

# Business COVID-19 Fire Safety Guidance for Responsible Person

Leicestershire Fire and Rescue Service would like to reassure you that during these unprecedented times we will be taking a reasonable and pragmatic view on fire safety in work places and we will make a considered assessment on a business's compliance with the Regulatory Reform (Fire Safety) Order 2005 (FSO) on a case by case basis.

It is however, an inescapable fact, that under the FSO, Fire Safety within a business is the responsibility of the Responsible Person.

We realise that during this period, when the Governments have instructed non-essential travel to be restricted, it may not be practical for businesses to engage third party risk assessors. It is the prerogative of individual businesses to decide if they are restricting access to non-essential visitors and if they consider that third party risk assessors fall within that category. If this is the case, then we will be directing the RP of the said business to refer to the appropriate DCLG guide and act on this guidance. However, ultimately if businesses are still trading then they will still be responsible for the safety of their workforce and other relevant persons. That being said, provided we can see they have put other contingencies in place, Leicestershire Fire and Rescue Service will take a favourable view on them.

The majority of buildings have critical life safety systems such as fire detection and alarm systems, these facilities assist to prevent people from being injured or worse killed in fires. The FSO still requires the RP to ensure such systems are in good working order and all who visit the premises are safe from fire.

Leicestershire Fire and Rescue Service recommends businesses develop and instigate some 'interim measures' to ensure facilities are operating suitably. These interim measures should be based on a clear rationale and consider all potential risks.

With regards to maintenance and certification, we will take a similar approach to the Department of Transport (DFT) in respect of MoT certificates. Essentially, if a certificate is moderately out of compliance, it does not mean that people's lives are at greater risk from a fire. The certificate is the formal part, but arguably more important is the confirmation that everything is working.

That said, we would advise that fire alarms and fire doors still need to have routine checks to ensure they are operable and that people are safe. For example, a simple visual check of the fire alarm panel to ensure the system has power and is 'healthy', has not been silenced (without being reset) and is not damaged in any way. The decision on who will carry out these interim checks and their frequency is down to the RP. Businesses must remember that the fire and rescue service is in no way 'responsible for' the fire safety in your buildings, this is down to the RP of the business.

Leicestershire Fire and Rescue Service proposes that businesses should consider producing an interim fire policy statement (or similar) to include alternative measures that have been taken due to the incidence of COVID-19. A clear rationale is needed to clarify the divergence from usual practice/guidance and to take into account the risk at each premises.

For example, general needs block of flats with no vulnerable residents would be a 'lower risk' than a similar premises with vulnerable residents. Higher risk premises would mean that there would be less flexibility to deviate from formal guidance and timescales.

The time period for a Fire risk assessment may be extended if the premises is 'low risk' due to its design, fire safety precautions, fire safety management and nature of the persons who use/occupy the premises. Again, it would be prudent to capture such a decision with a clear rationale.

Once, the restrictions posed by Covid 19 have been lifted then each RP may have a list of work (prioritised by risk) to complete and we would expect each business to methodically work through this.

Leicestershire Fire and Rescue Service hopes that the above guidance is of use and helps businesses take a risk based approach in carrying out their Fire Safety duties as per the Fire Safety Order in these challenging times. Leicestershire Fire and Rescue Service's Fire Safety department is here to help businesses, but would expect businesses to look at their premises and have a proposed policy/procedure to deal with fire safety matters as part of their business continuity plans.

It is also understood that, due to the current Coronavirus health emergency, you may experience difficulties in securing the services of a professional Fire Risk Assessor.

You may be able to carry out your own fire risk assessment, particularly in the case of a low-risk premises. Information and advice on carrying out a fire risk assessment is available by consulting the appropriate guide. These publications are available from the government website and can be found by clicking [here](#).

If you are of the opinion that you do not have the necessary experience/skills to carry out a fire risk assessment, you must appoint one or more competent persons to assist you in identifying the general fire precautions required.

For further fire safety advice, please email our Fire Protection team on [firesafety.advisors@leics-fire.gov.uk](mailto:firesafety.advisors@leics-fire.gov.uk) or call **0116 210 5555** and ask for the Fire Protection team.

You can also visit our website [leics-fire.gov.uk/at-work](https://leics-fire.gov.uk/at-work)