

Briefing Note - April 2023

12 MONTH FIRE SAFETY REVIEW



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Foreword

Over the previous 12 months, the commercial and residential property management sectors have had to respond to a raft of new and far-reaching fire safety legislation and guidance. Against this backdrop we thought it would be helpful to 'take stock' in order to help our clients consolidate their understanding of all these changes.

We have therefore set out below a review of the fire safety changes and the way in which William Martin has tailored its approach in respect of delivering fire safety consultancy and supporting software.

We hope after reading our review that your understanding of all the recent fire safety legislative changes is clear and that you are aware of how William Martin is able to support you in achieving and maintaining your fire safety compliance across your managed portfolios.

Part 1 - Legislation

1.1 Background to the Fire Safety (England) Regulations 2022

In 2017, at Grenfell Tower, a high-rise block in West London, a tragic fire resulted in the deaths of 72 residents - the most serious loss of life in a single fire in the UK since World War Two. The Government immediately ordered a Public Inquiry into the fire.

In October 2019, the Grenfell Tower Inquiry published the findings of Phase 1 of the Inquiry. The findings included many important recommendations to prevent such a tragedy from ever happening again. The Government undertook, in principle, to introduce new regulations that would bring the recommendations into force. These regulations take the form of the Fire Safety (England) Regulations 2022 and extend duties imposed by the Regulatory Reform (Fire Safety) Order 2005.

1.2 The regulations came into force on January 23rd 2023 with the introduction of the Fire Safety (England) Regulations 2022

In all multi-occupied residential buildings, the regulations require responsible persons to provide residents with fire safety instructions and information on the importance of fire doors. The regulations apply to existing buildings and requirements for new buildings may be different.

In high-rise residential buildings, responsible persons are required to:

Building plans: provide their local Fire and Rescue Service with up-to-date electronic building floor plans and to place a hard copy of these plans, alongside a single page building plan which identifies key firefighting equipment, in a secure information box on site.

External wall systems: provide to their local Fire and Rescue Service information about the design and materials of a high-rise building's external wall system and to inform the Fire and Rescue Service of any material changes to these walls. Also, they will be required to provide information in relation to the level of risk that the design and materials of the external wall structure gives rise to and any mitigating steps taken.

Lifts and other key firefighting equipment: undertake monthly checks on the operation of lifts intended for use by firefighters, and evacuation lifts in their building and to check the functionality of other key pieces of firefighting equipment. They will also be required to report any defective lifts or equipment to their local Fire and Rescue Service as soon as possible after detection if the fault cannot be fixed within 24 hours, and to record the outcome of checks and make them available to residents.

Secure premises information boxes: install and maintain a secure premises information box in their building. This box must contain the name and contact details of the Responsible Person and hard copies of the building floor plans.

Wayfinding signage: to install signage visible in low light or smoky conditions that identifies flat and floor numbers in the stairwells of relevant buildings.

In residential buildings with storeys over 11 metres in height, responsible persons are required to:

Fire doors: undertake annual checks of flat entrance doors and quarterly checks of all fire doors in the common parts.

