



Technical Bulletin (1) – 23rd January 2023

The Fire Safety (England) Regulations 2022

Introduction

The Fire Safety (England) Regulations 2022 were placed on the statute book on 18 May 2022 and came into force 23Rd January 2023.

These regulations implement the majority of those recommendations made to Government in the Grenfell Tower Inquiry Phase 1 report which require a change in the law.

Responsible Persons, including both building owners (for example freeholders) and other persons having control of the premises (for example managing agents) were required to comply with the regulations from 23 January 2023. Any breach of the regulations is a criminal offence if the breach places one or more relevant persons (for example residents, staff or visitors) at risk of death or serious injury in the event of fire.

It is the Responsible Persons duties under the Fire Safety (England) Regulations to comply with regulation 10, which makes requirements about fire doors in all buildings that contain two or more domestic premises and that contain common parts, through which residents would need to evacuate in a fire.

The Regulatory Reform (Fire Safety) Order 2005 (as amended) ('the FSO') requires that, in a block of flats, there are suitable fire precautions in place to make sure that the common parts are safe to use as a means of escape in the event of fire. The appropriate fire precautions are determined by carrying out a fire risk assessment.

Fire-resisting doors (fire doors) are one of the most important measures to safeguard the means of escape from fire. A fire risk assessment should already have identified the doors in question and determined whether the doors are adequate to resist the spread of fire and smoke into, or within, the common parts. The Responsible Person should have already taken steps to maintain



doors in good order, and where it has been found that the existing door is inadequate and needs to be replaced, this must be done by a competent person.

Fire Doors and Regulation 10

The objective of Regulation 10 is to ensure that any fire door defects do not materially undermine the ability of the doors to adequately prevent fire and smoke spread, whether to the extent originally designed or as verified as adequate in the most recent fire risk assessment.

Composite Fire Doors are primarily used to close the opening between an individual fire compartment (e.g., flat) and the common parts of the building. The purpose of the fire door is to prevent the spread of fire and smoke into the common parts. Should the fire doors not prevent the spread of fire and smoke from the compartment to common parts of the building, other residents would be put at risk. Fire doors are also used doors in common areas to sub-divide corridors, between corridors, lobbies and stairways and plant rooms and cupboards.

It is recognised that residents play an important role in ensuring that, if a fire develops in their flat, the flat entrance door is an effective barrier to the spread of fire and smoke into the common parts of the building.

Regulation 10 requires that residents are given information that fire doors should be kept shut at all times when not in use, residents or their guests should not tamper with self-closing devices and residents should report any damage or fault immediately to the Responsible Person. The Responsible Person is required to provide any new resident with this information, as soon as is reasonably practicable after they move into the flat and to remind all resident about this information at periods not exceeding 12 months from when the regulations come into force (23rd January 2023).

Any alterations to or replacement of flat entrance fire door should only be done with the knowledge and agreement of the Responsible Person to ensure their actions do not negatively impact on the overarching fire risk assessment of the building.

To enable the Responsible Person can provide the information to the residents, the installer/m manufacturer must provide them with the necessary information regarding the manufacturer and specification of the fire door.

Regulation 10 also requires that, if the top storey of the building is above 11 metres in height (typically a building of 4 storey) the Responsible Person Must:

- Use best endeavours to check all flat entrance fire doors at least every 12 months: and
- Carry out checks on any fire door in communal areas at least every 3 months.

Fire Door Inspection

The government states that it is committed to ensuring that undue burdens are not created for freeholders and, through service charges, for leaseholders. Accordingly, for the purpose of the fire door checks required by the Fire Safety (England) Regulations, it can be assumed that the Responsible Person has evidence that the design, specification and installation of the door is adequate for its location or is taking separate measures to deal with any inadequacies in inherent fire performance; identification of issues in relation to the type of door and its intended resistance to fire and smoke is a matter for the fire risk assessment.

The checks required under regulation 10 of flat entrance doors should be simple and basic and should not need to be carried out by a specialist. With appropriate instruction, caretakers, managing agents, housing officers and maintenance personnel should be able to do them (for example in the course of other routine checks and visits to the building) as the checks are only visual and do not involve, for example, use of tools.

To check flat entrance doors, access to each flat will be required, so that the door can be checked on both sides. Arrangements should be made with residents in advance to carry out these checks.

