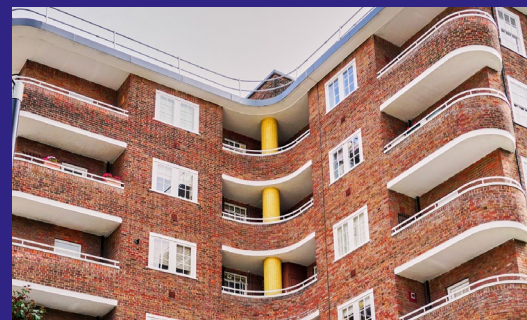
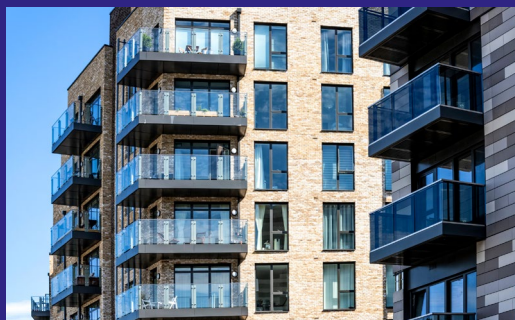


PAS 79-2:2020

Fire risk assessment – Part 2: Housing – Code of practice



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Foreword

Publishing information

The development of this PAS was facilitated by BSI Standards Limited and published under licence from The British Standards Institution. It came into effect on 31 December 2020.

Acknowledgement is given to Colin Todd, as the technical author, and the following organizations that were involved in the development of this PAS as members of the steering group:

- CBRE PMFM UK
- Consumer and Public Interest Network
- Fire Industry Association
- Institution of Fire Engineers
- Lendlease
- Metro Safety Ltd
- National Fire Chiefs Council
- National Residential Landlords Association
- National Security Inspectorate
- National Social Housing Fire Strategy Group
- NHS England/NHS Improvements
- Savills (UK) Limited
- Scottish Fire and Rescue Service
- University College London

Acknowledgement is also given to the members of a wider review panel who were consulted in the development of this PAS.

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The PAS process enables a code of practice to be rapidly developed in order to fulfil an immediate need in industry. A PAS can be considered for further development as a British Standard, or constitute part of the UK input into the development of a European or International Standard.

Supersession

Together with PAS 79-1, this part of PAS 79 supersedes PAS 79:2012, which is withdrawn.

Relationship with other publications

PAS 79 is published in two parts:

- Part 1: *Premises other than housing – Code of practice*;
- Part 2: *Housing – Code of practice*.

PAS 9980, which is in the course of preparation at the time of publication of this current PAS, will give recommendations for fire risk appraisal and assessment of external wall construction and cladding of blocks of flats.

Information about this document

This PAS is a new, second part of the original PAS 79. That PAS was first prepared in 2005 by BSI in association with C.S. Todd & Associates Ltd, with the support and encouragement of the Institution of Fire Engineers and the Northern Ireland Fire Safety Panel, the latter of which represents building control and licensing authorities in Northern Ireland and the Northern Ireland Fire & Rescue Service. It was subsequently revised in 2007 and 2012. Those revisions, a new PAS 79-1, which excludes housing from its scope, and this new Part 2 of PAS 79, which relates specifically to housing, were again, drafted by C.S. Todd & Associates Ltd. This new Part 2 was developed by C.S. Todd & Associates Ltd at the request of the housing sector.

This new Part 2 of PAS 79 is based on PAS 79:2012, but introduces the following principal changes.

- PAS 79 has been split into two parts, with PAS 79-1 dealing with non-housing premises and PAS 79-2 dealing with housing premises.

