



## COVID-19 – Protection - Advice to Premises

26<sup>th</sup> August 2020 – Issue 4

### **Introduction**

This advice note is to provide consistency for Fire and Rescue Services (FRSs), when issuing guidance to premises regulated under the Regulatory Reform (Fire Safety) Order 2005 (RR(FS)O 2005) during the COVID-19 pandemic. As such, this guidance is only valid for the duration of the current situation after which it should be disregarded. It contains specific messages and areas for consideration that can be used to augment the existing work being carried out across the UK FRS<sup>1</sup>.

This guidance is reviewed and amended where necessary by the NFCC Building Safety Programme Team. Please ensure that you have the most up to date version, all NFCC COVID-19 guidance can be found [here](#).

Premises that were closed during the lockdown are progressively opening again. Every premises that is open should have taken measures to make it COVID Secure. This will reduce the risk levels to a tolerable level in most cases. The government has provided advice on a range of premise types on how this should be done which can be accessed via the GOV.UK [website](#). Also see the 'Premises which are open or about to re-open' section below.

### **The need to review Fire Risk Assessments**

It should be made clear that the provisions of the RR(FS)O 2005 have not been removed or reduced during the current situation. It is not expected at any such reduction will take place in the future. The approach undertaken by FRSs to carrying out regulatory activities should be based on risk. It is recommended that FRSs engage with premises as early as possible to offer advice to avoid the need for more formal enforcement action later. More specific information can be found in the NFCC Protection Strategic Intention and Scenario Based Guidance documents available via the link above.

The use of social media to push messages to the premises along with maintaining an up-to-date website presence is recommended. The NFCC has also produced a set of FAQs to address queries that FRSs have been receiving from premises and those regulated under the RR(FS)O 2005. These contain some simple questions and answers to help assist you in formulating any other advice and can be found below. Whether premises have remained open,

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<sup>1</sup> *The purpose of this non-statutory guidance is to provide fire and rescue services with general advice to assist with a consistent, standardised approach across all services. The guidance does not constitute legal advice. Fire and rescue services' legal duties will remain those specified by law, in particular article 26 of the Regulatory Reform (Fire Safety) Order 2005, during the COVID-19 pandemic, but if any fire and rescue services consider that difficulties arise in relation to compliance with those duties, they should take legal advice.*

or are yet to open, all are experiencing changes in risk. In all cases, premises should be aware of these changes in risk and review their Fire Risk Assessments (FRA) accordingly, to ensure they are suitable and sufficient. Responsible Persons (RPs) should always be reminded to seek advice from a competent fire risk assessor where doubt exists.

It may be advisable for the RP to consult with their insurers when considering risk assessment and mitigation. It should be noted that the insurer's role is not to determine compliance with the (RR(FS)O 2005.

### **Premises which are open or about to re-open**

All premises that are permitted to open, must do so within the government guidelines which can be located [here](#). Premises following this guidance are deemed COVID Secure. This means the risk from COVID should be reduced to a tolerable level for most purposes. Fire safety needs to be considered alongside the need to make a premises COVID Secure. Some control measures which reduce the risk from COVID may have an adverse effect on fire safety. It will be necessary to review and update the premises FRA to ensure it is current and reflects the way the premises is operating, with the risk from fire assessed against the risk from COVID-19.

Points to be considered may include (not exhaustive):

- Where staffing and occupant levels have changed this may affect evacuation arrangements in event of fire (see advice in Evacuation in Frequently Asked Questions (FAQs) below).
- Where parts of the premises are not being used or are being used differently e.g. working and operating practices have changed due to rearrangement of layouts, this may affect the means of escape (see Means of Escape in FAQs below).
- Social distancing control measures should not adversely affect fire safety measures e.g. obstructing means of escape, fire escape signage, fire detection and alarm systems, sprinkler or suppressions systems
- If a one-way system or process is introduced to control the flow of occupants, its impact on the means of escape must be assessed to ensure occupants have a suitable means of escape in event of fire, specifically they do not have to travel excessive distances.
- Ensuring any changes impacting the exterior of any premises e.g. temporary structures or queuing systems, do not obstruct means of escape or compromise assembly points. If the existing means of escape or assembly point is compromised, alternative suitable arrangements should be in place in accordance with the revised fire risk assessment. If unsure, seek advice from your competent fire risk assessor.
- Where external access is altered, changing car parking areas into queuing zones for example, this must not compromise access for firefighting appliances or interfere with firefighting activities.
- Ensuring means of escape are easily available as they may not have been used for some time or where an escape route is shared, and other premises remain closed.

