



Llywodraeth Cymru
Welsh Government

Guidance

Regulatory Reform (Fire Safety)
Order 2005

Fire doors in blocks of flats and
similar buildings

Guidance for responsible
persons

Introduction

1. The Regulatory Reform (Fire Safety) Order 2005 – or “the Order” – contains most of the law about fire safety in buildings in Wales (and England). It does not apply to private dwellings, but it does apply to the common areas of blocks of flats of any size or height (including houses converted into flats, and other similar premises containing multiple dwellings, such as student accommodation). “Common areas” are any parts of a building which are accessible to all occupants of it, such as hallways, stairwells and landings. The Welsh Government believes such areas also include the doors leading from them into individual dwellings. Such doors are critical to fire safety of occupants and to prevent fire spread through the building.
2. The Order imposes duties relating to fire safety on the “responsible person” for each premises. For a block of flats, the responsible person would normally be the landlord or managing agent. Residents of individual dwellings are not “responsible persons”, and the main duties under the Order do not, as a rule, apply to them.
3. The duties which the Order imposes are common-sense measures to keep the premises and its occupants safe from fire. Responsible persons normally comply with their duties fully and willingly: it is very much in their commercial interests to do so. However, breaches of the Order are serious matters. The Fire and Rescue Service has powers to inspect and enforce compliance; and where it finds breaches of the Order have occurred, it can and does take action. In the first instance, that would often mean advising the responsible person to take corrective measures. But more serious breaches, or a failure to respond to advice, can lead to more formal action, up to and including prosecution of the responsible person.
4. The Order also empowers the Welsh Ministers to issue guidance to assist responsible persons on how to discharge their duties. This document constitutes such guidance on the particular issue of fire doors in purpose-built or converted blocks of flats and similar premises. It does not itself have the force of law, and responsible persons are not obliged to comply with it. However, a failure to do so could be taken into account by the Fire and Rescue Service in determining whether to intervene, and by the Courts in any subsequent prosecution.

Fire doors

5. Fire safety in a block of flats depends on maintaining the fire resisting compartmentation of the whole building, meaning its ability to contain a fire and the related smoke within the flat or room in which the fire started until such time as it is extinguished. Effective compartmentation prevents fire from spreading to other flats and aims to protect the normal escape route through the common areas, allowing residents to evacuate safely.
6. The structure of a building should itself provide robust fire resisting compartmentation: floors, ceilings and walls should effectively resist the spread of fire and smoke. However, for that to work, it is essential that the entrance doors to individual flats resist the spread of fire and smoke. To meet that need, fire doors and the related frame assembly (doorsets) are designed and tested to resist the spread of fire and smoke for a specified period of at least 30 minutes.

7. The Order does not impose any specific requirements about fire doors. However, their presence is essential to the overall fire safety in blocks of flats. So it is very likely that certified fire doors will be necessary to comply with several of the broader duties in the Order on all responsible persons. These include the duty to take general fire precautions in article 8 of the Order, the duty to secure a safe means of escape in article 14, and the duty to maintain the premises properly in article 17.
8. Suitable fire resistant front entrance doors to flats are needed, regardless of whether landlords or residents own or are responsible for them. Such doors are a critical part of the fire safety arrangements in the premises as a whole. The Welsh Government has no doubt that they form part of the common areas, and are covered by the Order. So failure to fit suitable fire doors can amount to a breach of the Order, leading to enforcement action against the responsible person.

Guidance to responsible persons

9. Responsible persons for blocks of flats and other premises containing multiple dwellings should work towards ensuring that **all entrance doors between individual flats and the common areas of the building have been suitably tested to resist fire and smoke for at least 30 minutes (See guidance in Appendix). Such work should be planned and conducted in line with the overall fire risk assessment for the premises, although it should normally have a high priority.** Failure to do so is likely to amount to a potentially serious breach of the Order. While the regulatory requirements of the building regulations differ from those in the Order, fire doors which comply with the building regulations will almost always satisfy the purposes of the Order. Technical requirements for fire doors within the building regulations are in the Appendix to this guidance.
10. Fire doors which were installed when the building was constructed may well be compliant, although we advise responsible persons to check this as part of their fire risk assessment, especially in older premises. Problems are most likely to arise when fire doors are replaced, in particular when residents do this on their own initiative. They may be less aware of the fire safety requirements, and may choose a wholly unsuitable door for aesthetic reasons.
11. Generally, the duties in the Order do not apply to residents of individual flats – although the law here is complex, and how it applies in particular cases is beyond the scope of this guidance. Responsible persons should not rely on enforcement action being taken against individual residents for replacing their front doors with doors that do not resist the spread of fire and smoke.

Responsible persons should therefore contact residents to:

a. Discourage them from replacing their flat entrance fire doors themselves,

and/or

b. Ensure that where flat entrance fire doors are replaced, the new door meets the requirements in paragraph 9 above.

12. The best way of achieving this would be to insert provisions in tenancy or lease agreements either prohibiting the replacement of front doors or mandating certified replacement doorsets. If that is not possible, responsible persons should ensure that residents are aware of the risks and the consequences, and are strongly urged not to replace doors on their own initiative. If so, it is less likely that the responsible person would be held liable for any resulting breach of the Order.
13. Recently, there have been problems with a small number of models of certified fire doors proving not to be compliant when they were re-tested¹. Such doors have generally been removed from the market; where possible, manufacturers have contacted those who had purchased them. However, such doors will almost certainly not be adequate for the purposes of the Order, so **responsible persons should check whether they have installed any of these doors. They should replace any such doors as part of the programme of work set out in paragraph 9 above.**
14. The Welsh Government has committed to review the Order as part of a wider reform of building safety law following the Grenfell Tower fire. That will include clarifying the responsibilities of landlords and residents regarding fire doors and other safety features.
15. For advice on how the Order might apply in particular cases, please contact your local Fire and Rescue Service:

Mid and West Wales: 0370 6060699 or
www.mawwfire.gov.uk/English/Safety/Business-Fire-Safety/Pages/default.aspx

North Wales: 01745 535250 or
www.nwales-fireservice.org.uk/keeping-you-safe/at-your-business/

South Wales: 01443 232000 or
www.southwales-fire.gov.uk/en-GB/your-safety-wellbeing/in-business/
16. The Welsh Government cannot provide specific advice about fire safety in particular cases. However, for queries on this guidance please contact fire@gov.wales, or by post to:

Fire Services Branch
Welsh Government
Rhydycar
Merthyr Tydfil
CF48 1UZ

¹ Advice for building owners on assurance and replacing of flat entrance fire doors - guidance provided by the Ministry of Housing, Communities and Local - updated 31 July 2018.

Appendix – Provision for fire doors

Replacement doorsets should have test evidence from a UKAS accredited test facility, or equivalent, to ensure they meet the standards set out in the Building Regulations guidance (www.gov.wales/topics/planning/buildingregs/approved-documents/part-b-fire/?lang=en).

Test evidence used should be carefully checked to ensure it is to the same specifications of the doorsets being installed. Small differences in detail (such as glazing apertures, intumescent strips, door frames and ironmongery etc.) may have a detrimental effect to the fire, smoke or security performance of a doorset.

The self-closing device should be capable of closing the door securely into its frame from any open position, and overcoming the resistance of the door latch and edge seals.

Third party certification by a UKAS accredited body of manufacture, installation, maintenance, and inspection for fire, smoke and security can provide landlords and building owners greater assurance on the performance of the doors. Doorsets certificated and supplied to the same specification for fire, smoke and security performance will provide additional assurance of performance, as will certification in the name of the company producing the doorset with the doorset name listed on the certificate.