

A Landlords Guide to Fire Risk Assessment in Residential Properties



Introduction

This guide is produced to assist responsible persons of residential accommodation. In order to comply with fire safety regulations, it is necessary to complete a fire risk assessment on rented residential accommodation. The purpose of the fire risk assessment is to identify fire hazards and implement any measures to remove or reduce those hazards.

'Responsible person' means *"the person who has control of the premises in connection with the carrying on of a trade, business or other undertaking"*. In practice this will usually be the landlord, but in the case of absentee landlords where the "carrying on of the business" is undertaken by a managing agent, it may be the managing agent.

The guide explains the need for carrying out a fire risk assessment in residential accommodation and a method of carrying out such an assessment, outlining the legislative framework and responsibilities. It will also advise on the steps necessary for you to consider when preparing a risk assessment.

The guide is by no means a definitive method of carrying out a fire risk assessment and alternative methods may be used. This guide may be reviewed from time to time to take account of any changes in legislation and or good working practices.

Legislation

Why do we need to carry out a fire risk assessment?

There are various pieces of legislation covering the provision of fire safety measures in residential accommodation. The Housing Act 2004 places a duty on local authorities to assess fire safety matters under the housing health and safety rating system, while the Regulatory Reform (Fire Safety) Order 2005 which is enforced by the fire authority, places a duty on the *"responsible person"* to carry out a fire risk

assessment. Also the Health and Safety at Work Act 1974, places a general duty on the responsible person to carry out a risk assessment.

The Fire Safety Order and Housing Act have placed a duty on two statutory authorities to enforce fire safety provisions in certain types of housing, this has led to a dual enforcement role.

Due to this dual enforcement a National Fire Safety Protocol has been produced to promote joint working arrangements between both Merseyside Authorities, however its aim is to establish and maintain a clear objective to improve fire safety in residential accommodation. The protocol is not a contractual agreement between both authorities but will outline their statutory duties and establish and maintain good working relationship. It promotes joint working to achieve provision of appropriate fire safety measures in housing, a sharing of data and to assist landlords and other providers in understanding the legal framework.

The Regulatory Reform (Fire Safety) Order 2005 (FSO) applies to virtually all 'non-domestic premises' including the common parts of blocks of flats and Houses in Multiple Occupation. This definition would generally include any 'place' but more specifically, workplaces, vehicles, vessels, installations and the common parts and external areas, of flats and certain Houses in Multiple Occupation

The Fire Safety Order gives power to the fire authority to inspect premises to ensure compliance with the Fire Safety Order. The Fire Authority will require evidence that you have carried out a suitable fire risk assessment and acted upon any "*significant findings*" of the assessment. A written record of the significant findings of the fire risk assessment will be required to be kept if you employ more than 5 persons or the premises to which it relates requires a licence. The Fire Authority may, as part of their enforcement role, require you to produce a copy of this written record.

Where it applies, the FSO places a duty on the 'responsible person' to take general fire precautions to ensure, as far as is reasonably practicable, the safety of the people on the premises and in the immediate vicinity.

The responsible person must carry out a fire risk assessment for the purpose of identifying the general fire precautions and other measures needed to comply with the FSO. Although under the FSO this requirement only applies to the common parts of premises, in practice the responsible person will need to take into account the entire premises – including, to some extent, the units of accommodation themselves.

General

Having identified the general fire precautions that are necessary and having implemented them, the responsible person must put in place a suitable system of maintenance and appoint competent persons to implement any procedures that have been adopted.

This could, for example, be a premises manager or agent, who need not necessarily be permanently on the premises but would ensure that the responsible person's duties were observed.

What is a fire risk assessment?

A fire risk assessment is an organised and methodical look at the premises, the activities carried on there and the likelihood that a fire could start and cause harm to those in and around the premises.

Most premises covered by this guide will be relatively small and will have a straightforward and simple layout, and little fire safety expertise is likely to be required to carry out the risk assessment. In larger buildings or where the building contains different uses (for example, residential accommodation alongside or above a separate commercial use) then more specialist advice may be required.