- Reviewing measures implemented to increase security/reduce the risk of arson whilst the premises have not been used, as these may have adversely affected fire safety measures.
- Reviewing storage and stock levels e.g. the amount and positioning of stock.
- Where fire safety measures have not been maintained e.g. automatic fire alarm and detection systems or automatic fire suppression systems and have not received their routine servicing or testing. (see advice on Testing and Maintenance in FAQs below).
- Staff training – if this has not been undertaken for some time, new staff have started, or fire safety measures have been altered then staff should be provided with appropriate fire safety training (see advice on Training in FAQs below).

Once the FRA has been reviewed it is important any changes or updates are relayed to staff and occupants to ensure they are aware of these changes and what to do in event of fire.

### **Closed premises**

Although most premises are either open or have dates from which they can open, some remain closed during the lockdown period. Additionally, should local lockdown measures be introduced, business may have to close again. There could also be an increase in business closures for financial reasons as a result of the trading environment during the pandemic leaving premises unoccupied but still containing stock, fixture and fittings. In any case, the following should be considered:

- *Risk of arson* - Securing premises is important to reduce the risk of arson. This includes removing any external sources of fuel or ignition which could cause fire spread. Ensuring gates and fences are closed and locked as well as having working CCTV, security systems and external lighting may help to prevent the anti-social behaviour which can lead to arson.
- *Shared Means of Escape* - Securing a premises should not affect the means of escape from other premises which are still open, from residential buildings or where wayleave agreements are in place.
- *Maintaining Fire Safety Measures* –
  - The internal fire protection measures such as fire doors should be kept closed and in good order as these provide vital protection in event of fire.
  - The maintenance and testing of the fire detection and alarm system should be continued where it is possible and safe to do so. This should be prioritised based on the risks identified by the RP and their Contractors e.g. Fire in the shop, now closed, affecting the residents in the flat above.
  - Where the fire detection and alarm system serve multiple premises, (some of which may still be operating) it should be ensured that the system still provides the required level of cover to all areas. Arrangements should also be put in place to access closed areas of the building if maintenance is required

### **Scaling the Risk**

Premises which open are likely to experience high levels of demand with, potentially, less capacity to deliver (e.g. pubs have less physical capacity to deal with normal customer levels). The following should be considered:

- It is essential that FRAs are undertaken or reviewed where there are significant changes in ways of working or processes. This may include:
  - More materials, storage requirements, or higher quantities of finished product being on site than would normally be the case.
  - Parts of the premises being closed; the FRA should determine the level of risk resulting from the changes and any mitigation measures e.g. more frequent deliveries/collections or the use of other sites to provide storage.
- Where staff numbers have been increased or may be working in unfamiliar environments, premises must ensure that they continue to provide appropriate staff training. This is sometimes overlooked where employees of the same company come to work at a different site. RPs should be able to show that all personnel are aware of what to do in case of fire. They should also test their emergency procedures, particularly after staff increases.
- Reductions in staff due to sickness and self-isolation is to be expected. While the numbers of those who are absent will be bolstered by those returning to work, in the short-term, premises should ensure that their FRA reflects the added risk of such reductions. Issues may include having insufficient staff available to carry out processes safely, increasing the risk of fire. Similarly, a reduction in staff may result in employees not being able to successfully carry out evacuations and emergency procedures such as in-house fire response or fire warden duties.

### **Flexible and Proportionate Response**

As the government has moved through the three steps of recovery, the level of risk posed by businesses and other premises has changed. FRS should review their response at each of the steps in order to capture what has been effective and what has not.

The threat posed by COVID-19 is variable and individual FRS may experience localised events which may result in the provision of differing levels of response across its service area.

FRS must, therefore, be prepared to act in a flexible and proportionate way to ensure they can manage fire safety risk operating at different levels of lockdown simultaneously. Interactions with responsible persons must reflect this.