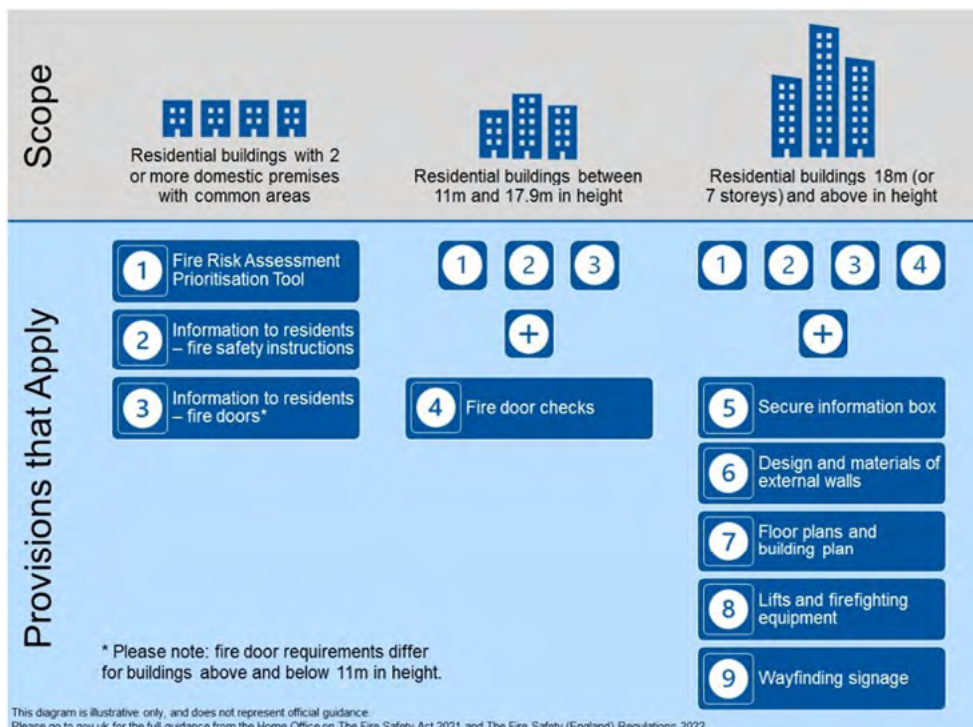
In all multi-occupied residential buildings with 2 or more sets of domestic premises, responsible persons are required to:

Fire safety instructions: provide relevant fire safety instructions to their residents, which will include instructions on how to report a fire and any other instruction which sets out what a resident must do once a fire has occurred, based on the evacuation strategy for the building.

Fire door information: provide residents with information relating to the importance of fire doors in maintaining fire safety.

This does not apply to commercial properties but does not stop Responsible Persons from undertaking façade inspections on these types of properties.

The above is summarised in the graphic below.



1.3 Building Safety Act 2022

This overhauls the way residential buildings are constructed and maintained in the UK, while protecting the rights of leaseholders. The Act will impact all levels of the industry imposing wide-ranging new duties designed to increase the accountability, transparency and oversight of industry participants and the construction and development of higher-risk buildings. Whilst the provisions of the Act apply to dutyholders in England, there are also provisions that apply to Wales, Scotland and Northern Ireland.

1.4 New fire safety guidance comes into force on 1 October 2023

Commencement regulations for new fire safety legal provisions within section 156 of the Building Safety Act 2022 (BSA) have been laid in Parliament.

The vast majority of provisions will come into force over 12-18 months, as secondary legislation is developed.

Section 156 of the BSA makes a number of amendments to the Regulatory Reform (Fire Safety) Order 2005 (FSO) to improve fire safety in all buildings regulated by the FSO. These improvements form Phase 3 of the Home Office's fire safety reform programme, building on Phase 1 (the Fire Safety Act 2021) and Phase 2 (the Fire Safety (England) Regulations 2022).

Phase 3 further strengthens fire safety in all FSO regulated premises by:

- improving cooperation and coordination between Responsible Persons (RPs)
- increasing requirements in relation to the recording and sharing of fire safety information thus creating a continual record throughout a building's lifespan
- making it easier for enforcement authorities to take action against non-compliance.
- ensuring residents have access to comprehensive information about fire safety in their building.

The Government will provide more information on this in the coming months.

The Latest...

1.5 Fire safety: guidance for those with legal duties

The Government has recently issued a collection of guidance documents which brings together relevant documents relating to fire safety law and provides guidance to anyone who has a legal duty for fire safety in a relevant building to meet those duties. These include:

1. [Legislative guidance](#)
2. [Fire risk assessment checklist](#)
3. [Guidance for evacuating disabled persons](#)
4. [Guidance for fire safety in small premises](#)
5. [Guidance for residential buildings under the Fire Safety Order](#)
6. [Guidance for non-domestic premises](#)
7. [Guidance for livestock premises](#)
8. [Guidance for workplaces where people sleep](#)
9. [Guidance for places of assembly](#)

Part 2 - How Can William Martin Help?