The aims of the fire risk assessment are:

- to identify the fire hazards;

- to reduce the risk of those hazards causing harm to as low as reasonably practicable; and
- to decide what physical fire precautions and management arrangements are necessary to ensure the safety of people in the premises if a fire does start.

The terms 'hazard' and 'risk' should be understood in the context of this guidance:

- Hazard: anything that has the potential to cause harm
- Risk: the chance of that harm occurring.

Suggested method for carrying out a risk assessment

The guidance offered here follows the general methodology contained in HM Government; Fire Safety Risk Assessment - Sleeping Accommodation Guide, but it is stressed that alternative approaches may be equally acceptable.

The assessment method suggested in this guide shares the same approach as that used in general health and safety legislation, and it can be carried out either as part of a more general risk assessment or as a separate exercise.

The fire risk assessment should be carried out in a practical and systematic way and enough time must be allocated to the exercise. In some larger premises and those with mixed uses, it may be helpful to divide the building into rooms or a series of assessment areas using natural boundaries (for example kitchens, offices and stores; and corridors, stairways and external routes).

A written record of the fire risk assessment must be recorded if:

- The responsible person (i.e. landlord) employs 5 or more persons in total.
- The property has a licence (i.e. HMO licence).

Although not always required, it is good practice to keep a written record of the significant findings of any fire risk assessment in all cases. Even if you may not be legally obliged to do so.

A fire risk assessment that is recorded must include the significant findings of the assessment, the actions to be taken as a result with details of anyone especially at risk.

The process can be broken down into five steps:

1. Identify fire hazards.
2. Identify people at risk.
3. Evaluate, remove or reduce risk and protect against remaining risk.
4. Record, plan and inform or train.
5. Review.

Step 1: identify the hazards within the premises

For a fire to start, three things are needed: a source of ignition, fuel and oxygen. If any one of these is absent, a fire cannot start. Taking measures to avoid the three coming together will therefore reduce the chances of a fire occurring.

Sources of ignition: identify potential sources of ignition, i.e. sources of heat which could get hot enough to ignite any materials around them.

In premises covered by this guide, they may include:

- smokers' materials such as cigarettes, matches and lighters (if people smoke within the premises);
- naked flames, for example candles and night lights;
- electric, gas or oil-fired heaters (fixed or portable);
- boilers;
- cookers, toasters and other kitchen equipment (especially when shared);
- faulty or misused electrical equipment;
- electric blankets, computers, TVs, washing machines and dryers;
- lighting equipment (fixed and movable), for example halogen lamps and table lamps;
- the electrical installation itself
- the gas installation and appliances
- arson attack; and
- in larger or mixed use properties, any plant rooms, lift motor rooms and so on.

Sources of fuel: anything that burns is fuel for a fire.

Things that will burn reasonably easily and are in large enough quantity to provide fuel for a fire or cause it to spread to another fuel source are potential hazards. In

premises covered by this guide they may include the following, but this list is not exhaustive:

- furniture, furnishings, textiles, bedding, clothing and curtains;
- laundry;
- accumulations of unwanted mail, waste paper, cardboard, newspapers and magazines (including that awaiting recycling collection);
- waste storage and refuse containers;
- flammable liquid-based products such as paint, varnish, thinners, adhesives, white spirit, methylated spirit and cooking oils;
- liquefied gas (LPG), paraffin, heating oils and petrol;
- paper products, packaging materials, stationery, advertising material and books;
- decorations for seasonal and religious occasions;
- plastics and rubber such as videotapes, polyurethane foam-filled furniture and polystyrene- based display materials;
- wall, floor and ceiling coverings and surface finishes.

Particular care should be taken when premises are undergoing alteration, repair or redecoration. During such times flammable materials that would not normally be present may be stored in the premises, possibly in escape routes or in rooms which are otherwise unused. Care should be taken as to where and how these products are stored. Premises which normally have good fire precautions and present a low fire risk may have their fire safety compromised by temporary careless storage of these products or by the disabling of fire precautions during the period of the works.

Sources of oxygen: in premises covered by this guide the oxygen source will be the air in the building. Where only normal natural domestic ventilation is provided the risk will generally be normal.