- The scope of this new Part 2 of PAS 79 comprises blocks of flats, sheltered housing, extra care housing, supported housing and certain houses in multiple occupation (i.e. those falling within the scope of the relevant fire safety legislation). Fire risk assessment for other, non-housing premises is addressed in a new Part 1 of PAS 79.
- PAS 79-2 is a code of practice, whereas PAS 79:2012 was a guide. PAS 79:2012 was already written in the form of a code of practice, and the change in status is simply to recognize this, noting that guides are not usually of such a nature as to sustain a reliable claim of compliance.
- Guidance, published in England by the Local Government Association, on fire safety in purpose-built blocks of flats [1] has been taken into account, along with equivalent guidance for high-rise blocks of flats published in Scotland by Scottish Government¹⁾ [2].
- Guidance produced by the National Fire Chiefs Council on fire safety in specialized housing [3] has been taken into account, along with equivalent guidance published in Scotland by Scottish Government [4].
- For blocks of flats, sheltered housing and extra care housing, recommendations are provided for Type 2, Type 3 and Type 4 fire risk assessments, as defined in the Local Government Association guidance [1] and the National Fire Chiefs Council guidance [3]. However, for these housing premises, this PAS is primarily concerned with the Type 1 fire risk assessment required for compliance with the relevant fire safety legislation in England and Wales.
- The technical content has been subject to amendment in the light of experience in the use of PAS 79:2012.
- There is new guidance on the consideration to be given to external wall construction and cladding, which takes into account knowledge, current at the time of publication, arising from the fire disaster at Grenfell Tower, a high-rise block of flats in London, in 2017.
- There is recognition of pre-occupation fire safety assessments, a term now defined in this PAS, and a clarification to avoid confusion between these assessments and the fire risk assessment to which this PAS refers.
- There is even greater emphasis on competence of fire risk assessors and reference to future competence standards in consequence of the Hackitt Review of building regulations and fire safety, which was ordered by the Government following the fire at Grenfell Tower, and the recommendation of that Review that an enhanced level of competence is

required in the case of fire risk assessors who carry out fire risk assessments of high-risk residential buildings. It is also noted in this PAS that fire safety specialists with experience only in the design of new buildings might not possess an appreciation of standards against which older buildings were designed and the possible continued acceptability of such standards.

- There is new, more detailed discussion of the stay put strategy normally adopted in blocks of flats and maisonettes, and this term, as well as the converse strategy of simultaneous evacuation, is now defined in this PAS.
- A warning is included in respect of the potential risk to residents if a stay put strategy is inappropriately abandoned.
- Reference is made to evacuation alert systems for use by the fire and rescue service in blocks of flats and maisonettes, which are the subject of BS 8629.
- Reference is made to person-centred fire risk assessments in specialized housing, though specific recommendations for these fire risk assessments are outside the scope of this PAS.
- Changes to, and publication of relevant new, British Standards have been taken into account.

This publication can be withdrawn, revised, partially superseded or superseded. Information regarding the status of this publication can be found in the Standards Catalogue on the BSI website at bsigroup.com/standards, or by contacting the Customer Services team.

Where websites and webpages have been cited, they are provided for ease of reference and are correct at the time of publication. The location of a webpage or website, or its contents, cannot be guaranteed.

Use of this document

As a code of practice, this PAS takes the form of guidance and recommendations. It should not be quoted as if it were a specification, and particular care should be taken to ensure that claims of compliance are not misleading.

Any user claiming compliance with this PAS is expected to be able to justify any course of action that deviates from its recommendations.

It has been assumed in the drafting of this PAS that the execution of its provisions will be entrusted to appropriately qualified and competent people, for whose use it has been produced.

¹⁾ The equivalent guidance in Scotland relates only to high-rise, purpose-built blocks of flats.

The copyright for Annex A, Annex D and Annex G of this PAS, and for the electronic copies of the separately available pro formas (including the modified versions for use in Scotland and Northern Ireland), is owned by C.S. Todd & Associates Ltd. Purchasers of this PAS are authorized to use the pro formas contained within Annex A and Annex D, and the separately available electronic copies, and to make an unlimited number of copies for their own use, without infringement of copyright. However, following the recommendations given in this PAS does not necessitate use of these pro formas.

This PAS is not intended to constitute a textbook on fire safety, and it is not to be regarded as a substitute for knowledge of fire safety principles and the practical use and application of fire protection measures or an understanding of the premises, their features, usage and occupancy. In carrying out the fire risk assessment, there is likely to be a need for reference to other codes of practice and guidance documents on specific aspects of fire prevention, fire protection and management of fire safety, a number of which are listed in the Bibliography. Moreover, this PAS is not intended to provide guidance on the detailed requirements of the relevant fire safety legislation. Such guidance can be found in the relevant government guidance documents listed in the Bibliography.