2.1 Meridian

The Meridian Fire Safety Module has been developed with specific reference to the changing legal requirements of new fire safety legislation, which are a direct result of the Grenfell disaster and the subsequent urgency to improve fire safety standards.

This evolving legislation now puts a clear onus on landlords and owners to proactively manage fire safety risks, with a clear responsibility to manage external cladding on buildings which are over 18 metres in height.

By adding a dedicated Module to our industry leading Meridian system, we are helping to solve these challenges.



Meridian

The system has the following benefits:

- Quantifiable fire risk profiling (inherent and residual risk) by individual building and / or portfolio – facilitating appropriate resource and budget allocation.
- Powerful action management allowing actions from fire risk assessment reports and other third-party compliance reports to be allocated, updated and closed.
- Identification and grouping of higher-risk properties.
- Utilisation of existing property information and fire risk assessment actions, allowing a comprehensive data bank of fire safety information to be filtered and presented.
- Advanced dashboard allowing access to aggregated data, which is expressed in tabular or graphical views.
- Analysing trends, facilitating the ability to demonstrate fire risk reduction over time.
- Storage of building lifecycle information, enabling Gateways 1, 2 and 3 documentation to be stored and easily accessed (in accordance with the 'Golden Thread' Principle).
- Bulk information download feature, making the sharing information with all stakeholders straightforward.
- The fire guidance documentation library, facilitating convenient access to fire safety legal information and updates.

How Meridian can specifically help clients in meeting the requirements of Fire Safety (England) Regulations 2022

Secure Information Boxes (Reg 4)

A copy of the contents can be retained in Meridian by creating the corresponding document type and adding the digital file. This will then provide a digital back-up for when you need to print a copy or update it. We can add a tag to these files in Meridian which will then allow you access to download and print when needed.

Design and materials of external walls (Reg 5) & floor plans and building plan (Reg 6)

Responsible persons of existing high-rise residential buildings in England will need to:

- provide their local Fire and Rescue Service with information about the design and materials of the building's external walls and to inform their local Fire and Rescue Service of any material changes made to them (Reg 5)
- draw up and share electronically up-to-date floor plans identifying the location of key fire-fighting equipment with their local Fire and Rescue Service. A plan will need to be prepared for each floor, but where floors are identical only one plan needs to be produced (Reg 6).

Information with details on the external wall and plans can be retained in Meridian by adding the document types and storing digital plans against them. You will have the option to then share documents and Meridian will keep a record of these being sent.

Lifts and essential fire-fighting equipment (reg 7)

Responsible persons in high-rise residential buildings will need to undertake additional monthly checks of any lifts within buildings that are designed, installed and maintained to be used by fire-fighters (with the addition of evacuation lifts) and of the mechanism which allows fire-fighters to take control of those lifts. Monthly checks will also be required on all evacuation lifts. Furthermore, checks at the same frequency will be applied to key fire-fighting equipment.

Where responsible persons identify, either through the monthly checks or via any other routine checks, that a relevant lift or mechanism has a fault or is out of service (and cannot be rectified in 24hrs), they must report it to the local Fire and Rescue Service electronically.

Equipment that must be checked and reported on include:

- lifts for use by fire fighters, evacuation lifts
- inlets and outlets for dry or wet-rising mains
- smoke control systems
- suppression systems
- fire detection and fire alarm systems including any detectors linked to ancillary equipment such as smoke control systems (in the common parts)
- evacuation alert systems
- automatic door release mechanisms linked to fire alarm systems.

To help meet this requirement, Meridian can set up document types for all fire equipment. Where lifts are on Meridian, these can be split out into Goods / Passenger / Fire Lifts, so you can view compliance for those pertaining to fire safety. We can also add details to assets were identified as Evacuation Lift / Fire Fighting / Firefighter / Fireman's Lift.

Furthermore, using the **Inspection Module** for the checks – we have a library of forms, or you can adopt your own. You may choose to have a single form or a form for each item.

