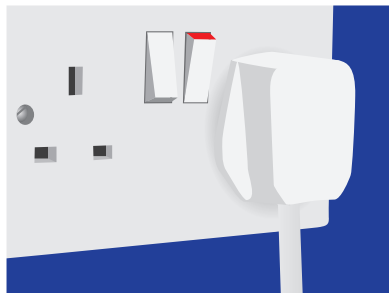
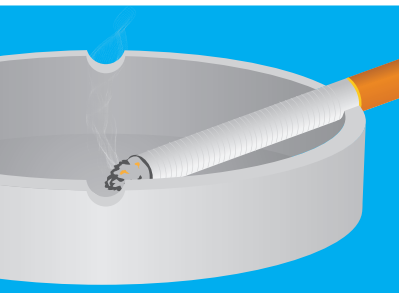




# Fire safety advice for landlords



## Introduction

Each year there are over 50,000 fires in dwellings in the UK. These result in around 300 fatalities and several thousand serious injuries. Those living in private rented accommodation are statistically seven times more likely to have a fire compared to an owner occupier.

This booklet has been produced to give both landlords and their tenants advice on relevant fire safety legislation, guidance and risk assessment to provide a safe and healthy living environment.

This dual purpose document gives guidance which landlords can use to educate their tenants and for tenants to understand their landlord's role.

### For landlords

A list of your responsibilities in relation to fire safety legislation and keeping your tenants fire safe. This will include:

- links to relevant legislation and guidance
- what landlords can reasonably expect of their tenants in maintaining fire safety in the property and within common parts of any shared premises.

### For tenants

A simple risk assessment check list to enable you to check the safety of their accommodation with links to more detailed guidance where appropriate.

## Landlord's responsibilities

### Relevant legislation

In England and Wales there are two principle pieces of legislation which cover fire safety in housing:

- Housing Act 2004: Housing Health and Safety Rating System.
- Regulatory Reform (Fire Safety) Order 2005.



## Housing Act 2004 (Housing Health and Safety Rating System)

This identifies 29 categories of potential hazards, one of which is fire. Under HHSRS, a residential property should provide a safe and healthy environment.

The HHSRS Operating Guidance explains how to make an assessment of the fire hazard in a residential dwelling. The principle aim of an individual risk assessment is to reduce or eliminate hazards to health and safety in domestic accommodation. Full guidance documents can be found at [www.gov.uk](http://www.gov.uk)

The risk assessment calculates hazard bands which are then ranked as category 1 or 2 hazards. Category 1 hazards trigger action by the local authority and can result in enforcement action being taken. Fire safety is assessed according to certain risk factors including:

- number of storeys
- layout of house
- distance to travel from farthest point to final exit
- number of occupiers in the dwelling
- type of occupation
- structural fire precautions already in place
- fire detection and alarms systems provided.

## The Regulatory Reform (Fire Safety) Order 2005

The fundamental requirement under the Regulatory Reform (Fire Safety) Order 2005 is that the responsible person for a multi-occupied residential building (usually the landlord) must carry out and maintain a suitable and sufficient fire risk assessment in communal areas to identify and provide adequate fire precautions and procedures to ensure the safety of all relevant persons. The Fire Safety Order does not apply to individual flats themselves.

As in health and safety legislation, the Regulatory Reform (Fire Safety) Order 2005 has moved away from a prescriptive approach to an approach where the ownership of risk sits with the Responsible Person and those in control of premises.

### Duties of the Responsible Person:

- carry out a fire risk assessment
- consider who may be at risk from fire
- remove or reduce the risk from fire as low as reasonably practicable and provide general fire precautions to deal with any risk left
- take other measures to ensure there is protection if flammable or explosives materials are used or stored
- create a plan to deal with any emergency and in most cases keep a record of findings
- review findings when necessary.



## Other relevant legislation which relates to fire safety for landlords

### Gas Safety (Installation and Use) Regulations 1998

The Gas Safety (Installation and Use) Regulations 1998 relate to the installation, maintenance, and use of gas appliances, fittings and flues in domestic and certain commercial premises. Landlords are required to:

- ensure gas fittings and flues are maintained in a safe condition
- ensure gas appliances are serviced in accordance with the manufacturer's instructions, and if these are not available it is recommended they are serviced annually
- ensure an annual safety check is carried out on each gas appliance/flue
- before any new lease starts, ensure gas safety checks have been carried out within one year before the start of the lease date, unless the appliances have been installed for less than 12 months, they will need to be checked within 12 months of the installation date
- ensure all installation, maintenance and gas safety checks are carried out by a Gas Safe registered engineer

- records are to be kept of each safety check for at least two years
- provide a copy of the latest safety check record to existing tenants within 28 days or to any new tenant before they move in.





## Electrical Equipment (Safety) Regulations 1994

The Electrical Equipment (Safety) Regulations 1994 place an obligation on landlords to ensure that electrical systems and electrical appliances supplied are safe. All electrical equipment supplied after 9 January 1995 must be marked with an appropriate CE symbol and regulations are enforced by the Health and Safety Executive.

