

4) long term (should be implemented as and when the opportunity arises, such as at the time of replacement of a fire door or refurbishment of premises).

x. Many other systems of prioritization are possible. For example, priorities might distinguish between matters that constitute breaches of legislation and those that do not.

NOTE Under the relevant fire safety legislation, breach of the requirements of the legislation in respect of fire precautions constitutes a criminal offence if the breach results in the risk of serious injury or death of one or more persons who are lawfully on the premises, or in the immediate vicinity of the premises, in the event of fire.

xi. Thus, for example, a possible scheme of prioritization could be:

- a) serious breach of legislation, having the potential for serious injury to occupants;
- b) matters that breach legislation but are not considered to constitute a serious threat to life safety;
- c) matters that should be addressed as good practice, but that do not constitute a significant threat to occupants.

xii. The implications, in terms of timescales, etc. would naturally flow from this.

xiii. Yet another possible scheme could take into account both the cost benefit and the practicality of implementation. For example, minor housekeeping items could be regarded as suitable for immediate implementation, simply because there is no reason to delay doing so, regardless of whether there is a major benefit to the safety of occupants. However, matters that might address a greater threat to occupants might be impossible to implement immediately, in the literal sense of the term, simply because specifications need to be drawn up, tenders obtained, etc.

xiv. In some circumstances, the risk to persons may be so serious that the risk assessor should ensure that a suitable representative of the dutyholder is informed immediately, before the assessor leaves the premises.

Recommendations

19.1 Every documented fire risk assessment should incorporate an action plan. If the fire risk and existing fire precautions are such that no recommendations for improvements are necessary, it should be explicit within the document that, in the opinion of the fire risk assessor, the only actions necessary are those to maintain the existing standard of fire precautions.

NOTE The action plan is sometimes, more simply, described as "recommendations", particularly when the fire risk assessment is carried out by a third-party fire risk assessor (see 3.82).

19.2 The action plan should be such as to ensure that, if implemented, it will reduce fire risk to, or maintain fire risk at, a tolerable level.

19.3 Where appropriate, the action plan should address both physical fire precautions and managerial issues.

19.4 The action plan should be both practicable to implement and possible to maintain, taking into account the nature of the premises, their occupants and the work processes carried out.

19.5 The measures recommended in the action plan should be cost-effective in reducing fire risk. (In health and safety parlance, they should be "reasonably practicable", meaning that the cost, time and trouble involved in implementing any measure is not grossly disproportionate to the risk if the measure is not implemented.)

19.6 No new significant hazards should result from implementation of the action plan.

19.7 The action plan should contain information regarding the appropriate effort and urgency associated with the measures recommended. Effort and urgency should be proportionate to fire risk, but financial considerations should also be taken into account, though only in relation to the fire risk, and not simply in relation to the ability of the dutyholder to pay for the recommended actions; this avoids a situation in which persons in one premises are placed at greater risk than persons in another premises, simply because the first dutyholder is less able to afford fire precautions than the second dutyholder.

