

# THE Burning Issue™

KEEPING YOU INFORMED ABOUT FIRE SAFETY LEGISLATION

## Fighting a Fire - Who is Responsible?

The requirement to provide fire-fighting equipment in buildings is long standing. This requirement is now embodied within the Regulatory Reform (Fire Safety) Order 2005, which requires that, where necessary:

- (a) the premises are, to the extent that it is appropriate, equipped with appropriate fire-fighting equipment; and
- (b) any non-automatic fire-fighting equipment so provided is easily accessible, simple to use and indicated by signs.

The responsibility for using this equipment has always been less clear and more contentious. Traditionally, many fire officers advised that, if fire occurs, occupants should evacuate the premises and leave fire-fighting to the professionals. Hence, the everlasting chestnut, that if occupants of a building are not expected to tackle a fire, why is there a requirement to provide fire-fighting equipment?

Certainly, the equipment is not provided for use by the fire and rescue service, who do not use fire-fighting equipment other than their own. Government guidance on the issue has always been ambivalent. For example, guidance in support of the Fire Precautions Act concentrated on the provision of equipment, rather than arrangement for its use, although it was recommended that staff receive training in location and use of fire extinguishers.

Much of the uncertainty has now been eliminated since, within the Fire Safety Order, there is the requirement to, where necessary, "take measures for fire-fighting and nominate competent persons to implement those measures", ensuring "the number of such persons, their training and the equipment available to them are adequate", taking into account the size of, and the specific hazards involved in, the premises concerned.

Although this requirement is imposed "where necessary", in practice there is an expectation that at least a proportion of staff should be trained and able to tackle a small fire. Government guidance on the Fire Safety Order reinforces this. For example, the guides advise that fire-fighting equipment can reduce the risk of a small fire developing into a large one; they advise that the safe use of an appropriate extinguisher to control a fire in its early stages can also significantly reduce the risk to other people on the premises by allowing people to assist others who are at risk.