### Landlords should:

- carry out safety checks on all electrical appliances and remove unsafe appliances. Electrical appliances should be checked by a qualified electrical engineer
- keep records of the checks for all electrical appliances
- make sure instruction booklets are available for all electrical appliances and that necessary safety warnings are given to tenants
- consider having electrical installations and equipment checked. There is no legal requirement to have an electrical safety certificate, but you do have a duty to keep all electrical installations in proper working order and to ensure any electrical equipment provided in the property is safe.

Other statutory regulations include The Landlord and Tenant Act 1985, Housing Act 2004 and The Plugs and Sockets etc. (Safety) Regulations 1994, all of which come under the Consumer Protection Act 1987, under which there is an obligation to ensure that all electrical equipment is safe.

## The Furniture and Furnishings Act 1988

Furniture and furnishings provided by a landlord must meet levels of fire resistance set out within the Furniture and Furnishings (Fire) (Safety) Regulations 1988. These do not apply to carpets, curtains or duvets.



## Risk assessment

Where it applies The Regulatory Reform (Fire Safety) Order 2005 places a duty on the responsible person to take general fire precautions to ensure, as much as reasonably practicable, the safety of the people on the premises and in the immediate vicinity.

The Responsible Person must carry out a fire risk assessment for the purpose of identifying the general fire precautions and other measures needed to comply with the FSO.

### The aims of the risk assessment are:

- to identify the fire hazards
- to reduce the risk of those hazards causing harm to as low as reasonably practicable
- to decide what physical fire precautions and management arrangements are necessary to ensure the safety of people inside the premises if a fire does start.

The process can be broken down into five steps:-

#### Step 1

Identify fire hazards

#### Step 2

Identify the people at risk

#### Step 3

Evaluate, remove, reduce and protect from risk

#### Step 4

Record, plan, instruct, inform and train

#### Step 5

Review

Landlord/Tenant check sheet	Landlord		Tenant		Initial action
	Yes	No	Yes	No	
Have you completed and discussed a risk assessment?					
Are smoke/heat detectors fitted on each floor and in working order?					
Have all gas appliances and flues been checked by a Gas Safe Engineer and a copy of the report given to the tenants?					
Are all electrical sockets/appliances supplied in good order?					
Are instruction manuals available for the operation of unfamiliar appliances?					
Does the furniture have a label attached stating it complies with fire resistance standards?					
Are the chimneys and flues cleaned regularly (if applicable)?					
Have you placed fire safety information into start-up packs?					
Have you prepared and practised an escape plan?					
Do you have a means of calling the Fire Service? Cordless phones may fail to work if the electricity supply fails.					
If tenants have any disability that may affect their awareness of a fire or ability to evacuate safely, your local fire and rescue service can provide advice.					



## Fire safety in shared or rented accommodation

Did you know that people who live in rented or shared accommodation are seven times more likely to have a fire?

The most important action you can take is to ensure you have a working smoke alarm on each level of your home. Your landlord may have already fitted them but is not legally obliged to. If you need to obtain one yourself they are cheap to buy and easy to fit.



## Landlord's obligations to keep your home safe from fire

If you live in privately rented accommodation, your landlord has to meet certain safety obligations under the law. This includes making sure all gas and any electrical appliances they provide are safe to use and in good working order.

- Gas appliances must be checked by a registered Gas Safe Engineer every year.
- Electrical appliances must carry the British Safety Standard sign.
- Your landlord must ensure furnishings are fire resistant and meet safety regulations.
- Your landlord must show you safety certificates so that you can see when gas and electrical appliances were last checked.
- Under the 2004 Housing Act, your landlord must ensure there are adequate escape routes in the property.



## Be extra careful with electrics

- Avoid overloading sockets; keep to one plug per socket.
- Use a proper adaptor if using a non UK electrical appliance. Never put two prong plugs into three prong sockets.
- Don't use heaters for drying clothes and keep them a safe distance away from curtains and furnishings.
- Inform your landlord immediately if you are concerned about the electrics in your property. If you notice burn marks around plugs or cables for example.
- Don't fix faulty electrics yourself. Inform your landlord or call a qualified electrician.
- An extension lead or adaptor will have a limit to how many amps it can take, so be careful not to overload them to reduce the risk of fire.
- Appliances use different amounts of power – a television may use a 3 amp plug and vacuum cleaner a 5 amp plug for example.