20 Periodic review of fire risk assessments

COMMENTARY ON CLAUSE 20

- i. The documented fire risk assessment is not intended to be a fire safety manual (see 3.49), albeit that such a manual is a valuable asset in the management of fire safety, particularly in large or complex premises. However, the fire risk assessment is a living document, in that it cannot remain valid for an unlimited length of time.*
- ii. The fire risk assessment is likely to cease to be valid when, for example:*
 - a) a material alteration (see 3.63) takes place;*
 - b) a significant change occurs in the “given” factors that were taken into account when the fire risk assessment was carried out (see Commentary on Clause 5);*
 - c) a significant change in fire precautions occurs.*
- iii. Significant changes in the “given” factors could, for example, comprise a large increase in the number of occupants of the premises, use of the premises by significantly more disabled occupants, or introduction of a much more hazardous process. Significant changes in fire precautions include major changes in the provision or design of fire protection measures and major changes in the measures for control or elimination of fire hazards, but also include changes resulting from more gradual deterioration of fire precautions as a result of constant use or lack of maintenance (e.g. wear and tear on fire doors). Gradual changes can also occur as a result of changes in management, turnover of employees and minor changes in layout that, after a prolonged period and numerous changes, have a significant effect on means of escape. It is also relevant to review the fire risk assessment after any fire.*
- iv. It follows, therefore, that, when any of the acute step changes described above occur, the fire risk assessment needs to be reviewed. There might also be need for approval of such changes under building regulations. Approval of changes by the fire and rescue authority is not necessary, unless an “alterations notice” under the relevant fire safety legislation requires that proposed alterations to the premises be notified to the fire and rescue authority. However, as gradual changes over a long period of time can also affect the validity of the fire risk assessment, there is a need for regular review of the fire risk assessment, even if there are no obvious changes that affect its validity. In fire risk assessments carried out in accordance with this PAS, judgement of the maximum period after which the fire risk assessment needs to be reviewed, on a routine basis, is actually part of the fire risk assessment process.*
- v. When the fire risk assessment is reviewed, consideration needs to be given to the extent to which the original action plan has been implemented. Work that has not been completed needs to be identified.*
- vi. There is no correct or incorrect frequency for the regular review of the fire risk assessment. This is a matter for the judgement of the fire risk assessor and, to some extent, the organization’s own fire safety policy (see 3.51). It is, however, appropriate to take account of the likely frequency of significant changes.*
- vii. For example, the fire risk assessment for a retail outlet, in which significant changes in sales layout are likely to occur frequently, might need more frequent review than the fire risk assessment for a barrister’s chambers that have remained unaltered for many decades. Also, if, at the time of the fire risk assessment, there are major shortcomings in fire precautions, the action plan will normally contain proposals for significant changes. These changes are likely to take place within a relatively short time, after which review of the fire risk assessment might be warranted.*
- viii. Review of the fire risk assessment is not synonymous with a new assessment. Equally, however, in a regular review, all aspects of the original fire risk assessment might need to be revisited to ensure that they have not been subject to change; this emphasizes the importance of adequate recording of the significant findings of the original fire risk assessment, so that the basis for its conclusions can be readily re-examined. On the other hand, if the review has arisen purely as the result of a specific material alteration, it might be the case that a limited review is sufficient.*
- ix. The original fire risk assessment, in conjunction with one or more documented reviews, constitutes a form of audit trail that demonstrates ongoing control of fire safety. After a period*

of time in which there have, for example, been several reviews in which significant changes and the need for new risk control measures have been identified, the audit trail is likely to become unwieldy. At that stage, the documentation of a new and complete fire risk assessment might be appropriate.

Recommendations

20.1 The fire risk assessment should be subject to review when:

- a) material alterations to the premises take place;
- b) a significant change occurs in the matters taken into account when the fire risk assessment was carried out;
- c) a significant change in fire precautions occurs;
- d) there is any other reason to suspect that the original fire risk assessment might no longer be valid (this might include the occurrence of a fire);
- e) a defined period of time, which should be recorded in the original fire risk assessment [see 11.1i)], has elapsed.

NOTE Annex E contains a pro forma that is considered a suitable and sufficient means for documenting a review of an existing fire risk assessment. The pro forma contained in Annex E is only a model, in that, if completed by a competent person (see Clause 7 and Annex A), the scope of the documented review of the fire risk assessment will normally conform to the recommendations of this PAS. Equally, the format of a documented fire risk assessment may vary from that shown in Annex E, provided that all recommendations of this PAS are satisfied.

20.2 When the fire risk assessment is reviewed, it should be confirmed whether work recommended in the original action plan has been carried out.

20.3 The fire risk assessment review frequency should take into account the likely frequency of significant alterations to the premises, and should also take account of the period after which major changes in fire precautions are likely to have taken place as a result of the measures recommended in the action plan. (The level of fire risk should also be taken into account.)

20.4 The fire risk assessment review should explicitly address the issues considered in the original fire risk assessment, albeit that less detail in the record of the significant findings is necessary, particularly in respect of fire precautions that have not changed since the original fire risk assessment.

20.5 The fire risk assessment review should record the name of the fire risk assessor(s), the date(s) on which the periodic review was carried out and the name(s) of the principal person(s) with whom there was consultation (e.g. for supply of relevant information) at the time of the periodic review.

