

# **Fire Safety Responsibility under Section 156 of the Building Safety Act 2022**

Suzanna Chisholm

Head of Protection at Kent Fire and Rescue Service

[Suzanna.Chisholm@kent.fire-uk.org](mailto:Suzanna.Chisholm@kent.fire-uk.org)



**Kent** Fire &  
Rescue Service

together

# Why the need to change?

- Fire safety changes after Grenfell due to:
  - Inadequate Building Regulations
  - Lack of accountability
  - Clarity and Consistency
  - Regulatory oversight



**Kent** Fire &  
Rescue Service

together

# What has changed?

- Fire Safety Act 2021
- Fire Safety (England) Regulation 2022
- Ban on combustible Cladding

Today's session –

- **Building Safety Act 2022 amendments made to the Regulatory Reform (Fire Safety) Order 2005**



**Kent** Fire &  
Rescue Service

together

# Does this apply to my building?

- Apply to all non – domestic premises as well as to non-domestic part of multi occupied residential buildings ( common corridors, stairways, plant rooms)
- Do not apply within the individual domestic setting
- KFRS is the primary enforcing body but in some cases, it could be HSE or the CPFSI or the DFSSR



**Kent** Fire &  
Rescue Service

together

# What has changed?

- Must record their completed fire risk assessment, and in full (where previously only specific information was required to be recorded)
- Must record the identity of the individual (their name), and/or if applicable, their organisation (name) engaged by them to undertake/review any or all of the fire risk assessment



# What has changed?

- Must record their fire safety arrangements (demonstrate how fire safety is managed in your premises)
- Must record (and as necessary update) their contact information, including a UK based address, and share this with other Responsible Persons and residents of multi-occupied residential premises where applicable



**Kent** Fire &  
Rescue Service

together

# What has changed?

- Must take reasonably practicable steps to ascertain the existence of other Responsible Persons who share or have duties in respect of the same premises, and of Accountable Persons (which are a new legal entity made under the Building Safety Act in the case of higher-risk residential buildings) in relation to the premises - they must then identify themselves to said persons



**Kent** Fire &  
Rescue Service

together

# What has changed?

- Require that departing Responsible Persons must share all 'relevant fire safety information' with incoming Responsible Persons
- Require Responsible Persons of a building containing two or more sets of domestic premises to provide residents with relevant fire safety information in a format that is easily understood by the residents



**Kent** Fire &  
Rescue Service

together



# Fire Risk Assessment - competency

- Where the Responsible Person appoints a person to make or review the fire risk assessment, they must be competent. If you do appoint a fire risk assessor our recommendation is that you ensure they are competent to do so, in terms of having sufficient training and experience or knowledge and other qualities. It remains the case that the Responsible Person has a duty to make sure that a suitable and sufficient fire risk assessment is completed.



# Recording your fire risk assessment

- You must record your fire risk assessment in FULL ( including all findings) and the fire safety arrangements
- Previously ONLY significant findings
- The five employees / subject to licensing/AN has been removed
- If you employ a fire risk assessor to assist you in completing a fire risk assessment, you **must record their name**, and where applicable their organisation name



# Cooperation and coordination between Responsible Persons

- You must work with other Responsible Persons responsible for the building - identify duties ( landlords , managing agent etc)
- Once you have identified that there are other Responsible Person/s, you will need to inform each other of your names (or that of someone acting on your behalf) and a UK based address where you are able to receive notices or other documentation.



# Cooperation and coordination between Responsible Persons

- Inform each other of the extent of your responsibilities under the Fire Safety Order and make a record of this information ( might be detailed in a contract)
- Provide any information in writing, if you need it as evidence of information sharing. You are required to keep a record of the information provided about the extent of your duties in relation to the premises.



# Cooperation and coordination between Responsible Persons

- Your fire risk assessment, and any fire safety measures you take as a result, align with, and complement, the **fire risk assessment(s)** and fire safety measures for the rest of the building in order to provide a **whole building approach** to fire safety.
- You should let the other Responsible Persons know when you have a new Responsible Person taking over your part of the premises, so that they can provide the necessary information detailed above to the incoming Responsible Person.



# Cooperation with Accountable Persons

- Relevant to higher risk residential building, at least 18 metres in height, or with at least 7 storeys, and containing at least 2 residential units
- Responsible Persons and Accountable Persons take a whole building approach to building and fire safety in the premises ( Golden Thread of Building information required to be provided in all new higher risk residential buildings that includes the Safety Case Report)



# Provision of information to new Responsible Persons

- the fire risk assessment and review records (including any fire safety information provided by other Responsible Persons)
- the identity of any person who assisted with the fire risk assessment/review
- the name and UK address of any Responsible Person or any person acting on behalf of the Responsible Person who will accept notices or other documentation
- the identity of the Accountable Person, where known (if a higher risk residential building)
- any information given under regulation 38 of the Building Regulations 2010 (such as the information provided when a building is built or extended)



# Buildings which contain two or more sets of domestic premises

You must provide residents with the following information -

- any risks to residents identified in the fire risk assessment
- the fire safety measures provided for the safety of any or all occupants (such as the means of escape, the measures to restrict the spread of fire and what people should do in the event of a fire)
- the name and UK address of the Responsible Person
- the identity of any person appointed to assist with making or reviewing the fire risk assessment
- the identity of any competent person nominated by the Responsible Person to implement firefighting measures
- any risks to relevant persons throughout the building that have been identified by other Responsible Persons in the building



**Kent** Fire &  
Rescue Service

together



## The Fire Safety (England) Regulations 2022 - section on sharing information with residents:

- mandate fire safety instructions that must be shared with residents of multi-occupied domestic premises where resident evacuation would be through common parts, such as the evacuation strategy, how to report a fire and what they must do when a fire occurs.
- provide information on fire doors including that they should be kept shut when not in use, that residents should not tamper with self-closing devices and that residents should report any faults with doors immediately.
- information on fire safety instructions should be displayed in a conspicuous part of the building with a copy provided to new residents when they move in and existing residents on an annual basis.



# Any questions?



**Kent** Fire &  
Rescue Service

together