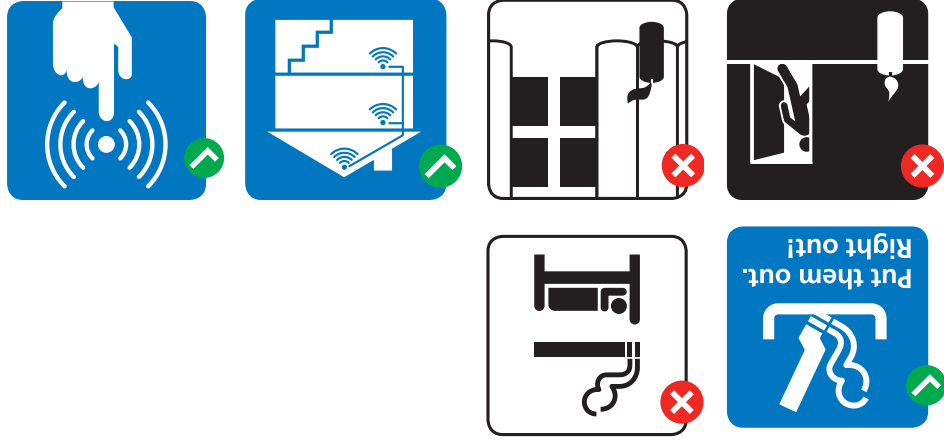
## Tenant questions to ask your landlord

- Has the electrical wiring in the property been checked lately?
- Are sockets, switches, light fittings and so on checked every year?
- Is there a regular maintenance programme for gas heaters and appliances?
- Are the chimneys and flues cleaned and checked regularly?
- Is the house registered with the local authority as being lived in by more than one household (multiple occupation)?
- You can ask your landlord to fit and maintain carbon monoxide detectors – although these are not legal requirements, it is in the landlord's best interests to do this.
- If you are worried your landlord isn't doing enough to ensure your safety contact the Environmental Health Officer at your local council for advice. You can find their contact details at [www.gov.uk](http://www.gov.uk)



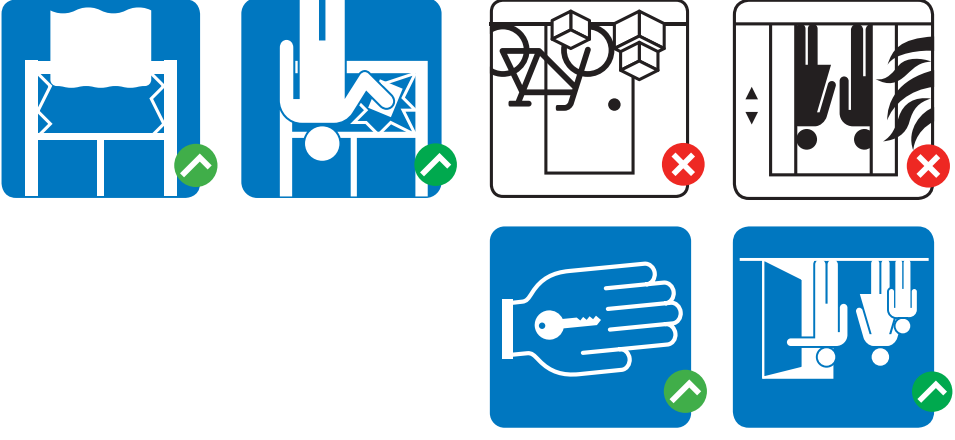
## Stay safe with candles and cigarettes

- Make sure cigarettes are out properly after you have finished with them and always use a proper ashtray.
- Be extra careful if you have been drinking alcohol or taking medication which may make you drowsy.
- Be careful with candles and tea lights. Avoid placing them on or near materials that could burn or catch fire – like curtains.
- Never leave a burning candle unattended.
- Smoke alarms save lives.
- Ensure there is a working smoke alarm fitted on each level of your home.
- Test the batteries every week, change them every year and never remove them.

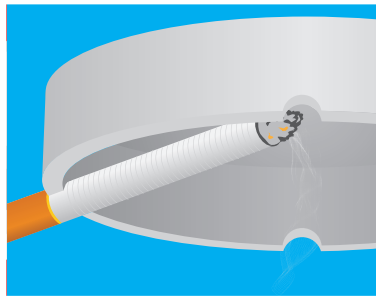
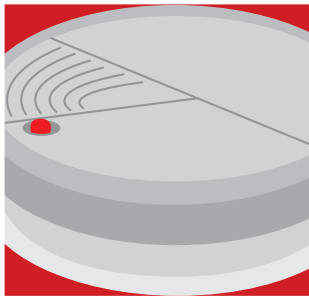
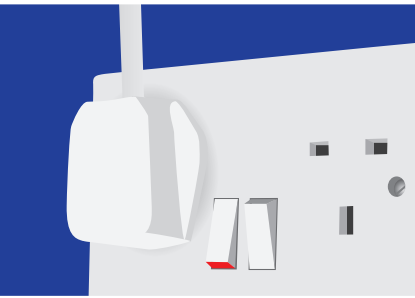


## Plan an escape route

- Plan an escape route and make sure everyone knows how to escape. It could save your life.
- Establish where the fire exits and alarms are if you live in a large or high level building.
- If you live in a high level building and a fire breaks out never use the lifts, take the stairs instead.
- Count how many doors you might need to go through to escape. It can be hard to see in smoke and you might become confused about where you are.
- Keep all exits clear, even communal areas.
- Keep fire doors closed. They help to slow down the spread of fire and will give you extra time to get out.
- Keep door and window keys where everyone can find them.







Fire safety advice  
for tenants