Presentational conventions

The provisions of this PAS are presented in roman (i.e. upright) type. Its recommendations are expressed in sentences in which the principal auxiliary verb is “should”.

Commentary, explanation and general informative material is presented in smaller italic type, and does not constitute a normative element.

Where words have alternative spellings, the preferred spelling of the Shorter Oxford English Dictionary is used (e.g. “organization” rather than “organisation”).

The word “should” is used to express recommendations of this PAS. The word “may” is used in the text to express permissibility, e.g. as an alternative to the primary recommendation of the clause. The word “can” is used to express possibility, e.g. a consequence of an action or an event.

Notes and commentaries are provided throughout the text of this PAS. Notes give references and additional information that are important but do not form part of

the recommendations. Commentaries give background information.

It is envisaged that, when a fire risk assessment is audited for compliance with this PAS, the audit will be based on the recommendations only.

Contractual and legal considerations

This PAS does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

Compliance with a PAS cannot confer immunity from legal obligations.

Attention is drawn to the legislation described in the Introduction to this PAS and to guidance available from the Ministry of Housing, Communities and Local Government, Scottish Government and the Northern Ireland Fire & Rescue Service.

At the time of publication of this PAS, a Public Inquiry, ordered by the Government, into the 72 deaths that occurred in the Grenfell Tower fire is in progress. Nothing in this PAS pre-empts, or is intended to conflict with, any future findings of that Public Inquiry.

Introduction

Persons who have control of the housing premises to which this PAS applies are required by legislation to carry out an assessment of the fire risks (other than fire risks within private dwellings). This is to ensure that relevant persons (as defined within the legislation) are safe from fire and its effects (other than in the case of blocks of flats, sheltered housing and extra care housing in Scotland and Northern Ireland). For the purposes of this PAS, a fire risk assessment carried out in the structured manner described herein is referred to as “the fire risk assessment” or “the FRA”.

In England and Wales, the single, unified fire safety legislation, under which fire safety is controlled in the vast majority of existing buildings, namely the Regulatory Reform (Fire Safety) Order 2005 (the “Fire Safety Order”) [5], excludes domestic premises from its scope. However, for the purposes of the Fire Safety Order, “domestic premises” do not include premises used in common by the occupants of more than one private dwelling.

Accordingly, the Fire Safety Order applies to the common parts and non-domestic areas (e.g. plant rooms) within general needs blocks of flats, sheltered housing and extra care housing. The Fire Safety Order also normally applies to, at least, the common parts of supported housing designed for vulnerable people with common characteristics, living as part of a community with support. In the case of a house in multiple occupation (HMO), in which occupants live independently within their own accommodation (as opposed to simply sharing the entire house), the Fire Safety Order applies only to the common circulation areas of the property. Where no common circulation areas exist in an HMO in England or Wales, the Fire Safety Order and accordingly PAS 79-2 do not apply, regardless of any requirement for a licence.

Article 9 of the Fire Safety Order requires that the responsible person, on whom the Fire Safety Order imposes requirements (such as the freeholder of a block of flats), make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the general fire precautions they need to take to comply with the requirements and prohibitions imposed on them by or under the Fire Safety Order. (For the purpose of the Fire Safety Order, “a relevant person” is any person who is, or might be, lawfully on the premises, and also any person in the

immediate vicinity of the premises who is at risk from a fire on the premises, but not firefighters at the time of a fire.)

The same duty is imposed on every person, other than the responsible person, who has, to any extent, control of the premises so far as the duty relates to matters within their control. (This normally includes, for example, the managing agents of a block of flats.)