### **Vulnerable People**

Premises may employ people who are classed as vulnerable, or those who are vulnerable may be in their care. The effects of the virus on working practices and available staff may negatively affect the ability of vulnerable persons to escape in the event of fire.

Employers should continue to undertake and review their Personal Emergency Evacuation Plans (PEEPs) for their staff. This is particularly crucial in the care industry where residents may rely on staff to instigate evacuation measures. In any case, procedures should be reviewed so that they accurately reflect the staff available. Such reviews must carefully weigh the risks from fire and the ability of such businesses to operate safely.

## Alterations to Buildings

While the use of buildings for medical purposes is underway across the country, this normally refers to field hospitals or expansion within the existing NHS estate. The guidance already published on the matter should be consulted which is available [here](#).

Other alterations – such as wedging fire doors open to reduce the need to touch door handles or sealing fire doors in order to prevent air movement between sections of a building – could affect fire safety measures to provide protection from fire and access to means of escape and is not acceptable. Government guidance to premises makes it clear that measures to reduce COVID risk should only be taken if they do not compromise fire safety. Similarly, premises may have undertaken other measures, such as partitioning or simply locking of doors, that may compromise a building's existing fire strategy.

Some premises may still be operating in a repurposed capacity. An example would be a warehouse which previously had a very small risk and few staff, now undertaking essential work to provide manufacture of medical items or the packing of food parcels. This may have happened within a short timeframe and it is unlikely that fire safety will have been a primary consideration. Such actions may increase the risk due to the type of work being carried out, the number of staff present, and any material works that may be necessary to allow the building to facilitate its task.

In all cases, a review of the FRA should be undertaken to determine the effect on risk and the mitigation measures that may need to be taken. In addition, the current pandemic does not remove any requirements under the Building Regulations to ensure that alterations meet the functional requirements. For guidance on Building Regulations refer [here](#).

## Further Guidance

Additional guidance has been offered by NFCC regarding Protection activities during the COVID pandemic which can be found [here](#).



## COVID-19 Protection Fire Safety FAQs for Businesses

26<sup>th</sup> August 2020 – Issue 4

### Introduction

The information below is in response to the questions Fire and Rescue Services (FRS) are receiving in relation to the current COVID-19 situation, and to offer some guidance, support, and consistency in response<sup>2</sup>.

**The information contained within this document is of a temporary nature in response to the current dynamic COVID-19 situation and relates to current Government advice and restrictions related to COVID-19. We will update this document periodically. Please refer to the Government's guidance on COVID-19: <https://www.gov.uk/coronavirus>**

### General guidance on the Regulatory Reform (Fire Safety) Order 2005

#### **Q. Does fire safety law apply in the current Covid-19 situation?**

A. Yes, the Regulatory Reform (Fire Safety) Order 2005 (RR(FS)O 2005) still applies. It is the duty of the Responsible Person defined in Article 3 of the RR(FS)O 2005 (see question below) to ensure risk from fire is identified and suitable measures implemented, these should be recorded in your fire risk assessment (FRA).

The RR(FS)O 2005 applies for the protection of life safety and not the protection of property, although there will be property protection benefits. Fire safety measures that are in place to protect people in, or in the immediate vicinity of a premises will need to be maintained in good working order (for advice on maintenance see section below).

Where the RR(FS)O 2005 is not the legislation relating to fire safety the relevant legislation is still in force as there is currently no relaxation in fire safety law.

#### **Q. My Manager and Supervisor who normally deal with fire safety are unavailable and I do not know what to do?**

A. It is the Responsible Person's responsibility to ensure there are sufficiently trained staff to assist them in managing fire safety.

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The Responsible Person as defined in Article 3 of the RR(FS)O 2005 is a hierarchy where the Responsible Person is:

1. The employer.
2. Where there is no employer the person who has control of the premises.
3. The owner.

You should contact your Manager and/or Supervisor, observing Government guidelines, to seek advice and there should be a premises fire risk assessment which will assist. Where doubt exists, you should seek advice from a competent fire risk assessor and advice on choosing an assessor can be found [here](#).

**Q. Will the Fire and Rescue Service visit my premises as normal?**

A. If you are a permitted premises you should be following the government guidance appropriate to you. By following the guidance your premises should be COVID Secure and the risk to visitors should be tolerable. In most cases, FRS visits will be going ahead but they may be taking extra precautions when doing so. You should contact your local FRS should you require further advice and guidance.