Step 2: Identify people at risk

It is necessary to identify those who will be at risk if there is a fire and where they are likely to be found. In premises covered by this guide these will generally be residents and their visitors and anybody working in the premises such as a caretaker or cleaner and any visiting contractors. Only in buildings with mixed residential and commercial use are there likely to be other people to consider.

The risk assessment should consider people at risk, who may include:

- people asleep (who will be disorientated and slow to respond);
- people who are unfamiliar with the premises (guests and visitors);
- people with disabilities (including mobility impairment and hearing or vision impairment);
- people who may have some other reason for not being able to leave the premises quickly (such as parents with young children);
- people who are sensor ally impaired due to alcohol, drugs or medication;
- unaccompanied children and young people;
- anyone working in enclosed, isolated parts of the building; and
- anyone who has difficulty understanding English.

In evaluating the risk to people with disabilities it may be necessary to discuss their individual needs with them or seek professional advice.

Step 3: Evaluate, remove or reduce risk and protect against remaining risk

The chances of a fire starting will be low if your sleeping accommodation has few ignition sources and combustible materials are kept away from them. However It is unlikely that you will have concluded that there is no chance of a fire starting anywhere in your building.

In general a fire starts in one of three ways, these are:

- Accidentally - such as when smoking materials are not properly extinguished or when lights are knocked over;
- By act or omission - such as when electrical equipment is not properly maintained, or when waste is allowed to accumulate near to a heat source;
- Deliberately - such as an arson attack involving setting fire to external rubbish bins placed too close to the building. Look critically at your premises and try to identify any accidents waiting to happen and any acts or omissions which might allow a fire to start. You should also look for any situation that may present an opportunity for an arsonist

Hazards should be removed where it is practicable to do so, and where they cannot be removed they should be reduced as far as possible. What is considered reasonable in a particular case will depend on an evaluation of the potential to cause harm and the chance of that harm occurring. Some simple examples are given below:

- replace portable heating appliances with fixed convector heaters or a central heating system;
- ensure electrical sockets are adequate in number and sited appropriately to avoid overloading and trailing leads;
- ensure electrical, mechanical and gas equipment is installed, used, maintained and protected in accordance with the manufacturer's instructions;

- ensure all furniture complies with the Furniture and Furnishings (Fire Safety) Regulations 1988;
- ensure combustible items such as furniture, laundry and decorations are stored properly and are kept away from potential ignition sources such as cookers, heaters and boilers;
- ensure refuse is properly stored and disposed of; and
- in crowded accommodation, provide adequate shelving and cupboard space so that everyday items are not in proximity to cookers, heaters and so on.

Having taken measures to remove or reduce fire hazards as far as is practicable, arrangements need to be put in place to protect people from the remaining fire risk as far as is reasonably possible by ensuring that adequate fire precautions are in place to warn people in the event of a fire and to allow them to escape to a place of safety.

In assessing the risk to people you will need to consider the following:

- Fire starting on a lower floor affecting the only escape route for people on upper floors;
- Fire developing in an unoccupied space that people have to pass by to escape from the building;
- Fire or smoke spreading through a building via routes such as poorly installed, poorly maintained or damaged vertical shafts, service ducts, ventilation systems, walls, partitions and ceilings;
- Fire and smoke spreading through a building due to poor installation of fire precautions, eg incorrectly installed fire doors or incorrectly installed services penetrating fire walls;
- Fire and smoke spreading through the building due to poorly maintained and damaged fire doors or fire doors being wedged open.

The general principles of fire risk reduction are outlined in Part C of the 'Housing – Fire Safety Guide', where guidance is also given on what measures should be implemented and to what standards, based on overall fire risk assessment. Case

studies of various types of premises and how these precautions could be employed to reduce fire risk, are given in Part D of the Fire Safety Guide.

A copy of the Guide can be downloaded from:

<http://www.lacors.gov.uk/lacors/upload/19175.pdf>

Step 4: Record, plan, inform, instruct and train

It is a good idea for everyone to keep a written record of their fire safety risk assessment. The law says you **must** make a written record of your risk assessment if you have five or more employees (including any who work part-time and not necessarily at the particular premises being risk-assessed).

