
Fire Safety Legislation

affecting Church Buildings and activities

The Regulatory Reform (Fire Safety) Order 2005

Fire Safety Legislation was changed in October 2006

The government was concerned that:

- a number of buildings and outdoor events open to the public were not covered by existing legislation; those using them might be exposed to uncontrolled hazards;
- fire safety legislation was fragmented giving rise to differing requirements; there were complaints that these conflicted with each other and caused extra expense in time and money to provide fire safety.

How do these changes affect Churches, Church halls and other church activities?

All churches and church halls were brought under the new legislation as 'places of public assembly'; there are no exceptions.

Outdoor activities, whether acts of worship, garden fetes, fairs or whatever also count as public assemblies, and appropriate fire safety measures must be taken.

Church buildings used as offices, charity shops or the like will have been covered by previous legislation but should have reviewed their arrangements in the light of the new rules.

The Fire Risk Assessment

The principal feature of the legislation is that those responsible for any building (except single dwellings) must carry out a 'Fire Risk Assessment' of their building and any open-air meeting site, making written records of the Assessment(s) and detailing the physical and management changes needed to make the building(s) comply with the legislative requirements. Subsequently the Fire Risk Assessment must be kept up to date by regular reviews or when work is carried out on the building. See below for where to find the legislative requirements and guidance on carrying out Fire Risk Assessments.

Note that if your church has not yet carried out a Fire Risk Assessment you are in breach of the legislation and could be taken to court.

Responsibility for a Church and associated buildings

The PCC, as the 'body corporate' for the church, is collectively responsible for complying with the legislation and will automatically become the "Responsible Person". But if the church has a member who is used to health and safety matters they might be appointed either as the 'Responsible Person' or as a 'Competent Person' to assist the PCC.

Others using Church buildings

Third parties, occupying any part of a church building (such as a charity in office accommodation for example) must also appoint their own 'Responsible Person' and liaise with the church on fire safety measures. Any regular church facility hirer, for example a playgroup, will need to do likewise.

Occasional hirers (e.g. those who hire a church hall for a birthday party) are now legally responsible for conducting their activities in a safe way from fire. There is a need to see such persons are aware of the fire precautions to be heeded and what to do if a fire occurs. You will need to ensure that your Hire Contract includes appropriate conditions as part of the management of the fire risk.

Churches meeting in a non-church building or complex

Such churches must see that their 'Responsible Person' (or 'body corporate') co-operates with the owner, landlord and other occupants on fire safety matters and keeps church members informed of what is expected of them.

Guides to the Requirements

Published guides to carrying out risk assessments and the legislative requirements for a range of buildings and activities are may be downloaded free of charge in pdf file format from <https://www.gov.uk/workplace-fire-safety-your-responsibilities/fire-risk-assessments>.

There is also 'A short guide to making your premises safe from fire' which outlines the duties of those responsible for fire safety.

Those Guides which mostly concern church buildings and activities are:

- Guide 6 - Small and medium places of assembly (with a capacity of less than 300)
- Guide 7 - Large places of assembly (Capacity of 300 or more)
- Guide 10 - Open air events and venues
- (Guides 6 and 7 also have information on using marquees.)
- Churches that include office and/or shop accommodation in their buildings need to consider Guide 1 - Shops and offices
- Those who run hostels and other living accommodation should refer to Guide 3 - Sleeping Accommodation

A Guide aimed specifically at the majority of existing churches, and much easier to understand than the official guides, is also available below and also in the DAC leaflet section of the website:

[Fire Safety for Traditional Church Buildings of Small and Medium Size](#)

It was published in 2017 by the Institution of Fire Engineers Heritage Special Interest Group, on which the Diocese was represented.

This booklet may not be suitable for churches built in the past 30 years or which were built from the start as a multi-functional building, or which have seating for more than 300 people; the official guides should then be consulted.

Vicarages, Rectories & other church housing

These are usually single-family dwellings, and so exempt from the new legislation. But of course members of the public are often admitted to meet with the incumbent or another minister. This does not make such buildings 'places of public assembly'. However where a parsonage is directly attached to, or actually part of a church building which does come under the legislation then the risk assessment of the building should cover the parsonage as well.