**Q. Can the Fire and Rescue Service tell me that my building is COVID Secure and safe to use?**

A. No. To be COVID Secure, you will need to follow the government guidance for your premises which outlines the steps you must take. You will need to evaluate your fire safety measures separately. You can do this by reviewing and updating your current fire risk assessment and your emergency evacuation plan. You can contact your local FRS for general fire safety advice and seek advice from a competent fire risk assessor as above.

**Q. Is the current legal notice I received from my local fire and rescue service valid.**

A. Yes, the current situation with COVID-19 has not changed the status of any notices issued under the RR(FS)O 2005. You should contact the issuing FRS if you require further advice and guidance.

**Q. What happens if I cannot complete the work before the notice expires?**

A. Please seek advice from your local FRS at the earliest opportunity.

**Q. Will services still come and check that I have complied with my notice?**

A. In most cases, fire services will continue to check premises as normal, but there will be some premises where the COVID risk remains high. In these cases, the fire and rescue service will carry out a risk-based approach depending on individual circumstances.

## **Means of Escape**

### **Q. Can I lock some fire exits that we are no longer using for security, as we have a reduced number of occupants and are not using all the premises?**

A. There needs to be a suitable and sufficient number of fire exits for the number of occupants within your premises that are immediately available without the use of a key or code. This should ensure occupants do not have to travel excessive distances or pass through an area of high fire risk or move towards a fire to escape.

This should be supported with adequate escape signage and emergency lighting to identify the escape routes to be used in event of fire, with any changes being relayed to all occupants in a format they can understand. You should assess this for the current occupancy and use and record in your fire risk assessment; where doubt exists, you should seek advice from a competent person.

### **Q. As part of my COVID Secure measures, I have implemented a 'one-way' system to maintain social distancing, what do I need to consider?**

A. If a one-way system or other process is introduced to control the flow of occupants, its impact on the means of escape must be assessed to ensure all occupants have a suitable means of escape in event of fire, specifically they do not have to travel excessive distances. You should assess this for the proposed occupancy and record in your fire risk assessment; where doubt exists, you should seek advice from a competent person.

### **Q. What should I do about my fire escape route as it passes through next door which is closed/affected by COVID Secure measures?**

A. You need to assess and evaluate the impact this has on your ability to escape your premises in event of fire and the availability of other escape routes. Where safe to do so, and in accordance with government guidelines, you should liaise with the Responsible Person of the other premises to see if an agreement can be reached. This should be recorded in your fire risk assessment and, where doubt exists, you should seek advice from a competent person.

### **Q. What do I do as my premises is a multi-occupied building and some businesses have remained closed**

A. You need to assess and evaluate the impact this has on all your fire safety measures. It is highly recommended you do this in conjunction with other premises owners and the premises management company, to assess the risk and record the findings in your fire risk assessment. Where doubt exists, you should seek advice from a competent person.

### **Q. Can we wedge open fire doors to stop people from touching handles?**

A. No, fire doors are an important fire safety measure, keep fire doors closed and follow government advice on hand washing and cleansing hard surfaces.



Fire doors can only be held open by automatic releasing hold-open devices specifically designed and installed for this purpose.

## **Evacuation**

### **Q. Should I still be carrying out fire drills in my commercial premises?**

A. Fire drills are an important part of any successful emergency evacuation procedure and can assist in a safe evacuation in event of fire, it is imperative everyone understands what to do in event of fire.

You need to assess the current situation considering the familiarity of your occupants and the last fire drill. If required and depending on your premises, you can familiarise new occupants with the premises and may be able to carry this out via a desktop drill, this is important when staff have been working at a different site previously or are newly employed. In most cases, you can undertake fire drills as normal while still implementing social distancing measures.

It is also extremely important to take into consideration the need for Personal Emergency Evacuation Plans (PEEPs) and how these will be managed and supported as part of your overall Emergency Evacuation Procedures and fire risk assessment.

### **Q. Should occupants evacuate a premises if the fire alarm sounds as social distancing may be impacted.**

A. It is essential all occupants leave a premises in event of fire to ensure their safety and go to the pre-determined Assembly Point (see below). Whilst social distancing may be impacted during evacuation, the duration of any impact is minimal and the need to evacuate from a potential fire represents a higher priority. Appropriate distancing can still be managed and by following government guidelines on maintaining hygiene at the Assembly Point.