20.6 The fire risk assessment review should record the date by which the next periodic review should be carried out.

Annex A (informative)

Competence standard for fire risk assessors

NOTE BSI does not own the copyright to this Annex and this competence standard is reproduced with the kind permission of the Fire Risk Assessment Competency Council (FRACC).

Foreword

Fire safety legislation requires that, for most non-domestic premises, a fire risk assessment is carried out to determine the risks to people from fire. The legislation also requires that suitable measures are taken to ensure the safety of people from fire. The appropriate fire precautions are determined by the fire risk assessment.

There is no legislative requirement for the fire risk assessment to be carried out by a competent person. This is to avoid an implication that every dutyholder under the legislation needs to employ the services of a fire safety specialist, such as a consultant, to carry out their fire risk assessment.

For small, simple premises, it is often the dutyholder that carries out the fire risk assessment. Arguably, in these premises, the dutyholder is the best person to do so because of their intimate knowledge of the premises and the activities therein. However, for many premises, the dutyholder seeks the services of an external consultant ("a fire risk assessor"). In the case of larger, more complex or high risk premises, this is often appropriate, as the task might well be beyond the ability of the dutyholder. Moreover in England and Wales, Government guidance to the dutyholder is that, where premises are more than four storeys in height, the dutyholder should seek the advice of a competent person.

In the light of experience, including the emergence of inadequate fire risk assessments for premises that suffered multiple fatality fires, there has been growing concern regarding the competence of those who provide fire risk assessment services to dutyholders on a commercial basis (i.e. for a fee).

As a result of these concerns, the Fire Risk Assessment Competency Council emerged from the fire sector with the encouragement of Government. The *raison d'être* of the Council, which comprises a broad group of relevant stakeholders, is to establish criteria against which the competence of a fire risk assessor can be judged. It is anticipated that these criteria will be used by professional bodies and third-party certification bodies that register or certificate fire risk assessors and

commercial companies that provide fire risk assessment services.

While it is very unlikely that third-party certification of this nature will become mandatory under legislation, Government acknowledges the benefits to dutyholders of third-party certification of fire protection products and services as a means of assisting in compliance with legislation. It is now recognized that this includes fire risk assessment services.

This document will be subject to periodic review by the Fire Risk Assessment Competency Council, so that it can be updated to reflect current thinking and experience in the fire safety community.

Participants

Acknowledgement is given to the following organizations that assisted in the development of this document;

Association of Building Engineers (ABE)
 Association of Fire Consultants (AFC)
 Association for Specialist Fire Protection (AFSP)
 Awarding Body of the Built Environment (ABBE)
 British Approvals for Fire Equipment (BAFE)
 British Fire Consortium (BFC)
 BRE Global Ltd (BRE)
 Chartered Institute of Environmental Health (CIEH)
 Chief Fire Officers' Association (CFOA)
 Chief Fire & Rescue Advisors Unit (CFRAU)
 Confederation of British Industry (CBI)
 Construction Products Association (CPA)
 Department for Communities and Local Government (DCLG)
 Fire Industry Association (FIA)
 Fire Brigades Union (FBU)
 Fire Protection Association (FPA)
 Federation of British Fire Organisations (FOBFO)
 Institution of Fire Engineers (IFE)
 Institute of Fire Prevention Officers (IFPO)
 Institute of Fire Safety Managers (IFSM)
 International Fire Consultants Certification Ltd (IFCC)
 Institute of Occupational Safety & Health (IOSH)
 National Examination Board in Occupational Safety and Health (NEBOSH)
 Passive Fire Protection Federation (PFPF)
 Royal Institute of British Architects (RIBA)
 Royal Institution of Chartered Surveyors (RICS)
 Skills for Justice
 Warrington Certification Ltd (WCL)
 United Kingdom Accreditation Service (UKAS)

Fire risk assessor competency

Competence does not necessarily depend on the possession of specific qualifications, although such qualifications might contribute to the demonstration of competence.

In the case of simple buildings, where the fire risk assessor might, for example, be an employee of the occupier, it is possible that the following attributes of a fire risk assessor might be sufficient in conjunction with a study of suitable guidance documents. Even in such a simple building, the fire risk assessor will need:

- a) an understanding of relevant current best fire safety practices in buildings of the type in question;
- b) an awareness of the limitations of the fire risk assessor's own experience and knowledge;
- c) a willingness and ability to supplement existing experience and knowledge, when necessary, by obtaining external help and advice.

