

# Burning ISSUES

Are you fire safety educated?

**Graham Ellicott**, CEO, Fire Industry Association, outlines your business's responsibilities...

## findoutmore

The Fire Industry Association (FIA) has a number of free documents to help duty holders understand their fire safety duties: their *Best Practice Guide*, a *Guide to Choosing a Competent Fire Risk Assessor* and a white paper explaining Third Party Certification. All are available to download from [fia.uk.com](http://fia.uk.com)

Fire safety legislation is often complicated and many people are unaware of their legal duties. In England and Wales, the Regulatory Reform (Fire Safety) Order 2005 applies to all non-domestic (or commercial) premises, and that includes nurseries. Unfortunately, each year in England and Wales more than 1,300 educational buildings suffer fires large enough for the Fire and Rescue Service to be called out, with costs estimated at over £60 million. Notable fires in nurseries in recent times include those at Toad Hall Nursery, Woking (see [ow.ly/zrUqd](http://ow.ly/zrUqd)); London Road Nursery, Worcester (see [ow.ly/zrV4J](http://ow.ly/zrV4J)); and Manor Farm Nursery, Lechlade (see [ow.ly/zrVn2](http://ow.ly/zrVn2)).

## Assessing risk

Each commercial building must have a fire risk assessment. In particular, the person carrying out the fire risk assessment must identify and reduce the fire risk by managing fire safety procedures, taking account of those particularly at risk; fire drills, evacuation and training; means of escape, signs, notices and emergency lighting; fire protection equipment; and fire door maintenance.

Occupied by staff and children during the day, educational premises are complex and busy places. Any fire risk assessment needs to take into account the types of people using the building and any special needs they may have. Out of nursery hours there may be sports clubs, evening classes and/or meetings taking place, while over the holidays it is possible buildings will be unoccupied for extended periods and therefore vulnerable to arson. The risk assessment should also consider any hazards/risks in the building, as well as areas such as IT rooms or administration offices with valuable equipment that need additional protection.

Because of the level of complexity presented by such premises, a nursery's management team may wish to contract a

'competent person' to conduct a fire risk assessment. However, the management team remain legally accountable, so it is important that the fire risk assessor is able to demonstrate a suitable level of competence.

## Protective measures

All fire protective measures must be safe, reliable, efficient, effective and ready for use at all times. Fire safety law requires that there is a suitable system of maintenance for all fire protection equipment/systems. These checks make sure that any faults or failings will be found and rectified quickly. It is recommended that installation and maintenance of fire protection equipment be carried out by a competent person who has Third Party Certification.

If the Fire and Rescue Service is not satisfied with the safety measures they will advise what you need to do. If they find major problems, they can serve an enforcement notice requiring safety improvements and/or close the building until sufficient measures are in place. The Fire and Rescue Service can also prosecute educational establishments under the Fire Safety Order as a school in Chalfont St. Peter, Buckinghamshire found to its cost. The governing body of St. Joseph's Catholic Primary School pleaded guilty to breaching fire safety regulations, following a prosecution brought by Buckinghamshire and Milton Keynes Fire Authority. The governing body pleaded guilty to breaching three articles of the Regulatory Reform (Fire Safety) Order 2005, including failure to take general fire precautions, failure to adequately implement the findings of a fire risk assessment and failure to appoint fire wardens. It was fined £2,250 and ordered to pay costs of £5,750 (see [ow.ly/zs434](http://ow.ly/zs434)).

## Other considerations

If your nursery is part of a chain that crosses a Fire Authority boundary then you might want to consider a Primary Authority Scheme. These schemes came into being in April 2014 and allow Fire and Rescue Services to enter into partnerships with businesses, charities or other organisations, which operate across more than one local authority fire enforcement area, to become their single point of contact for fire safety regulation advice.

Finally, does your nursery have a problem with false alarms? If so and it's covered by London Fire Brigade and they attend a false alarm, you could be sent a bill for nearly £300! For more information on combating any false alarms problems, visit [fia.uk.com/en/cut-false-alarm-costs](http://fia.uk.com/en/cut-false-alarm-costs)