### **Q. How do I maintain social distancing at the Assembly Point?**

A. You need to review and revise your current emergency plan and Fire Marshall provision, including the Assembly Point, considering the number of occupants and ensure all occupants are issued with revised instructions and are aware of what is expected.

### **Q. What do I do as my evacuation relies on staff and some of them are sick and self-isolating?**

A. You need to immediately identify your current staffing levels and consider how this will impact the use of your premises, the safety of those staff still at work and your emergency evacuation procedures. Consideration should be given to PEEPs and the evacuation of the most vulnerable occupants of your premises. You should consider, where it is practical to do so, relocating occupants within the premises and minimising the areas in use, and investigating all avenues to provide the required number of staff. Where doubt exists seek further advice from a competent person and contact your local FRS.

## **Training**

### **Q. Do I have to provide fire safety training?**

A. Yes, it is important all staff and those who may be working at the premises e.g. maintenance, are given fire safety training relevant to their role, responsibilities and needs in event of fire. You should review the current level of training against each individual and update where required, this is essential for any occupants who may not be familiar with your premises.

### **Q. What do I do if my usual cleaning and maintenance team is replaced with people unfamiliar with my building fire safety arrangements?**

A. All staff and those working on the premises need to be familiarised with the premises and informed of the arrangements and any specific risks to which they may be exposed and what is expected of them in event of fire.

### **Q. With reduced staffing I do not have enough trained personnel in the use of fire extinguishers, can anyone use them?**

A. It is important any person expected to use a fire extinguisher to reduce fire risk or to secure a safe escape is trained, they should:

- Be familiar with the operating instructions.
- Understand which extinguisher can be used on which type of fire.
  
- Be aware of the fire extinguisher locations.

Additionally:

- Fire extinguishers should be kept clean to prevent cross-contamination.
- Processes which require fire extinguishers to form part of their procedures e.g. Hot Works should not be carried out (unless they are completed by fully competent people with all aspects of the processes including responding to a fire).
- Fire extinguishers should be serviced and maintained on a regular basis.

## **Testing and Maintenance**

It is imperative people living and working in the built environment are safe, and are kept safe, regardless of the current COVID-19 lockdown and phased return conditions. There is no relaxation of fire safety legislation and it is the responsibility of the responsible person and/or duty holder to ensure they are testing and maintaining all fire safety measures to maintain a safe premises.

The Government's view is that workers in the fire safety industry provide vital support to critical functions and in certain circumstances should be considered key workers within the provisions of HM Government guidelines. They must also keep themselves safe whilst carrying out these essential activities by following the latest Government advice which can be found [here](#).

If your premises are empty, fire safety systems for the protection of life may not be required to be maintained as the RR(FS)O 2005 primary concern is with life safety. If there is no-one on or in the immediate vicinity of the premises who may be reliant on your fire safety measures (e.g. in accommodation above a premises), then the RR(FS)O 2005 allows a risk-based approach to testing and maintenance where it remains vacant. If doubt exists advice must be sought from a competent person.

However, you must ensure any fire safety system for the protection of life is fully checked by a competent person as soon as possible when the premises are going to come back into use, ensuring they are all tested before occupation, especially for any sleeping risk premises.

**If any doubt exists as to the purpose of any fire safety system that may not be maintained, prior to ceasing testing and maintenance advice must be sought from a competent person and/or your local FRS.**

For advice and guidance on maintaining fire safety measures go to:

- [The Fire Industry Association - Latest COVID-19 update specific to the fire industry](#)
- [The British Automatic Fire Sprinkler Association](#)
- [The Institute of Workplace and Facilities Management](#) •
- The Building Engineering Services Association:
  - [COVID-19 Guidance and Support](#)
  - [COVID 19 – Building Maintenance SFG20, SFG 30 Mothballing & Reactivation](#)

**Q. Do I still need to maintain my fire safety systems (fire alarm, emergency lighting, fire extinguishers)?**

A. In premises that are open or are planning to open, the routine testing and maintenance of all fire safety measures is essential in keeping people safe to ensure they operate and perform as required in event of fire.