In these cases, it is the “significant findings” of the risk assessment that must be recorded. Significant findings are the actions to be taken as a result of the assessment and details of anyone at particular risk. Significant findings should include details of:

- the fire hazards that have been identified (but ignore trivial things such as a tin of solvent-based glue);
- the actions taken, or which will be taken, to remove or reduce the chance of a fire occurring (preventive measures);
- persons who may be at risk, particularly those especially at risk;
- the actions taken, or which will be taken, to reduce the risk to people from the spread of fire and smoke (protective measures);
- the actions people need to take if a fire occurs. This will include any special arrangements made with staff such as housekeepers or others (the emergency plan);
- any information, instruction and training identified as being needed, and how it will be given; and
- any discussions that have taken place with residents (or, if appropriate, with staff).

It is recommended that a record of the significant findings of the fire risk assessment is kept in all cases, even where it is not a requirement to do so. An example form is included at the end of this guide – however, any alternative format will be acceptable, provided it contains the information above.

An appropriate emergency plan should be put in place. In most residential accommodation this is unlikely to extend beyond advising residents what to do in the event of a fire or fire alarm and how to contact the fire and rescue service. In large or mixed use premises a more sophisticated plan may be necessary.

The responsible person must provide any employees with appropriate information and training on risks identified in the risk assessment and information on fire safety measures and procedures for the premises.

There is no requirement under the FSO to provide training to residents, but providing them with basic information on fire precautions is a simple and effective way of reducing fire risk in the premises.

Step 5: Review

The risk assessment and the general fire precautions in the premises should be reviewed regularly. There is no specific timescale for this other than where there is a reason to suspect that it is no longer valid or where there has been a significant change in the premises.

In general the fire risk assessment should be reviewed:

- Annually
- Alterations to premises
- Alterations to facilities or installation
- Alteration to contents of the property.
- Changes to tenancy
- After a fire related incident
- Or when it is considered no longer valid

Any issues identified, should be dealt with as soon as possible.

Further Information

A fire risk assessment inspection form is also available, you can obtain a copy by contacting the relevant Local Authority listed below.

For Further advice on fire risk assessments of a property within the Merseyside area you can contact the appropriate Merseyside Local Authority on;

Liverpool Council: HMO Team (0151) 225-6672/6614/6615
Sefton Council: HMO Team via Sefton Plus on 0845 140 0845
Wirral Council: HMO Team (0151) 691-8665/8130
Knowsley Council: Environmental Health and Consumer Protection (0151) 443 4712
St Helens Council: Private Housing Initiatives on (01744) 671602

The current Government fire safety guidance for 'Housing' is entitled 'Housing – Fire Safety, Guidance on fire safety provisions for certain types of existing housing'. The documents is ISBN 978-1-84049-638-3 and can be obtained direct from LACORS at :

LACORS
Local Government House
Smith Square
London
SW1P 3HZ

Telephone: 020 7665 3888
Fax: 020 7665 3887

Website: www.lacors.gov.uk

A copy of the guide can also be downloaded via the following link:

<http://www.lacors.gov.uk/lacors/upload/19175.pdf>

An alternative comprehensive 'Fire Risk Assessment' form can be downloaded from the Midlands DASH Website at:

<http://www.eastmidlandsdash.org.uk/docs/FireRiskAssForm2.pdf>

Fire Risk Assessment – record of significant findings		
Risk assessment for Address:	Assessment undertaken by Date: Completed by: Signature:	
Floor/unit (for large or multi-unit properties):	Type of property?	
Step 1 – Identify fire hazards		
Sources of ignition	Sources of fuel	
Step 2 – People at risk		
Step 3 – Evaluate, remove, reduce and protect from risk		
(3.1) Evaluate the risk of the fire occurring		
(3.2) Evaluate the risk to people from a fire starting in the premises		
(3.3) Remove or reduce the hazards that may cause a fire		
(3.4) Remove and reduce the remaining risks to people from a fire		
Assessment review		
Next review date	Risk assessment completed by	Signature
Review outcome (where substantial changes have occurred a new record sheet should be used)		

Notes:

- (1) this risk assessment record of significant findings should refer to other plans, records or other documents as necessary.
- (2) the information in this record should assist you to develop an emergency plan, coordinate measures with any other 'responsible persons' in the building, train any staff and inform residents.

