

How have Fire Safety Regulations changed and how can you remain compliant?

Learning Outcomes

After reading this article, you will be able to:

- Understand the evolving approach to fire safety in England and Wales.
- Summarise key legislative changes and their impact.
- Understand what these changes mean for the housing sector.
- Understand the concept of the golden thread of information.
- Define the roles of responsible and accountable persons.
- Recognise the importance of resident engagement in fire safety.

This article takes reference from:

- The Fire Safety Act 2021
- The Fire Safety (England) Regulations 2022
- The Building Safety Act 2022

We will summarise these laws, the responsibilities they impose on housing providers, and how compliance can be maintained.

Fire Safety Legislation before 2020

The Regulatory Reform (Fire Safety) Order 2005

The **Fire Safety Order 2005** was the primary legislation governing fire safety in England and Wales before 2020. It made social landlords legally responsible for fire safety in communal areas of multi-occupied residential buildings, requiring them to:

- Conduct fire risk assessments.
- Implement and maintain fire safety measures.
- Ensure fire prevention systems remain operational.

Failure to comply could result in penalties, including fines or imprisonment. This legislation also introduced the role of the **responsible person**—typically the building owner or manager—tasked with overseeing fire safety compliance.

Why have Fire Safety Laws changed?

Recent changes stem from tragic fire incidents, notably:

- **Lakanal House Fire (2009)** – 6 fatalities.
- **Grenfell Tower Fire (2017)** – 72 fatalities.

These events highlighted gaps in fire safety regulations, leading to:

- **The Fire Safety Act 2021**
- **The Fire Safety (England) Regulations 2022**
- **The Building Safety Act 2022**

The goal of these laws is to enhance fire safety, prevent future tragedies, and improve regulatory oversight.

Key Legislative Changes

1. The Fire Safety Act 2021

This Act extends the **Fire Safety Order 2005**, clarifying that fire safety responsibilities apply to:

- The **structure and external walls** of buildings (*including cladding, windows and balconies*).
- **Entrance doors** to individual flats.

To support compliance, the government introduced a **Fire Risk Assessment Prioritisation Tool**, guiding responsible persons in updating fire risk assessments accordingly.

2. The Fire Safety (England) Regulations 2022

Effective from **January 2023**, these regulations implement recommendations from the **Grenfell Tower Inquiry**. They categorise requirements based on building height:

For high-rise buildings (18m+ or 7+ storeys), responsible persons must:

- Provide **electronic building plans** to local fire services.
- Install **secure information boxes** with emergency details.
- Offer **clear fire safety instructions** to residents.
- Ensure **wayfinding signage** on each floor for firefighters.
- Perform **monthly checks** on firefighting equipment.

For buildings over 11m:

- Conduct **yearly checks** on flat entrance doors.
- Conduct **quarterly checks** on communal fire doors.

For all multi-unit buildings:

- Educate residents on **fire doors and fire safety measures**.

3. The Building Safety Act 2022

This is one of the most significant post-war reforms to the built environment. Based on Dame Judith Hackitt's **Building a Safer Future** report, it aims to rectify systemic failures in building safety regulation.

Scope:

Applies to **higher-risk buildings**, defined as:

- At least **7 storeys** or **18m to the upper most habitable floor**.
- Containing **at least 2 residential properties**.
- Includes care homes that meet the height threshold.

Key Changes for Housing:

1. Building Safety Regulator (BSR)

- Oversees **planning, design and safety** of buildings.
- Social landlords must register all **higher-risk buildings** with the BSR.

2. Accountable Persons (AP) & Principal Accountable Persons (PAP)

- APs own or maintain **common parts** of buildings (corridors, staircases, etc.).
- The **PAP** is the primary figure responsible for a building's **overall safety**.
- Every **higher-risk building must be registered** with the BSR by the PAP.

3. The Safety Case Regime

- PAPs must submit a **safety case report** outlining the building's risks and safety measures.
- The BSR **reviews** these reports to ensure fire safety compliance.

4. The Golden Thread of Information

A **digital record** of a building's design, construction, and maintenance. PAPs must:

- Store the information **digitally and securely**.
- Maintain it as a **single source of truth**.
- Ensure accessibility for those who need it.

The golden thread should begin at the **design stage** and be maintained throughout the **building's life cycle**. For existing buildings, PAPs must gather:

- **Safety case reports.**
- **Resident engagement strategies.**
- **Fire safety incident reports.**
- **Maintenance and inspection records.**

5. The Gateway System

- Introduces **three checkpoints** during a building's **planning, design, and construction**.
- Ensures **fire safety is considered from the start**.
- Requires **BSR approval** before construction can proceed.

Building Safety Regulator BSR

- Gateway 2 requires the PAP to make an application for works that are considered “Building Work” <https://www.legislation.gov.uk/ukxi/2010/2214/regulation/3>
- The below lists the approved documents withing building regulations which will give you an idea of when your project might require an application.

Approved Document	Covers
Part A – Structure	Structural safety, stability and loading requirements
Part B – Fire Safety	Fire resistance, escape routes and fire protection systems including compartmentation and combustibility of products applied to buildings.
Part C – Site Preparation & Resistance to Contaminants & Moisture	Ground stability, drainage, and damp-proofing.
Part D – Toxic Substances	Use of materials that could release toxic gases (e.g., insulation).
Part E – Resistance to Sound	Acoustic performance, soundproofing in residential and public buildings.
Part F – Ventilation	Airflow, fresh air supply, and prevention of condensation.
Part G – Sanitation, Hot Water Safety & Water Efficiency	Water supply, drainage, hot water safety, and efficiency.
Part H – Drainage & Waste Disposal	Sewage systems, rainwater drainage, and refuse storage.
Part J – Combustion Appliances & Fuel Storage	Chimneys, flues, carbon monoxide safety, and fuel storage.
Part K – Protection from Falling, Collision & Impact	Safety in staircases, balconies, glazing, and barriers.
Part L – Conservation of Fuel & Power	Energy efficiency, insulation, heating, and carbon emissions
Part M – Access to & Use of Buildings	Accessibility, inclusive design, and facilities for disabled people.
Part O – Overheating	Limits on solar gains and cooling strategies in new homes.
Part P – Electrical Safety in Dwellings	Electrical installations and safety requirements.
Part Q – Security	Minimum standards for windows and doors in new dwellings.
Part R – High-Speed Electronic Communications Networks	Infrastructure for broadband and digital connectivity.
Part S – Infrastructure for the Charging of Electric Vehicles	Requirements for EV charging points in new development.

Utilise the Blakeney Leigh “[BSR application process review](#)” to determine if your project requires an application.

Summary

The **Regulatory Reform (Fire Safety) Order 2005** laid the foundation for modern fire safety laws, shifting responsibility to building owners and landlords. THE Building Safety Regulator is the authority on new building and “building works” to existing buildings and requires an onerous application process to ensure accountability and responsibility is apportioned to those involved in the design and construction of buildings.

- the **Building Safety Regulator, Accountable Persons, and the Golden Thread of Information** all need to be evidenced on projects going forward.