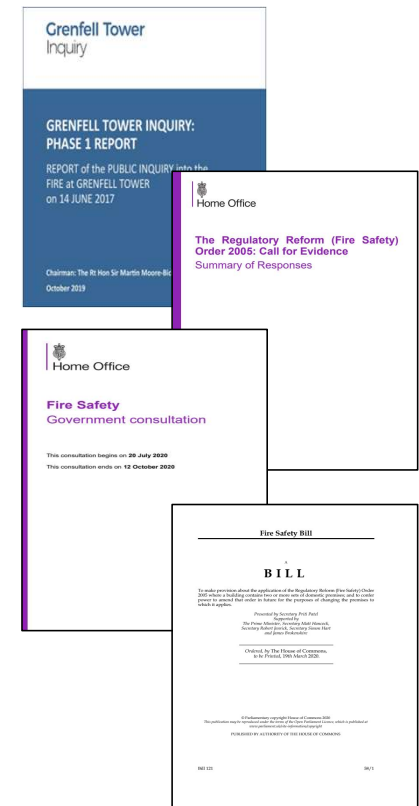
Building Safety Bill and the Fire Safety Order

- The publication Building Safety Bill represent the most **significant and fundamental changes to building safety legislation** and the reform of the regulatory system for buildings, to deliver building and fire safety in all premises where people live, stay or work.
- Central to ensuring the regime is effective will be a powerful new Building Safety Regulator (BSR) housed within the Health and Safety Executive. The BSR will work closely with and take advice from other regulators and relevant experts in **making key regulatory decisions in relation to buildings in scope** of the new BSR regime.
- Work is underway to **ensure effective interaction between the FSO and the new powers and duties of the BSR** for buildings in scope, and also broader focus on avoiding conflicts or gaps between regimes.
- **Fire and Rescue Services will play a key part in delivering the new regulatory regime** for in scope buildings with the BSR, alongside their statutory duties, and will be able to recover related costs.
- FRS will **assist and facilitate the regulator** by providing the BSR with fire safety expertise and local knowledge.



Next steps...

- The Fire Safety Bill is a necessary first step to ensure we have a firm foundation to bring forward the Inquiry's recommendations calling on new duties on building owners and managers for information sharing on cladding and inspection of fire doors.
- Once Royal Assent is achieved, we propose using secondary legislation under the Order to implement the Inquiry's recommendations. This is subject to the outcome of the Fire Safety Consultation.
- Deliver on the outcome of the Fire Safety Consultation.
- We acknowledge that getting operational implementation right and having sufficient guidance in place is imperative to support compliance of the FSO.
- We will continue working closely with MHCLG, the HSE and stakeholders to ensure that the new building safety regime is compatible with the FSO and that FRSs have a key role to play, as we all work together to deliver the new regulatory regime.





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Closing remarks and Q&A