**Q. Do I still need to test my fire alarm?**

A. In businesses that are operating or about to re-open, the routine testing and maintenance of all fire safety measures is essential in keeping people safe to ensure they operate and perform as required in event of fire.

**Q. My premises is closed now, can I attend if I am notified by an Alarm Receiving Centre or the Fire and Service that the alarm is sounding, and I am a keyholder?**

A. Yes, you should make every effort to attend the premises whilst adhering to current Government advice as best as possible. This will allow the release of essential front-line FRS resources from the premises and reduce the chance of calls to the FRS at this challenging time. On attendance at the premises you should you keep yourself safe and if there are indications of a fire immediately leave the premises and phone 999.

## **Fire prevention and Risk Management**

### **Q. What can I do to further reduce the risk of fire in my premises?**

A. Alongside normal day to day fire prevention measures consider:

- Prohibiting any hot works unless necessary. If they do need to take place, ensure they are carried out by a competent person with a suitable and sufficient risk assessment in place with appropriate checks following completion of the work.
- For all premises that may be unoccupied or partially occupied, ensure that all electrical appliances are switched off and the plugs are removed from sockets where possible.
- Keep any stock or waste that may build up away from the building and keep access to these secure to reduce the risk from arson.

### **Q. With the suspension of some waste collection services what do I do?**

A. Please consider the disruption to waste and refuse collections and minimise as far as is practicable the build-up of waste and refuse, ensuring any excess storage does not block escape routes and is stored away from premises. This should form part of your fire risk assessment review with consideration to arson risk (see below).

### **Q. What can I do to protect people who are working from home?**

A. For employees who will be working from home, please encourage them to:

- Take the time to check home fire safety arrangements, and ensure that smoke alarms are fitted, tested and are working correctly.
- Use electrical items safely e.g. do not 'daisy chain' extension leads.
- Make sure all members of the family know what to do if there is a fire particularly, elderly people and children.
- Bedtime Checks – Close doors, unplug electrical appliances and chargers, check heaters are off, and any candles and cigarettes are properly extinguished.
- Remind everyone if there is a fire:
  - Get Out.
  - Stay Out
  - Call the Fire Service Out by dialling 999.

For further advice on fire safety in the home:

- [Government 'fire kills' campaign](#)
- Go to your local FRS's website.

### **Q. With the suspension of garden waste collection and the closure of some household recycling centres is it OK to burn rubbish in my garden / yard?**

A. We urge everyone to consider if there is a real need to burn rubbish or garden waste as whilst FRSs are still responding to emergency calls, a response to an uncontrolled bonfire

places an unnecessary increased burden on the FRS at this extremely challenging time. Any bonfire should follow some simple rules and it should be ensured it is meeting government guidelines on garden bonfires and burning domestic waste, which can be located [here](#):

- Firstly, is it necessary?
- If it is necessary, then bonfires should be sited well away from buildings, fences, trees and garden buildings and structures.
- If possible, the burning of garden rubbish should take place within a garden incinerator.
- DO NOT use flammable liquids or accelerants to start the bonfire.
- The bonfire should always be supervised.
- A means to control the bonfire should be at hand e.g. a garden hose.
- Always check local laws/byelaws to check you comply.

For further advice on risk management:

The British Standards Institution have selected the most relevant standards in key areas of personal protective equipment (PPE) and business continuity and risk management and have made them freely available [here](#).

## **Arson advice**

The Fire Protection Association have provided a free guide:

- [Security and arson protection advice for building and business owners and insurers – a free guide to managing the risk during the COVID-19 outbreak](#)

## **Miscellaneous**

**Q. What do I do if refurbishment work affecting fire safety measures in my premises has ceased (is going to cease) as the construction company has (is going to) temporarily close for business?**

A. You need to assess the risk these changes pose to the occupants and as far as is possible require the contractor to leave the premises in a safe condition. The premises fire risk assessment must be reviewed and revised to take account of the circumstances e.g. changes to automatic fire detection and alarm systems, means of escape, emergency procedures, if any doubt exists then seek advice from a competent person.

Further information on construction sites:

- The Construction Leadership Council:
  - [Advice on temporary suspension of sites](#)
  - [Site Operating Procedures](#)