



LONDON FIRE BRIGADE

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Request:

Fire safety inspections at residential properties.

I would appreciate your comprehensive responses to the following queries:

1. **Legislation and Standards**: Could you provide an overview of the current legislation and standards governing fire safety inspections for residential flats? I am particularly interested in the legal framework and any specific standards that dictate the requisites of such an inspection.
2. **Inspection Requirements**: What are the essential elements and tests that a fire safety inspection encompasses in residential properties? Further details on the types of fire safety tests conducted during an inspection would be greatly valued.
3. **Pass/Fail Criteria**: How is the outcome of a fire safety inspection determined? Please detail the conditions or features that must be met for a pass, and conversely, what deficiencies would lead to a failure.
4. **Fire Doors Inspection**: Is it mandatory for each fire door within a property to be individually inspected to ensure compliance, or can the safety and efficacy of one door be inferred based on the inspection of others? What regulations govern the inspection of fire doors in residential flats?
5. **Liability and Accountability**: In the event of a fire, who is held liable or accountable if a fire door, not individually inspected, is subsequently found to be non-compliant with fire safety standards?

Response:

1. **Legislation and Standards**: *Could you provide an overview of the current legislation and standards governing fire safety inspections for residential flats? I am particularly interested in the legal framework and any specific standards that dictate the requisites of such an inspection.*

The legislation applicable to residential flats is for new builds the Building Act 1984 and the subsequent Building Regulations. For existing blocks, the Regulatory Reform (Fire Safety) Order 2005 (The Order) applies and the Housing Act 2004. The Building Act is applied by the Local Authority as is the Housing Act and the Housing health and safety rating system (HHSRS). The London Fire Brigade enforce the provisions of The Order within the common areas of the building. The Fire Safety Act 2021, the Fire Safety (England) Regulations 2022 and Section 156 of the Building Safety Act 2022 have amended The Order. To include a number of other areas including external walls, balconies etc.

There are a variety of standards, both British and European that are amended regularly by the committees of the BSI. There are a number of guidance notes available many of which are in the process of

being replaced in a contract assigned to CS Todd Associates following a Tender Process that come under or will come under the auspices of Article 50 of The Order. These also include Approved documents that support the Building Regulations at build stage including Part B fire safety and Part M for disabled people access and egress as well as numbers of others.

LFB staff regularly audit flats under The Order but have no powers of entry to inside private dwellings. However, Housing Officers are able to do this under the Housing Act when notice is given or when invited in. Our audits follow the LFB Risk Based Intervention Programme and the National Fire Chiefs Council audit protocols. This is not an inspection as LFB are enforcers of the legislation and as such we are auditing the fire safety arrangements put in place by the Responsible Person (RP), a term defined in The Order.

2. *****Inspection Requirements*****: ***What are the essential elements and tests that a fire safety inspection encompasses in residential properties? Further details on the types of fire safety tests conducted during an inspection would be greatly valued.***

As stated above, LFB staff do not inspect premises under The Order and do not undertake test or maintenance of equipment or facilities provided. This is for the Responsible Person (RP) to undertake with a maintenance regime, our staff audit those fire safety arrangements. LFB are a consultee under the Building Act and may be present at tests of newly installed equipment at build stage being undertaken.

3. *****Pass/Fail Criteria*****: ***How is the outcome of a fire safety inspection determined? Please detail the conditions or features that must be met for a pass, and conversely, what deficiencies would lead to a failure.***

There is no pass or fail criteria for an audit of a premises by LFB staff. The RP has either complied with the legislation or not and there is a scoring mechanism on the computer equipment we use that gives a specific outcome from the worst a Prohibition/Restriction Notice through and Enforcement Notice to verbal advice. The Order only gives 3 enforcement outcomes, an Alterations Notice and the 2 other notices in the sentence above. The LFB in line with other Fire and Rescue Services have adapted this to include Verbal Advice and Notification of fire safety deficiencies so LFB use 5 outcomes.

4. *****Fire Doors Inspection*****: ***Is it mandatory for each fire door within a property to be individually inspected to ensure compliance, or can the safety and efficacy of one door be inferred based on the inspection of others? What regulations govern the inspection of fire doors in residential flats?***

The legislation noted above gives the Responsible Person actions to take through the Fire Safety (England) Regulations 2022 and Section 156 of the Building Safety Act 2022 to check and record flat front doors and other fire doors within the building. It is down to the Responsible Person how these checks, tests and maintenance of fire doors are carried out. LFB will, on audit, check the compliance of the Responsible Person and will check some doors both flat entry doors and other fire doors as part of assessing the compliance of the Responsible Person.

5. *Liability and Accountability***: In the event of a fire, who is held liable or accountable if a fire door, not individually inspected, is subsequently found to be non-compliant with fire safety standards?**

It is the Responsible Person who has the legal duty in fire safety law to comply with the auspices of the Order. However, by virtue of Article 5 this duty can be assigned to others through that Article. That could be, dependent on the terms of any lease the occupier of a particular flat.

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request [on our website](#).