You will also be able to utilise the **Incident Module** to capture any reports to the Fire and Rescue Service. We have standard formats for field data capture and you can set notifications to management on alerts sent etc. This ensures digital records are retained to demonstrate compliance.

Fire doors (reg 10)

Responsible persons for all multi-occupied residential buildings in England with storeys over 11 metres in height will need to:

- undertake quarterly checks of all fire doors (including self-closing devices) in the common parts
- undertake – on a 'best endeavour' basis – annual checks of all flat entrance doors (including self-closing devices) that lead onto a building's common parts.

The regulations will also require responsible persons to provide to residents of all multi-occupied residential buildings with two or more sets of domestic premises (that have common parts), information on the importance of fire doors to a building's fire safety.

There are number of ways to undertake these checks but through Meridian, we can:

- add document types to Meridian for Flat Doors and Common Areas Doors, so you can track compliance at the different frequencies
- using the **Inspection Module** for the checks – we have sample forms, but within this you can capture all attempts made to demonstrate best endeavours to access and inspect flat entrance doors.

Note: We are also able to provide practical training for responsible people to undertake fire door checks.

2.2 Fire Risk Assessment

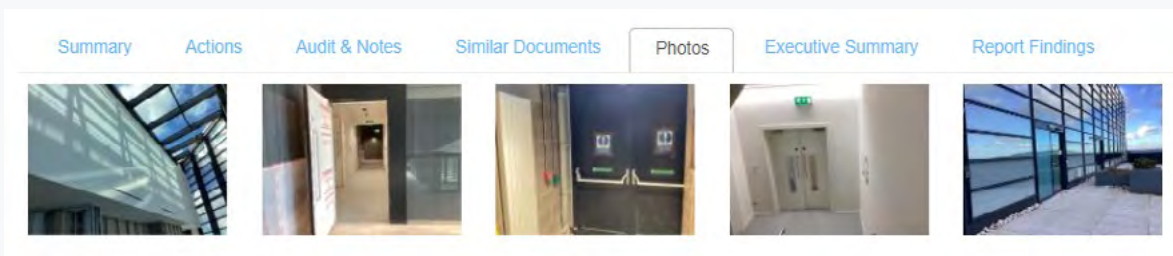
At William Martin, we have proactively addressed the Fire Safety (England) Regulations 2022 by incorporating additional requirements into our Fire Risk Assessment (FRA) template(s). Along with these changes, fact sheets and guidance notes are routinely issued to our teams of fire consultants to ensure they remain fully informed of these new requirements, so that they include these in their FRAs to ensure all clients can start to implement the changes prior to the various deadlines.



Consultancy

The FRA report findings, photographs and essential fire safety information captured in the Executive Summary of our FRA reports are also then made available for you to download in workable formats in Meridian.

Control Standard	Sub Question	Answer	Justification Text
Part 1 - Sources of ignition allowing fire to start (Commercial)			
The communal fixed electrical installation is subject to periodic inspection and testing every five years, by a competent person.		No	See Actions
Portable electrical appliances are being used correctly, are regularly examined and tested, by a competent person.		Yes	The Portable Appliance Test Record was seen and found to be satisfactory
Electrical equipment is free from damage, being used and maintained in accordance with current codes of practice / manufacturer's instructions.		Yes	No electrical equipment was found to be damaged / defective.
Appropriate no smoking signage is displayed and there are no signs of smoking in unauthorised areas.		Yes	No smoking signs were prominently displayed and there was no evidence of smoking in unauthorised areas.
Gas / oil fired heating are maintained on at least an annual basis by a Gas Safe Registered Engineer.		N/A	There were no gas / oil fire heating systems at this property.



Clients can also opt to extract additional key data to build fire profiles for buildings on Meridian which can be used to help prioritise buildings in line with the government guidance and the Fire Risk Assessment Prioritisation Tool (FRAPT). (This is for use by Responsible Persons to help them prioritise updating and reviewing their fire risk assessment(s) for their building(s) as set out in the new Fire Safety Act 2021).