Fire Risk Assessment – Record of significant findings

Risk Assessment for:	Assessment undertaken by:
Address:	Name: Signature: Date:
Floor/unit (for larger or multi-unit properties):	Type of property? (i.e. self contained flats, bedsits, mixed residential & commercial, licensed HMO, etc)

Instructions:

- Complete your fire risk assessment by following all 5 of the following steps
- Consider the issues listed in the left hand column plus any additional matters that may be specific to your particular property
- Tick the boxes in the right hand column to show that you have considered each issue or have taken remedial action
- Make a record of your '**significant findings**' in the spaces provided.
- Continue your notes on to a separate sheet if necessary
- Retain your assessment and keep it in a safe place, in case you are asked to produce it
- Remember to review your assessment at regular intervals or when something changes

Step 1 – Identify fire hazards	
<p>Fire starts when heat or spark (source of ignition) comes into contact with fuel (anything that burns), and oxygen (air).</p> <p>You need to keep sources of ignition and fuel apart!</p>	
Sources of ignition	
<p>How could a fire start?</p> <p>Think about heaters (portable and fixed)</p> <p>Lighting, naked flames (candles / nightlights)</p> <p>Faulty electrical installations or equipment (TV's, computers, cookers , toasters, fridges, washing machines, etcparticularly when shared)</p> <p>Gas appliances (boilers, cookers, gas fires, portable gas heaters)</p> <p>The location and positioning of heat sources such as cookers or portable heaters, are they located near combustible items such as curtain fabrics, paper and furnishings</p> <p>Smoking (cigarettes, matches, lighters)</p> <p>Ironing and 'airing' of clothes (near naked flame or on convector heaters)</p> <p>Anything else that gets very hot or causes sparks.</p> <p>Also consider the possibility of arson attacks particularly in unsecured areas of the building or to 'wheely bins'.</p> <p>Are there any other sources of ignition present that are not listed above?</p>	<p><input type="checkbox"/> Have you found anything that could start a fire? <i>Make a note of it here:</i></p>
Sources of fuel:	
<p>What could burn?</p> <p>Furniture, curtains, bedding, clothing could all burn.</p> <p>Also think about accumulations of waste like household rubbish, paper (unwanted mail, newspapers) just like the more obvious fuels such as petrol, bottled gas (LPG), paints, and white spirit.</p> <p>Are there seasonal decorations (Christmas tree, decorations) or ceiling or wall finishes that could burn? (hardboard, chipboard, or polystyrene) Check outside areas too, a fire here could spread indoors.</p> <p>Are there any other sources of fuel present that are not listed above?</p>	<p><input type="checkbox"/> Have you found anything that could burn? <i>Make a note of it here:</i></p>

Step 2 – People at risk

<p>Who could be at risk?</p> <p>Everyone is at risk if there is a fire but think whether the risk is greater for some than for others?</p> <p>This could be because of where they live (top floor flat or basement) and they have a long way to get out.</p> <p>People asleep are always at risk, who may be difficult to waken and be dis-orientated from broken sleep.</p> <p>People with disabilities i.e. - impaired mobility and vision having difficulty evacuating quickly.</p> <p>Hearing being unable to hear alarm sounds</p> <p>Visitors who are unfamiliar with the property.</p> <p>Is there anyone who could be impaired by alcohol, drugs or medication?</p> <p>Are there any residents in isolated or enclosed parts of the building or do they have young children, and so may not be able to get out of the building as quickly?</p> <p>People over 65 years of age are considered especially vulnerable.</p> <p>Does anyone need a key to get out of the building?</p>	<p>Have you identified?.....</p> <p><input type="checkbox"/> Who could be at risk?</p> <p><input type="checkbox"/> Who could be especially at risk?</p> <p><i>Make a note here:</i></p>
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Step 3 – Evaluate, remove, reduce and protect from risk

Evaluate

First, think about what you have found in steps 1 and 2; what are the risks of a fire starting, and if a fire does start, what are the risks to people in the building?

- Have you evaluated the risks of fire in your building?
- Have you evaluated the risk to residents, staff and visitors?