Churches who run their own hostels for accommodating church workers and/or

visitors will need to heed the new legislation as it applies to 'Sleeping accommodation'.

Conducting Fire Risk Assessments

The intention of the legislation was that the owners and users of any building were best placed to know how the building was used, the risks and the people present. Small and simple buildings should be straightforward to assess. [Additional guidance, including a template form, are available on the Ecclesiastical website: <https://www.ecclesiastical.com/risk-management/church-fire-risk-assessment/>]. But if on reading the appropriate guidance you feel you could not apply the guidance or you have a complex building or site, it may be necessary to employ a third party to carry out or assist with the Assessment. Care should be taken to see that properly qualified people are employed. These may be:

- the church architect or surveyor who conducts the quinquennial survey;
- a corporate member of the Institution of Fire Engineers;
- a person holding a degree in Fire Safety Engineering;
- a company specialising in conducting Risk Assessments.

Where a third party is involved, they need to be accompanied round the building by the churchwardens, priest or other person with a good knowledge of how the building is used throughout the year.

Sometimes, companies selling/leasing fire extinguishers may express willingness to conduct the Assessment. They may not be ideal in that, in particular, their knowledge of building construction may be inadequate. If, however, they can show that they are properly qualified, they could be considered.

Currently several organisations have arrangements for accrediting those who can undertake risk assessments. These include the Fire Protection Association, The Institution of Fire Engineers and the Loss Prevention Certification Board.

Beware

There is evidence that smaller workplaces and charitable bodies are being approached by unscrupulous persons making false claims about 'Risk Assessments' under the legislation. This is either with the intention of making money or possibly as a means of access to the building for later criminal intentions. A basic check is to ask about registration with one of the bodies above and for a sample of a previous Risk Assessment and evidence of Public Liability insurance.

Historic Buildings

Most of the Guides have a short appendix, which acknowledges that older buildings, and those listed by Historic England, may not be capable of physical alteration to the same degree as newer buildings. Allowance can be made for this by the elimination of risks or by better management of the risks present.

St Albans Diocesan Advisory Committee

The DAC has a consultant on fire precautions, but our resources are limited and it is not possible for the consultant to undertake the risk assessments for church buildings in the Diocese. Churches should arrange to carry out their own risk assessments or employ a third party to do so. Advice can be given if required; see contact details below.

Quinquennial Surveys should be amended to ask questions about the 'Fire Risk Assessment' rather than the 'Fire Safety Plan'.

Changes to Church buildings

You are reminded that alterations to buildings or their equipment resulting from any Fire Risk Assessment will still require permission under the faculty jurisdiction.

Fire incidents

Churches who unfortunately suffer from a fire are requested to inform their Archdeacon and the Pastoral & Advisory Secretary as soon as possible of the occurrence.

Contacts:

Fire Protection Association,
London Road,
MORETON-IN-MARSH,
Glos, GL56 0RH

Tel: 01608 812 500
Fax: 01608 812 501
www.thefpa.co.uk

The FPA is an insurers-backed organisation. Besides providing accreditation of those it considers able to carry out assessments, it can carry out assessments with its own staff or consultants. We understand that this is done for a fee based on the size of the building.

The Institution of Fire Engineers,
IFE House, 64-66 Cygnet Court,
Timothy's Bridge Road,
STRATFORD-UPON-AVON,
Warks., CV37 9NW

Tel: 01789 404 056
Fax: 01789 296 426
www.ife.org.uk

The Institution of Fire Engineers (IFE) is the professional society for those working in fire safety in both the public and private sectors. It has a Register of Fire Risk Assessors and Auditors who are persons proved to have both knowledge and experience in carrying out assessments.

The Loss Prevention Certification Board,
BRE Certification,
Garston,
WATFORD,
Herts. WD25 9XX

Tel: 01923 664100
Fax: 01923 664994
www.bre.co.uk

The Loss Prevention Certification Board is part of BRE Ltd. (formerly the Building Research Establishment) - a 'not-for-profit' company. Like the FPA they not only train and certify people as being qualified to carry out assessments, but their staff can also do assessments, for a fee, of course.

Additional information and advice is available from the DAC team at
dac@stalbans.anglican.org.

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