Complex buildings will require a higher level of knowledge, understanding and, preferably, experience on the part of the fire risk assessor. For such buildings, there will be a need for the specific applied knowledge and skills of an appropriately qualified specialist. In such cases, evidence of specialist training and experience, or membership of a professional body, may assist in demonstrating competence.

In general, other than in the case of simple, low risk buildings, fire risk assessors, particularly those offering their services on a commercial basis, need an appropriate knowledge of:

- The assessment of risk from fire (Appendix A)
- Applicable legislation (Appendix B)
- Appropriate guidance (Appendix C)
- Behaviour of fire in buildings (Appendix D)
- Behaviour of people in fire situations (Appendix E)
- Means of escape (Appendix F)
- Fire prevention (Appendix G)
- Fire protection (Appendix H – includes passive and active)
- Management of fire safety (Appendix I)

In the context of the above paragraph, knowledge can be obtained by academic study, training, working alongside others, short courses, continuing professional development or any combination of two or more of these.

Education is likely to involve formal education of a relatively academic nature, often culminating in a qualification. Training involves training of a practical nature, often given on the job.

It is not implied that education, training and experience in the principles of fire safety need each be extensive, provided that the combination of each results in adequate knowledge. Moreover, a high level in respect of any one of these might compensate for a lower level in another. It is essential that the level of competence be sufficient to allow the fire risk assessor to identify correctly the significant risks and to draw up an appropriate action plan to address them.

Appendix A

The assessment of risk from fire

It is innate to the process of carrying out a fire risk assessment that there be an assessment of fire risk. The competent fire risk assessor must be able to make a subjective judgement – albeit based largely on objective evidence – of the overall risk to life from fire in the building for which a fire risk assessment is carried out.

Accordingly, the fire risk assessor should be able to:

- appreciate generally the concept of risk assessment as it applies to fire;
- understand the terms “fire risk” and “fire hazard” and appreciate the relationship between the two;
- within the fire risk assessment, reach a subjective opinion on differing levels of fire risk for the purposes of making comparisons in premises where a fire risk assessment is being carried out;
- to enable to fire risk assessor to carry out the above, the fire risk assessor should;
- be aware of the broad range of methodologies of fire risk assessments available;
- be able to apply an appropriate methodology of fire risk assessment in respect of the premises for which the fire risk assessment relates;
- be able to identify fire hazards (both common and process) and the risks associated with those hazards;
- be able to apply the understanding of fire hazard and fire risk in the premises in context, to make an informed judgement on the appropriate level of fire precautions in the premises where a fire risk assessment is being carried out;
- be able to express fire risk for the client in such a manner as to provide at least, a broad comparison of the fire risk at different premises within a single estate of properties.

Appendix B

Applicable legislation

It is not expected that the fire risk assessor will have the skills of a legal expert. However, it is necessary for the fire risk assessor to have a good understanding of the applicability, principles, objectives and intent of the legislation under which the fire risk assessment is carried out, and of any associated legislation.

Accordingly, the fire risk assessor should be able to:

- generally determine the extent to which premises comply with the relevant fire safety legislation;
- identify failures to comply with the specific legislation, particularly those that may lead to the commission of an offence;
- within the action plan of the fire risk assessment, write a sufficient outline requirement for any measures required to achieve compliance with the relevant legislation.

To enable the fire risk assessor to carry out the above, the fire risk assessor should:

- be aware of the relevant enforcing authority for the legislation under which the fire risk assessment is carried out;
- be aware of the relevant requirements of the legislation in respect of fire risk assessment and the duties the legislation places on various persons;
- be aware of the nature of non-compliances that may occur;
- be aware of the nature of the offences that may be committed;
- be aware of the guidance that supports the legislation (see Appendix C);
- be aware the principles of prevention (as defined in the relevant European Directive);
- be able to distinguish between the general fire precautions (fire safety measures) required by fire safety legislation and the process fire precautions required by health and safety legislation.

To enable the fire risk assessor to carry out an appropriate risk assessment they must have regard to legislative and regulatory requirements of the country in which the assessment is taking place.