Guidance on the requirements of the Fire Safety Order in all premises in which people sleep, and on the FRA required by it, was produced by the then Department for Communities and Local Government (DCLG) (now the Ministry of Housing, Communities and Local Government) in 2006 [6]. For purpose-built blocks of flats and specialized housing, that guidance is largely superseded by guidance produced by the Local Government Association [1] and the National Fire Chiefs Council [3] respectively. In the case of HMOs, the original DCLG guidance is of some relevance, but guidance originally produced by the then Local Authority Coordinators of Regulatory Services (LACoRS) [7] is more relevant.

The guidance in this PAS is more detailed in respect of the FRA process than that contained in the guidance documents to which the previous paragraph refers, but does not conflict with them. However, these guidance documents provide more detailed technical information on the fire safety measures that are needed to meet legislation.

While, in England and Wales, the Fire Safety Order requires that the FRA is “suitable and sufficient”, this requirement is not explicitly stated in the equivalent legislation in Scotland or Northern Ireland, though, clearly, all assessments need to be fit for purpose.

In Scotland, the equivalent legislation to the Fire Safety Order comprises the Fire (Scotland) Act 2005 [8] in conjunction with the Fire Safety (Scotland) Regulations 2006 [9]. The scope of this legislation comprises “relevant premises”, which, as in England and Wales, exclude domestic premises. However, in contrast with the Fire Safety Order in England and Wales, for the purpose of the Scottish fire safety legislation, the term “domestic premises” includes within its meaning parts of premises used in common by the occupants of more than one private dwelling.

Accordingly, the Scottish fire safety legislation does not apply to any parts of general needs blocks of flats, sheltered housing and extra care housing (other than in relation to maintenance and repair of facilities, equipment and devices required under legislation for use by, or protection of, firefighters and in relation to places of work within these premises). Therefore, the FRAs for these premises, to which this PAS refers, are not required under legislation in Scotland, although the Civic Government (Scotland) Act 1982 [10] places responsibilities upon occupiers to maintain common areas free of combustible materials and to maintain access and egress from the property free of obstructions. However, in Scotland, the fire safety legislation does apply to HMOs that, under the Housing (Scotland) Act 2006 [11], require a licence; these premises do require an FRA of the type described in this PAS.

In Scotland, the duty to carry out an FRA is imposed on every employer by section 53(2)(a) of the Fire (Scotland) Act 2005 [8]. The Act requires that the risk assessment identifies any risks to the safety of the employer's employees in respect of harm caused by fire in the workplace. Section 54(2)(a) of the Act also imposes a duty, on any person who has control to any extent of relevant premises, to carry out an FRA, and this risk assessment is required to identify any risks to the safety of relevant persons in respect of harm caused by fire in the relevant premises; the term "relevant persons" is defined in much the same manner as it is defined in the Fire Safety Order in England and Wales. Fire safety duties are also imposed, under Section 54(4) of the Fire (Scotland) Act 2005 [8], on persons who have, under a contract or tenancy, an obligation of any extent in relation to maintenance or repair of relevant premises, or anything in relevant premises, or safety in respect of harm caused by fire in relevant premises.

In Scotland, further requirements in respect of the FRAs required by the Fire (Scotland) Act 2005 [8] are imposed by the Fire Safety (Scotland) Regulations 2006 [9]. Guidance on the requirements of this legislation, and the FRA required by it, is published by Scottish Government [12]. As in England and Wales, the guidance in this PAS is more detailed in respect of the FRA process than the guidance in the Scottish Government guidance documents, but does not conflict with them. However, the Scottish Government guidance provides more technical information on the fire safety measures required under the Scottish fire safety legislation.

In Northern Ireland, the requirements for FRAs are identical to those in Scotland, but are imposed by Articles 25(2)(a) and 26(2)(a) of the Fire and Rescue Services (Northern Ireland) Order 2006 [13]. As in Scotland, further requirements in respect of the FRAs are imposed by secondary legislation, namely the Fire Safety Regulations (Northern Ireland) 2010 [14]. As in Scotland, the FRAs to which this PAS applies are not required for blocks of flats, sheltered housing and extra care housing, but they are required for HMOs as defined in Section 1 of the Houses in Multiple Occupation (Northern Ireland) Act 2016 [15]. Guidance on the requirements of Northern Ireland fire safety legislation, and the FRA required by it, has been published by the Department of Health, Social Services and Public Safety [16]. Again, PAS 79 does not conflict with this guidance, which gives greater technical information on fire safety measures required by legislation.

