



LONDON FIRE BRIGADE

The RRFSO – 10 Years on

June 2016

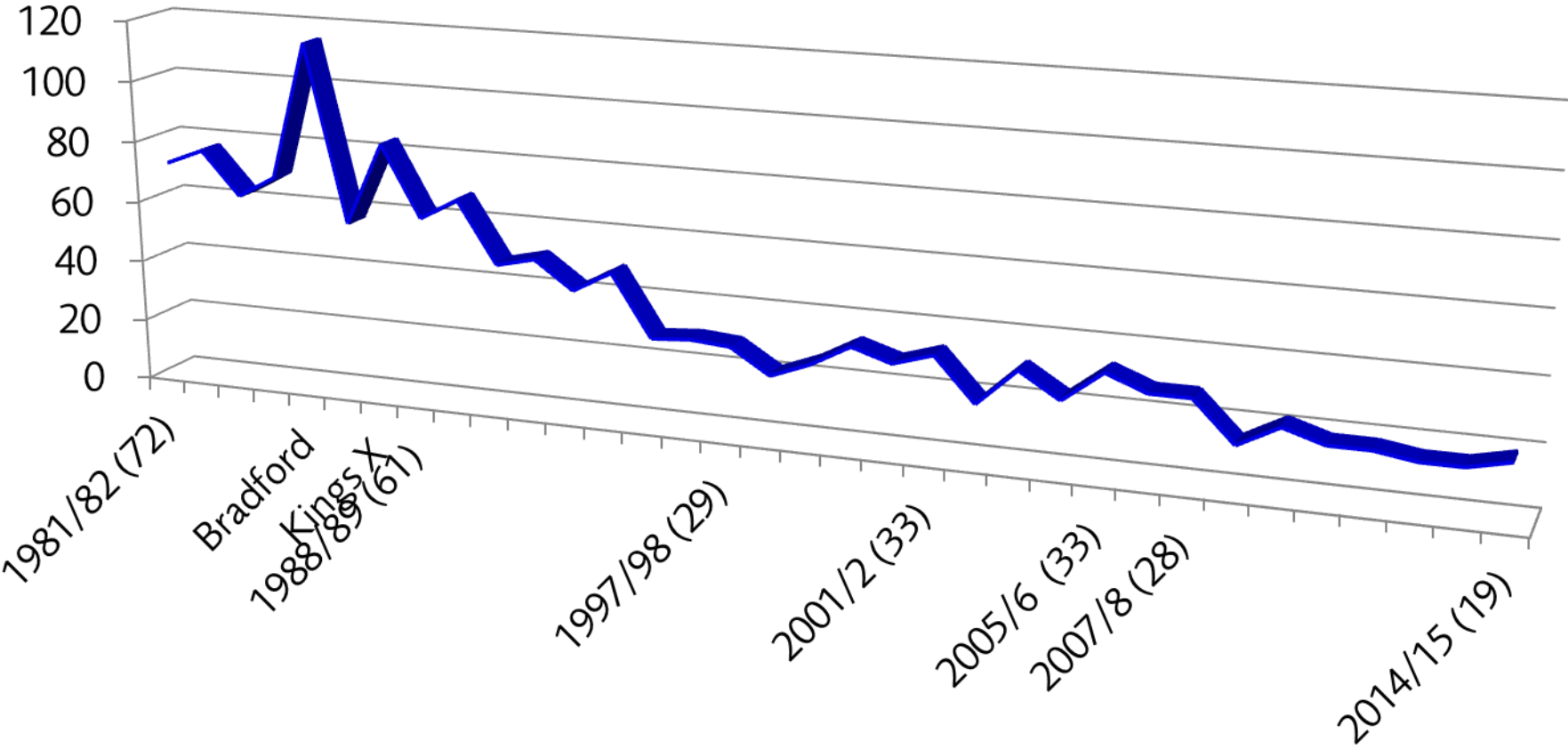
History

- Number of fires and deaths had largely plateaued
- Certification bureaucratic prescriptive and onerous
- Overlapping regimes and enforcers