Reference should be made to the following sub appendices:

- Appendix B1 – England and Wales
- Appendix B2 – Scotland
- Appendix B3 – Northern Ireland

These do not cover every eventuality and a competent assessor should be capable of identifying when other laws or regulations need to be considered.

Appendix B1 – England and Wales

- Have a good understanding of the Regulatory Reform (Fire Safety) Order 2005 (“the Fire Safety Order”).
- Be aware of which enforcing authority enforces the Fire Safety Order in any premises for which a fire risk assessment is carried out.
- Understand the meaning of the term “Responsible Person” and be able to identify the Responsible Person in premises for which a fire risk assessment is carried out.
- Understand the meaning of “Persons having control of premises” and be able to identify such persons.
- Understand the meaning of the term “Relevant Premises”.
- Understand the meaning of the term “General Fire Precautions”.
- Understand the manner in which the Fire Safety Order applies to premises.
- Be fully aware of the requirements of Article 9 of the Fire Safety Order in respect of risk assessment.
- Understand the relationship between the Fire Safety Order and the Dangerous Substances and Explosive Atmospheres Regulations 2002.
- Understand the relationship between the Fire Safety Order and licensing legislation.
- Understand the relationship between the Fire Safety Order and the Health and Safety at Work etc. Act 1974.
- Understand the relationship between the Fire Safety Order and the Housing Acts.
- Understand the meaning of the term “Reasonably Practicable”.
- Understand the concept of proportionality of general fire precautions to risk.
- Understand the distinction between the failure to comply with the requirements of the Fire Safety Order and an offence under the Order.
- Understand the relevant requirements of the Health and Safety (Safety Signs and Signals) Regulations 1996.

Appendix B2 – Scotland

- Understand the relationship between Part 3 of the Fire (Scotland) Act 2005 ("the Act") and the Fire Safety (Scotland) Regulations 2006 ("the Regulations").
- Have a good understanding of the Act and the Regulations.
- Be aware of which enforcing authority enforces the Act and the Regulations in any premises for which a fire risk assessment is carried out.
- Understand the meaning of the term "Employer" and be able to identify the Employer in premises for which a fire risk assessment is carried out.
- Understand the meaning of "Persons having control of premises" and be able to identify such persons.
- Understand the meaning of the term "Relevant Persons".
- Understand the meaning of the term "Relevant Premises".
- Understand the meaning of the term "Fire Safety Measures".
- Understand the manner in which the Act and the Regulations apply to premises.
- Be fully aware of the requirements of Part II of the Regulations in respect of fire risk assessment.
- Understand the relationship between the Act, the Regulations and the Dangerous Substances and Explosive Atmospheres Regulations 2002.
- Understand the relationship between the Act, the Regulations and licensing legislation.
- Understand the relationship between the Act, the Regulations and the Health and Safety at Work etc. Act 1974.
- Understand the relationship between the Act, the Regulations and housing legislation.
- Understand the meaning of the term "Reasonably Practicable".
- Understand the concept of proportionality of fire safety measures to risk.
- Understand the distinction between the failure to comply with the requirements of the Act or the Regulations and an offence under the Act.
- Understand the relevant requirements of the Health and Safety (Safety Signs and Signals) Regulations 1996.

Appendix B3 – Northern Ireland

- Understand the relationship between Part 3 of the Fire and Rescue Services (Northern Ireland) Order 2006 ("the Order") and the Fire Safety Regulations (Northern Ireland) 2010 ("the Regulations").
- Have a good understanding of the Order and the Regulations.
- Be aware of which enforcing authority enforces the Order and the Regulations in any premises for which a fire risk assessment is carried out.
- Understand the meaning of the term "Employer" and be able to identify the Employer in premises for which a fire risk assessment is carried out.
- Understand the meaning of "Persons having control of premises" and be able to identify such persons.
- Understand the meaning of the term "Relevant Persons".
- Understand the meaning of the term "Relevant Premises".
- Understand the meaning of the term "Fire Safety Measures".
- Understand the manner in which the Order and the Regulations apply to premises.
- Be fully aware of the requirements of Part II of the Regulations in respect of fire risk assessment.
- Understand the relationship between the Order, the Regulations and the Dangerous Substances and Explosive Atmospheres Regulations (Northern Ireland) 2003.
- Understand the relationship between the Order, the Regulations and licensing legislation.
- Understand the relationship between the Order, the Regulations and the Health and Safety at Work (Northern Ireland) Order 1978.
- Understand the relationship between the Order, the Regulations and housing legislation.
- Understand the meaning of the term "Reasonably Practicable".
- Understand the concept of proportionality of fire safety measures to risk.
- Understand the distinction between the failure to comply with the requirements of the Order or the Regulations and an offence under the Order.
- Understand the relevant requirements of the Health and Safety (Safety Signs and Signals) Regulations (Northern Ireland) 1996.

