

The Fire Safety (England) Regulations 2022

The Fire Safety (England) Regulations 2022 (the regulations) are regulations under article 24 of the Regulatory Reform (Fire Safety) Order 2005 (Fire Safety Order- RRO or FSO) to implement the majority of those recommendations made to government in the Grenfell Tower Inquiry Phase 1 report which require a change in the law. They entered into force on 23 January 2023.

Responsible persons of high-rise blocks of flats are now required to provide information to Fire and Rescue Services to assist them to plan and, if needed, provide an effective operational response.

The Fire Safety Act 2021 clarifies that where a building contains two or more sets of domestic premises, the RRO applies to:

- the buildings' structure and external walls (including balconies, cladding, windows, insulation and fixings) and any common parts
- all doors between domestic premises and common parts such as flat entrance doors (or any other relevant door).

The regulations distinguish between three types of building: any residential building with two or more domestic premises with common areas (or multi-occupied residential buildings - MORBs), residential buildings between 11m and 17.9m and residential buildings 18m (or seven storeys) and above in height.

Duties will be imposed on the Responsible Person (RP) in all MORBs with common areas.

The RP must:

- 1) utilise the Fire Risk Assessment Prioritisation Tool (an online tool designed to develop a strategy to review Fire risk Assessments, etc.:
<https://www.gov.uk/government/publications/fire-safety-act-2021/fire-safety-act-2021-factsheet-the-fire-risk-assessment-prioritisation-tool>)
- 2) provide residents with relevant fire safety instructions
- 3) provide residents with information about fire doors.

For MORBs between 11m and 17.9m, RPs must action items 1, 2 & 3 as above, plus:

- 4) undertake checks on all communal fire doors and flat entrance doors.

For high-rise residential buildings (MORBs of at least 18m) or seven storeys and above in height, the RP must action items 1, 2, 3 & 4 above, plus:

- share information regarding the buildings' external wall system (by electronic means) with the local fire and rescue service (FRS) along with providing electronic copies of floor and building plans
- retain hard copies of the buildings floor plans along with a single page building orientation plan and the name of the site RP (UK contact), this should be stored
- within the buildings "Secure Information Box" (SIB) which should be accessible by firefighters
- install wayfinding signage which is visible in low light conditions

- establish checks on lifts and items of firefighting equipment which are for the use of firefighters
- inform the FRS if a lift or other firefighting equipment allocated to be used by firefighters during a fire is out of order for more than 24 hours
- retain information on the design and materials of the structure and external walls.

Background

The Fire Safety (England) Regulations 2022 are being laid under article 24 of the Fire Safety Order 2005. Regulations made under article 24 can impose requirements on responsible persons or others, including building owners and building managers, in relation to mitigating the risk to residents for specific premises.

The Fire Safety Order applies to **all** premises including workplaces and the common parts of all multi-occupied residential buildings. It already requires responsible persons where necessary to take certain steps to ensure the safety of residents.

[Guidance, issued under article 50 of the Fire Safety Order, was published on 18 May 2022.](#)

The responsible person is the person who is responsible for the safety of themselves and others who use a regulated premises. This is normally a building owner, or in residential properties, any other person in control of the premises. The responsible person is the person on whom most of the duties set out in the Fire Safety Order are imposed.

The Inquiry recommendations (which these regulations seek to enshrine) referred mostly to high-rise buildings. 18 metres (or at least seven storeys) is the height which has, in England, been commonly used to define a high-rise building. Building standards, for example, become more restrictive at this height and fire-fighting tactics change.

Limiting those parts of the regulations which require responsible persons to share information about their building electronically to Fire and Rescue Services ensures that the Fire Service has the information it needs to respond to potentially the most complex fires.

Regardless of the height of the residential building, residents of all blocks of flats and other multi-occupied residential buildings with common parts will be given fire safety instructions as well as information on the importance of looking after fire doors, to help make them feel safer in their own homes.

The two Inquiry recommendations on PEEPs will not be implemented through these Regulations.

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