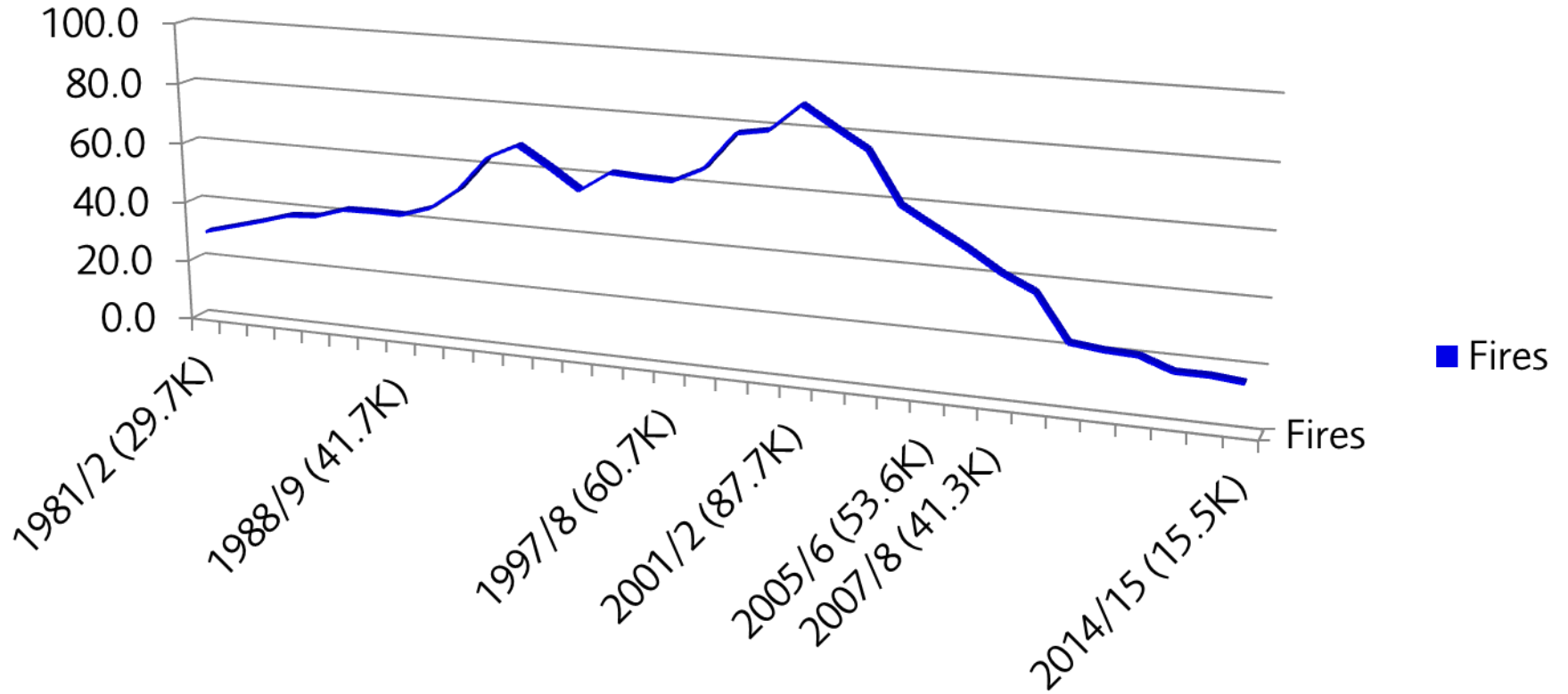
History

- DTI & Home Office Reviews
- Government agreement to reform fire safety 1996/7
- “When time Parliamentary time allows”

■ Deaths England



Fires England (Thousands)



BRE REVIEW

Evaluation on the Effectiveness
of the Regulatory Reform (Fire
Safety) Order 2005

Reported to Strategy Committee
17 November 2015

BRE REVIEW

Consult with stakeholders:

- to identify any gaps in the legislation and or guidance found since implementation;
- whether the RRO was cost effective (relevant buildings are fire safe without imposing unreasonable costs on building owners and operators);
- whether the RRO and related guidance was widely understood;
- whether there were gaps in the legislation;
- whether there were conflicts or unnecessary overlaps with other legislation

KEY FINDINGS

Widespread support among respondents contacted for the study for a review of the RRO and the associated guidance documents



KEY FINDINGS

Responsibilities under the RRO (e.g.; responsible person etc.) are considered broadly to be “correctly” assigned. Those in control of the day-to-day running of a building should also be responsible for its fire safety (which is a day-to-day activity).

KEY FINDINGS

The RRO is effective and has likely created a “safer” built environment because it has embraced more buildings than previous legislation

KEY FINDINGS

More buildings are covered under the RRO than under previous legislation (i.e. under the Fire Precautions Act) and the inclusion of the concept of “relevant persons” has been positive.

KEY FINDINGS

Fire and Rescue Services', and specifically the Authority, are seen by respondents contacted for the study to be effective in their enforcement work, however, enforcement practice appears to vary significantly between Fire and Rescue Services'.

KEY FINDINGS - CONCERNS

Enforcement of other related legislation such as Housing Act and Building Regulations is seen by respondents as problematic, and the RRO is seen as a tool to pick up the pieces.

KEY FINDINGS - CONCERNS

- The competency of fire safety managers, risk assessors (both in-house and contract), and their understanding of “risk”.
- The competency of enforcement officers, their understanding of “risk”, and consistency of approach both within and between Fire and Rescue Services.

KEY FINDINGS - CONCERNS

- The significant rise of independent living premises that are care homes in all but name and regulation.
- Dealing with the “common areas” in blocks of flats and similar.
(Continued dual regime)

KEY FINDINGS - CONCERNS

Quality of guidance is variable

Some guidance e.g. LGA guide may not have same force as Government guides (not RRO article 26 or 50)

Guides not reviewed for 10 years

KEY RECOMMENDATIONS

- Greater collaboration between regulators – formal arrangements
- Home Office should review guidance
- Guidance for independent sheltered housing sector
- A register for competent persons like Gas Safe

KEY RECOMMENDATIONS

- CQC should require only competent persons can do risk assessments in care homes (as has been successful in Northern Ireland)

KEY RECOMMENDATIONS

Formal competency based qualifications of enforcers need to be approved to ensure that the financial burden on compliance is risk based and not prescriptive base.

CONCLUSION

- Broadly accepted as appropriate
- Likely to have improved safety
- Cost of compliance underestimated
- Improvements can be made