Appendix C

Appropriate guidance

The fire risk assessor should have knowledge of the suites of guidance produced by the applicable government departments together with other guidance produced by industry, standards making bodies, etc. that apply to the premises on which the fire risk assessment is being carried out.

Much of this guidance cross references other guidance and it is the duty of the competent fire risk assessor to be able to navigate through these sets of guidance and to maintain their currency as guidance is refreshed and new guidance is produced. This will form part of their formal continual professional development which will need to be evidenced to allow for third-party certification.

Accordingly the fire risk assessor should be able to:

- determine the appropriate guidance applicable to the premises to which the fire risk assessment is being carried out;
- apply such guidance in a proportional manner, keeping in mind the use to which the premises are being put;
- evidence how they are maintaining their currency in respect of applicable guidance and standards.

Appendix D

Behaviour of fire in buildings

The behaviour of a building in fire will be determined by a combination of its structural design, construction materials, passive and active fire safety elements, the use to which the building is put and the standard of management applied.

Active and Passive fire safety is covered in Appendix H and management of fire safety is covered in Appendix I.

Although the basic structural integrity of the building is not strictly within the remit of a fire risk assessor, as it should already have been covered by the appropriate building control body, a fire risk assessor must have regard to this aspect.

Accordingly, the fire risk assessor should be able to:

- generally determine how fires can start and the how the spread of fire and products of combustion can impact on components of the building;
- identify failures and or changes to the building that could change the way a fire and products of combustion travel through the building.

To enable to fire risk assessor to carry out the above, the fire risk assessor should have:

- knowledge of the principles of combustion (triangle of fire);
- knowledge of fire growth and how it gets progressively bigger;
- knowledge of movement of smoke and other products of combustion;
- an awareness of how different construction materials behave in a fire;
- an awareness of how different structural designs of buildings behave in a fire;
- an awareness of how fire spread can be inhibited by passive and active fire protection methods (see Appendix H);
- an awareness of how to identify that the subsequent use or alteration of the building can invalidate pre-existing fire safety precautions and/or strategies.

Appendix E

Behaviour of people in fire situations

It is not expected that the fire risk assessor will have the skills of a behavioural psychologist. However, whilst most other aspects of fire safety are concerned with physical or system-based issues, understanding human behaviour is an essential part of the knowledge of a fire risk assessor's role.

Accordingly, the fire risk assessor should be able to:

- anticipate the way people will generally behave in fire situations;
- identify potential problems arising from the likely behaviour of people in the premises for which a fire risk assessment is being carried out;
- within the action plan of the fire risk assessment, make recommendations, where relevant, for managerial or other measures considered necessary, taking account of the likely behaviour of people in the premises in the event of fire.

To enable the fire risk assessor to carry out the above, the fire risk assessor should:

- be aware of current professional thinking and practical guidance on human behaviour in fire, including case studies;
- be able to anticipate the likely behaviour of people in fire for those premises for which the fire risk assessor carries out a fire risk assessment;
- be aware of the effect of splitting of family groups;
- be aware of the likely response of people to discovery of a fire;
- be aware of the likely response of people to a fire alarm signal;
- understand the effect of frequent false alarms on willingness to evacuate;
- understand the importance of the actions of those in charge at the time of a fire;
- understand the importance of staff training and the influence of training and drills on occupant behaviour in the event of fire;
- understand the importance of a structured emergency plan;
- understand the effect of different cultures on fire and evacuation behaviour;
- understand the effect of escape route design on evacuation behaviour, including the tendency to use familiar egress routes.