



## Building Safety Act 2022: Section 156 – FRS website checklist

### Updating existing FRS website

The commencement of Section 156 of the Building Safety Act 2022 (BSA) is a significant step to improving the standard of fire safety in premises within the scope of the Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order).

There is a need to communicate any changes in legislation to businesses and communities that will be affected by those changes, and most fire and rescue services (FRS) will use their websites to do this.

Although Section 156 of the BSA introduces some outright new requirements, many of the changes build upon, or modify, existing requirements under the Fire Safety Order. The recently published Government guidance ([link](#)) provides an overview of the changes and will be of most value to Responsible Persons who already have a full understanding of their existing duties and want to understand what the new legislation mean for them. It will be less effective for responsible persons trying to gain a full understanding of what they need to do to comply with the legislation as a whole.

Until such a time as the Government has updated their existing suite of fire safety guidance, it is important that fire safety guidance does not become too fragmented if it is to be accessed, understood and adopted, and it is recommended that FRS aim to embed the Section 156 changes within the existing information already provided on their websites. The extent that this is achievable is dependent on the amount of information already provided. At the very least, FRSs should endeavour to update guidance elsewhere on their websites to ensure users are not presented with conflicting information depending on what part of the website they access.

### Areas for consideration:

#### Fire Risk Assessments

FRS websites provide lots of information on the need for fire risk assessments and advice on how to undertake them. Whilst some FRS websites recommend that FRA's are recorded in all instances, some highlight that they must be recorded where five or more persons are employed or a licence is in force. Any such references should be removed as they are no longer applicable, although FRS may wish to acknowledge the change, particularly where they are linking to materials that contain outdated references and cannot be edited.

*Does your website include...*

...information mirroring the 5 steps to risk assessment? Step 4 of this process is to “record, plan and train” and may have been used as an opportunity to highlight where there was no legal requirement to record your findings. Earlier this year, the government published a new 5 steps to risk assessment guide which FRS could link to ([link](#))

*Does your website include...*

...reference to “significant findings”? To reduce confusion with regard to the information which must be recorded as part of the FRA, the new legislation serves to remove this term from the Fire Safety Order.

*Does your website include...*

...short answer Frequently Asked Questions (FAQ’s) relating to fire risk assessment covering different scenarios? FRS may use these to highlight how the legislation previously imposed different requirements depending on the type of business or premises.

*Does your website include...*

...references to fire risk assessment in small premise? Some FRS may have termed those premises previously exempt from requiring a written FRA as a small premises and provided guidance accordingly. Whilst such a classification would no longer be appropriate, small premises are more likely to be affected by the change in legislation and FRS could highlight the recently published FRA short guides ([link](#))

*Does your website include...*

...references to fire safety arrangements? The previous exemptions to a written fire risk assessment were also applicable to the fire safety arrangements. Responsible persons will be required to keep a written record of their fire safety arrangements regardless of the size of the organisation.

## **Information for residents**

Since the Grenfell Tower fire, many FRS websites now have separate sections on their website relating to managing fire safety in residential buildings, in particular blocks of flats. Whilst the Fire Safety (England) Regulations 2022 earlier this year introduced a series of new requirements in relation to these buildings, including information that the responsible person must share with residents, the new legislation builds upon this.

*Does your website include...*

...reference to sharing information with employees only. The new requirements for sharing information with residents broadly mirror the

existing requirements for sharing information with employees and the wording could easily be amended to reflect this.

*Does your website include...*

...web pages aimed at residents (as opposed to responsible persons) outlining the information which should be provided to them. Residents should now be provided with information on any risks to them identified in the fire risk assessment, and the fire safety measures provided for their safety.

### **Cooperation and Coordination**

The requirement to cooperate and coordinate is not an aspect of the Fire Safety Order that many FRS will likely provide much detail on however there may still be opportunities to update your website to capture the changes.

*Does your website include...*

...information on managing fire safety in shared premises? Whilst guidance likely previously focused on the broad requirement to work together, FRS may choose to highlight the new requirement for RPs to actively inform other responsible persons of the part of the premises for which that person considers themselves to be responsible for, and keep a record of that information.