Make a note here:

Remove and reduce risk

How can you avoid accidental fires? Could a source of heat or sparks fall, be knocked or pushed into something that would burn?

Could something fall, be knocked or pushed onto a source of heat or flame?

Are there any sources of heat i.e. naked flames, candles, portable heaters, near sources of fuel such as curtains, draping table cloths, clothing, newspapers etc...

Are there any flammable materials stored within the property in cupboards or isolated areas such as unoccupied basements.

Are there any stores of household refuse/waste in or around the property, particularly if not stored in refuse bin.

Are all of the electrical installations and electrical appliances regularly checked by a competent person, particularly if you have evidence of damage such as cracked or scorched socket outlets, damaged electrical wiring flex to appliances, etc...

- Have you kept any source of fuel and heat/sparks apart?
- Have you had electrical appliances and installations checked for safety?
- Have you protected your premises from accidental fire or arson?
- If someone wanted to start a fire deliberately, is there anything around they could use?
- Have you removed or secured any fuel an arsonist could use?

Make a note here:

Protect

Take action to protect your premises and people from fire.

How can you make sure everyone is safe in case of fire?

- How will you know if there is a fire?
- Is there a fire alarm system?
- If so, is the fire alarm mains wired?
- Is there a plan to warn others?
- How will you make sure everyone gets out?
- Is there a suitable escape route ?
- Could you put out a small fire quickly and stop it spreading?
- Who will call the fire service? **Please indicate below:**

Make a note here:

Who will provide additional advice?

- Housing Authority (Housing Inspector)
- Fire Service (Fire Safety Dept)

Make a note here:

How will everyone escape?

- Have you planned escape routes?
- Have you made sure people will be able to safely find their way out, even at night if necessary?
- Does all your fire safety equipment work?
- Have you had fire systems regularly checked and kept a record
- Will people know what to do and how to use equipment?

Make a note here:

Step 4 – Record, plan and instruct

Record

Keep a record of any fire hazards and what you have done to reduce or remove them. If your premises are small, a record is a good idea. If you employ five or more people or have a HMO licence, then you must keep a record of what you have found and what you have done.

Have you made a record of what you have found, and action you have taken?

Make a note here:

Plan

You must have a clear plan of how to prevent fire and how you will keep people safe in case of fire. If you share a building with others, you need to coordinate your plan with them.

Have you planned what everyone will do if there is a fire?
 Have you discussed the plan with all your residents?

Make a note here:

Instruct

You need to make sure your residents know what to do in case of fire.

Have you?

- Informed your residents of what to do if there is a fire?
- Made sure that everyone understands what to do?
- Issued a written fire procedure?
- If you do not live at the property, have you nominated a resident to check Fire equipment and /or report problems?
- Consulted with anyone who shares a building with you, and included them in your plan?

Make a Note here:

Step 5 – Review		
<p>Keep your risk assessment under regular review because over time, the risks may change.</p> <p>If anything changes that effects the risk at the property then you should review you assessment and tell anyone who share the building.</p>	<p>Have you?</p> <ul style="list-style-type: none"><input type="checkbox"/> Any new residents who may be vulnerable?<input type="checkbox"/> Made any changes to the building inside or out?<input type="checkbox"/> Had a fire or near miss?<input type="checkbox"/> Introduced anything that could be a risk?	
Risk assessment completed by:	Signature:	Next Review Date:
<p>Review outcome (where substantial changes have occurred a new record sheet should be used)</p>		

Notes

1. Article 9(1) of the Regulatory Reform (Fire Safety) Order 2005 requires that the 'Responsible Person' (owner / landlord) of multi-occupied premises must carry out a Fire Risk Assessment of their property,
2. If the property is large or there are multiple units of accommodation, it may be easier to complete a form for individual floors, each unit or flat.
3. This risk assessment record of significant findings should refer to other plans, records or other documents as necessary.
4. The information in this record should assist you to develop an emergency plan, coordinate measure with any other 'responsible persons' in the building, train any staff and inform tenants.
5. If you employ more than 5 people or if your premises is licensed you must keep a written record of your Fire Risk Assessment

Additional Information