Regulation 10 requires that, over every 12-month period, a record of the steps taken to check flat entrance doors is kept. In any cases when access to a flat was not granted, this must also be detailed. Ultimately, legal action may be required if a resident persistently refuses to cooperate with these checks. It

may be useful to pre-plan the checks that need to be undertaken. For example, this could take the form of a checklist, to record the outcome of each check.

Fire Door Inspection – Visual checks

The following checks should be made each time the fire door is inspected:

- The resident has not replaced a fire-resisting flat entrance door with a new, non-fire-resisting door; this may be obvious if the door is of a different design from all other doors in the building but may not be where flat entrance doors are all of a different design. Where any doubt exists, the resident will need to confirm that the new door is fire-resisting, has been installed by a competent person, and they will be required to provide the technical information relating to the door to the Responsible Person. Modern fire doors should display a visible fire resistance rating e.g.



Fire door resistance rating signage

- Letterboxes are firmly closed and not jammed open. Where a letterbox has been fitted to a door that did not previously have one, the resident will need to confirm that the new letterbox is suitable for use in fire-resisting doors and has been fitted by a specialist contractor.
- There is no damage to, or defects in, the door, frame or the securing wall that might affect the ability to resist the spread of fire or smoke (for example a split in the wood of a timber fire door, damage to any glazing in the door, warping of the door that affects its fit in its frame, a hole

where a lock has been removed). Doors should also be checked for any alterations that may affect their fire resisting qualities.

- The condition of the fire-resisting glass and glazing system in the door panels, and any associated side or over panels forming part of the doorset, retains their ability to resist the spread of fire and smoke.
- There are no obvious defects in the hinges (for example missing or loose screws), or any other element of the ironmongery (for example ventilation grilles).
- Intumescent strips (which expand when exposed to fire and seal gaps around the door) and smoke seals (which look similar to draught seals), if present, are undamaged, make contact with the door edge or frame, and have not been painted over during decoration activities. (If they were not originally present, this may be acceptable, subject to the findings of the fire risk assessment.) These strips and seals may be fitted to either the door or the frame, and they are normally combined e.g.

Combined intumescent strip/seal (door fitting)



Combined intumescent strip/seal (frame fitting)

- The gap between the door and the frame is not too large. The industry standard is that the gap size should never be more than 4mm, except at the bottom of the door, where the gap should be as small as practicable, while ensuring that the door is unlikely to snag on the floor even if the door drops slightly on the hinges. Simple “gap tester” cards are available for this purpose.

Note: The door to frame gap on composite fire doors may be larger than that stated, confirm with manufacturer the correct gap.

- There is an effective self-closing device on fire doors of flat entrances and fire doors within common parts (see photos 5,6). This is very important. A fire door that does not close fully into its frame will not adequately hold back fire and smoke. You should check that the door will close fully into its frame when opened to any angle and allowed to close under the action of the self-closing device. A simple way to check this is to:
 - firstly, open the door fully, then let it go
 - then open the door to around 15 degrees and let it goIn both cases, the door should fully close into the frame, overcoming the resistance of any latch or friction with the floor.



Overhead self-closer



Concealed self-closer

Summary

The above is an extract from the Home Office Guidance issued on 19 January 2023 titled 'Fire Safety (England) Regulations 2022: fire door guidance'.

From the above the following must be noted:

- The Fire Safety (England) Regulations 2022 applies to **England only**, it does not apply in Scotland, Wales or Northern Ireland.
- The Fire Safety (England) Regulations 2022 does not change the requirements for fire doors installed as entrance fire doors to flats

- The requirements to meet the guidance in Approved Document B is still based on either test evidence to EN 1634-1 and EN 1634-3 or BS 476-22 and BS 476-31.1
- The regulations are aimed at the building owner/freeholder and responsible person. Their responsibilities are:
 - Inform residents of their responsibilities when first occupied and at least every 12 months there after
 - To carry out risk assessment inspection of all flat entrance fire doors a minimum of every 12 months
 - To carry out risk assessment inspection of all fire doors in common spaces a minimum of every 3 months
 - Comprehensive record of all inspection and remedial works undertaken
 - Records to include actions taken when access has not been granted to inspect the internal flat face of the fire door
- Fire door inspection must include all items listed above.