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| *Date: September 2023*  |  |

**Important Changes to Fire Safety Legislation Which Will Affect You**

**Building Safety Act 2022 Section 156 amending the Fire Safety Order 2005**

Dear Responsible Person

Lancashire Fire and Rescue Service would like to make you aware of some upcoming changes to legislation which may affect you as a responsible person. The Building Safety Bill received Royal Assent in April 2022 and became the Building Safety Act 2022. Section 156 of the new legislation has the effect of amending the Fire Safety Order 2005, **It is expected that these changes will come into effect on the 1st October 2023** and will:

* Require that all Responsible Persons **must** record their completed fire risk assessment, and in full (where previously only specific information was required to be recorded)
* Require that all Responsible Persons **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
* Require that all Responsible Persons **must** record their fire safety arrangements (demonstrate how fire safety is managed in your premises)
* Require that all Responsible Persons **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
* Require that all Responsible Persons **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
* Require that departing Responsible Persons **must** share all ‘relevant fire safety information’ with incoming Responsible Persons
* Responsible Persons of a building containing two or more sets of domestic premises **must** provide residents with relevant fire safety information in a format that is easily understood by the residents
* Increase the level of fines for some Fire Safety Order 2005 offences
* Strengthen the status of statutory guidance issued under Article 50 of the Fire Safety Order, you may have seen HM Government fire risk assessment guidance that is suitable for some smaller premises, which can be accessed using the links at the end of this document.

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. (The Web link to FSF guidance on choosing a competent fire risk assessor is at the end of this letter.)

**Why is this happening?**

Following the tragic Grenfell Tower Fire in 2017, an independent review of Building Regulations and Fire Safety was carried out by Dame Judith Hackitt DBE, called ‘Building a Safer Future’, which highlighted the need for fundamental reform to Building Safety and Fire Safety. (The web link to the ‘building a safer future’ report is at the end of this letter.)

The Building Safety Act 2022 was introduced to address the issues identified in this independent review. Recently we have seen the introduction of the Fire Safety Act 2021 and the Fire Safety (England) Regulations 2022 which applies to residential premises with two or more domestic premises with common areas. Section 156 of the Building Safety Act 2022 strengthens this and takes reform beyond just residential premises. This is to ensure that every premises where the Fire Safety Order 2005 applies, engages in fire safety matters and in managing and reducing risk to relevant persons so that premises are safer from fire. Lancashire Fire and Rescue Service will endeavour to work with you in the introduction of these changes and provide advice where appropriate as a regulator. (The web links to the Government guidance on this legislation is given at the end of this letter.)

If you would like Fire Safety advice, please fill in the details on the form at <https://www.lancsfirerescue.org.uk/safety/business-safety/commercial-building-safety-concerns-and-fire-safety-advice/>

Yours faithfully



Ian Armistead

Group Manager Protection
**Useful web links**

HM Government Fire Safety Responsibilities under section 156 of the Building Safety Act 2022:

<https://www.gov.uk/government/publications/check-your-fire-safety-responsibilities-under-section-156-of-the-building-safety-act-2022>

HM Government Fire Safety: Guidance for those with legal duties:

<https://www.gov.uk/government/collections/fire-safety-legislation-guidance-for-those-with-legal-duties>

HM Government Fire Safety Act 2021:

<https://www.gov.uk/government/publications/fire-safety-act-2021>

HM Government Fire Safety (England) Regulations 2022:

<https://www.gov.uk/government/publications/fire-safety-england-regulations-2022>

Fire Sector Federation guidance to choosing a competent fire risk assessor:

<https://www.nationalfirechiefs.org.uk/write/MediaUploads/Grenfell/FSF_Guide_October_20.pdf>

Independent review of Building Regulations and Fire Safety by Dame Judith Hackitt DBE, ‘Building a Safer Future’:

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707785/Building_a_Safer_Future_-_web.pdf>

Fire safety guidance and information on contacting your local fire safety team is also available on our website: <https://www.lancsfirerescue.org.uk/safety/business-safety/>