2.3 Other William Martin Fire Consultancy Services

In addition to conducting fire risk assessments, we are also able to offer a range of more specialist fire consultancy services including:

- Development of Building Safety Cases
- Fire strategy development
- Fire safety management plans
- Occupier fire safety, compliance audits and gap analysis.

Please visit our website for the full range of fire safety consultancy services we can offer.

Part 3 - Maintaining Standards

3.1. 3rd Party Accreditation (BAFE SP205 for Life Safety)

We firmly believe that it is vitally important that our approach in undertaking suitable and sufficient fire risk assessments is subject to a robust and periodic independent review. Hence, we maintain our BAFE Certification.

The BAFE SP205 Scheme includes important criteria to ensure the providers delivering it operate an effective management system to cover all aspects of this service. This includes establishing the competence of fire risk assessors when first appointed and ensuring that their competence is reviewed in a period not exceeding 36 months.

To successfully gain Third Party Certification to this Scheme, our fire risk assessors must provide robust evidence that they can deliver this service competently. This will include:

- experience in the practice of fire safety
- appropriate training records
- evidence of successful application of knowledge
- documented Continual Professional Development (CPD).



It is a requirement of the Scheme that completed fire risk assessments are presented in a format that is clear and readily understandable to anyone who reads them. They should record every significant detail that was found, an assessment of the nature and severity of risks, and the actions recommended for removing or mitigating those risks.

All fire risk assessments performed under the BAFE SP205 Scheme are checked and signed off by a designated Validator within the Third Party Certificated organisation.

This person must meet the strong competency requirements for Validators and be able to demonstrate, through records, that the validation process is carried out objectively and is a separate activity to the fire risk assessment. This process allows for a thorough check of the work undertaken before it is provided to the client.

In 2022/23 William Martin have empowered a number of consultants to become BAFE Approved Validators and increased our internal numbers from three Validators to eight. This does not only increase our staff availability but ensures we can meet our service-level agreements (SLA) in place with our clients.

3.2 Consultants

Within the last 12 months our Consultancy Team has grown to 37 employed Consultants and we can draw upon an extra resource of 34 Associate Consultants around the UK, to cope with increasing client demands. All employed and associate consultants must meet the strict guidelines as detailed above and are internally audited annually, via their respective Fire Team Managers.

3.3 Competency & Resources

As part of the Marlowe PLC's Software, Risk & Compliance Division, we have direct access to Barbour EHS's technical library, legislation, guidance and British Standards. Our consultants are therefore able to draw upon a wealth of technical knowledge and expertise in a variety of sectors, from fire safety, building construction, fire alarm and detection systems, smoke venting systems, fire consultancy, fire engineering and health and safety.

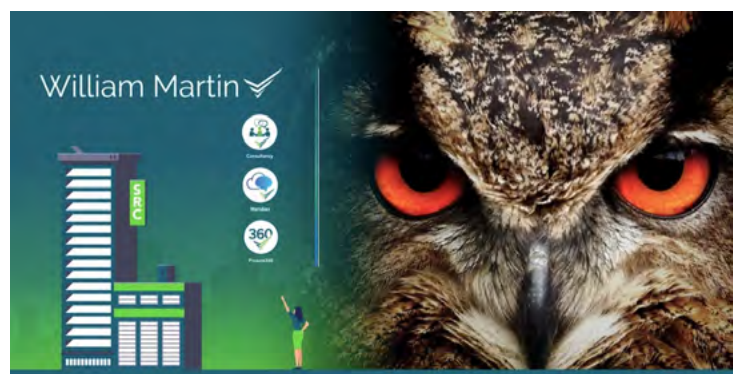
No Consultant is expected to make a risk-based decision in isolation and any fire action raised in any of our FRAs can be discussed and peer reviewed via our wider team.

3.4 Continuous Professional Development (CPD)

In conjunction with our commitment to maintaining our BAFE Certification, William Martin is committed to supporting our teams of Fire Consultants in maintaining their CPD. This involves routinely producing briefing notes and additional guidance and also running technical webinars and regional CPD meetings throughout the year.

Visit our new website to understand more about William Martin, including the approach to providing consultancy services and software products to our portfolio management clients.

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