Fire and rescue authorities can advise on the fire safety legislation that applies to any premises, and on means for compliance. If in doubt regarding the requirements of legislation, consultation with the fire and rescue authority is strongly recommended. Advice can also be obtained from a suitably qualified and experienced fire risk assessor or fire safety practitioner. A number of bodies maintain a register of persons who they consider competent to carry out FRAs. These include relevant professional bodies, and certification bodies accredited by UKAS²⁾ to provide assessment and certification services. Registration of a fire risk assessor on such a register can give the dutyholder confidence in the education, training and experience of the fire risk assessor if the dutyholder wishes to use the fire risk assessor's services.

Legislation requires "suitable and sufficient" assessments to ensure that organizations comply with health and safety legislation. Accordingly, an organization could choose to carry out, and document, a single combined health, safety and fire risk assessment. In practice, this approach is normally only adopted in the case of very small premises, and most organizations choose to carry out a separate FRA, independent of their health and safety risk assessment. The reason for this is that, for most premises, different skills, experience and expertise are required for each of the two forms of risk assessment.

²⁾ UKAS is the sole national accreditation body recognized by government to assess, against internationally agreed standards, organizations that provide certification, testing, inspection and calibration services.

The term “suitable and sufficient” (as used in the Fire Safety Order) is not defined in legislation. Moreover, throughout the UK, the relevant fire safety legislation (see 3.79) requires that the “significant findings” of the risk assessment, and any group of persons “especially at risk”, be recorded if the organization employs five or more people (in the entire organization, and not just in the premises in question), or if legislation requires licensing, registration or certification of the premises, or if an alterations notice (requiring that the relevant enforcing authority is notified of proposals to carry out certain alterations to the premises) is in force. Again, the terms “significant findings” and “especially at risk” are not defined in the relevant legislation. However, the “significant findings” ought to indicate measures taken and measures that will be taken for compliance with the legislation.

Nevertheless, it follows that the adequacy of any FRA is a matter for subjective judgement. This can lead, and has led, to inconsistency in interpretation, creating some difficulties for housing providers, their advisers and enforcing authorities. These difficulties have been exacerbated, even for fire safety specialists, by a distinct move, in recent years, towards “risk-proportionate” fire precautions, and away from the more traditional “prescriptive” approach in which there was often a more rigid application of codes of practice without full consideration of fire risk.

This shift was designed to benefit those who own and manage premises, since it provides a better match between risk and precautions, more akin to that found in the field of general health and safety. It therefore precludes unnecessary expenditure in circumstances in which the risk does not justify it. Equally, it ensures adequate protection (possibly to an even higher standard than applied under prescriptive codes) when warranted by the fire risk. Ultimately, the final arbiter as to whether fire precautions satisfy legislation can, however, only be the Courts.

There is, therefore, no single correct or incorrect method of carrying out and recording the significant findings of an FRA. Rather, there are many approaches that can lead to a suitable, and satisfactorily documented, FRA, which, at first sight at least, bear little similarity. Nevertheless, the prerequisites for a suitable and sufficient FRA are implicit in legislation and, accordingly, close scrutiny of most adequate FRAs will reveal consideration of many common factors.

This PAS does not purport to contain a methodology or documentation that is necessarily superior to all others. It takes into account the fire safety legislation that is current at the time of publication. The fire risk assessment methodology is intended to facilitate protection of occupants of housing premises, particularly residents, from fire (but not necessarily a fire within their own private dwelling). Guidance on fire precautions to protect property, and to protect against interruption to business, from fire can be obtained from property insurers, and many suitably qualified and experienced fire safety consultants can advise on these issues as well as on life safety.

The objectives of this PAS are:

- to present to housing providers and their advisers a methodology that can assist them in meeting their legislative responsibilities to undertake FRAs;
- to provide a framework for the assessment of fire risk;
- to promote better understanding of fire risks and fire safety in housing by housing providers and non-fire specialists;
- to enable common relevant terminology to be adopted by those who carry out FRAs;
- to provide an understanding of the principles and scope of FRAs;
- to establish a pragmatic, holistic and risk-proportionate approach towards assessment of fire prevention measures, fire protection measures and management of fire safety, for the purpose of conducting FRAs in housing, based upon a fundamental understanding of fire safety principles;
- to establish a satisfactory basis for documentation of housing FRAs;
- to provide a benchmark for a suitable and sufficient FRA;
- to promote a consistent approach to carrying out and documenting an FRA that is likely to be satisfactory to enforcing authorities; and
- to dispel misconceptions as to the nature and scope of an FRA (see Clause 5).

This PAS also provides recommendations for Type 2, Type 3 and Type 4 FRAs, as defined in the Local Government Association guidance on fire safety in purpose-built blocks of flats [1], and the National Fire Chiefs Council guidance on fire safety in specialized housing [3], the scope of which either exceeds the minimum requirements of fire safety legislation or is completely outside the scope of the legislation.

The person on whom a duty is imposed to carry out the FRA is described in different ways in different legislation across the UK. For example, as noted above, in England and Wales, the Fire Safety Order describes the person as the “responsible person”, whereas this term is not used elsewhere in the UK. Moreover, this duty can be imposed on more than one person within the same premises (e.g. freeholders and managing agents). In this PAS, the term “dutyholder” is used to describe any person on whom the relevant fire safety legislation imposes a requirement to carry out an FRA in housing premises.

This part of PAS 79 is only concerned with housing premises. PAS 79-1 provides recommendations for FRAs in non-domestic premises. Therefore, in the case of mixed use premises (e.g. commercial and residential), it is necessary to refer to the recommendations of both PAS 79-1 and PAS 79-2.

At the time of publication of this PAS, there are, potentially, certain restrictions in the measures that can be taken by a fire risk assessor to comply with the recommendations of this PAS, arising from the COVID-19 pandemic. For example, in a block of flats, health and safety considerations might take precedence over fire risk assessment, such as to preclude the level of inspection of flat entrance doors recommended in this PAS.

1 Scope

This part of PAS 79 gives recommendations and corresponding examples of documentation for undertaking, and recording the significant findings of, fire risk assessments in housing premises and parts of housing premises for which fire risk assessments are required by legislation. Recommendations are also provided for fire risk assessments that are outside the scope of fire safety legislation, but are designed to protect residents of blocks of flats, sheltered housing and extra care housing in the event of a fire in their own flat.

This part of PAS 79 is applicable to:

- a) certain houses in multiple occupation [i.e. those falling within the scope of the relevant fire safety legislation (see 3.79)];
- b) the common parts of blocks of flats or maisonettes, sheltered housing and extra care housing; and
- c) supported housing.

This part of PAS 79 is not applicable to a single-family private dwelling, or a shared house in England or Wales. Neither is it applicable to premises during the construction phase³⁾, before the building is used as housing, but it is applicable to vacant premises, for which a fire risk assessment is required.

This part of PAS 79 is not applicable to premises used solely for short-term letting (e.g. of flats) (see 3.84) or peer-to-peer rented accommodation (see 3.70), nor to non-domestic premises or residential care homes.

NOTE *These types of premises are covered in PAS 79-1.*

The methodology in this PAS provides a structured approach to fire risk assessment for people with knowledge of the principles of fire safety; it is not a guide to fire safety.

The recommended approach to carrying out fire risk assessments is intended to determine the risk-proportionate fire precautions required to protect occupants of housing premises, particularly residents, but also employees, contractors and visitors to the premises, and to protect people in the immediate vicinity of the premises. The fire risk assessment is not necessarily sufficient to address the safety of firefighters in the event of a fire on the premises, as firefighters are not "relevant persons" within the meaning of the relevant fire safety legislation.

The recommended methodology is not intended to address protection of property (the premises and their contents) or the environment, or to address protection of a business against interruption.

³⁾ Fire risk assessments are required for construction sites. Nevertheless, fire risk assessments for housing premises, during the construction phase, are outside the scope of this PAS.