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# ADVICE NOTE

## FIRE SAFETY IN FLATS

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A general guide to fire safety in blocks of flats



**Note:**

As the leading trade body for residential leasehold management, ARMA is also an important resource for leaseholders. Our Advice Notes cover a range of topics on the leasehold system to help leaseholders understand their rights and responsibilities and ultimately get the most out of living in their flat.

## CONTENTS

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3	<b>Summary</b>
3	<b>Principles of Fire Safety in Purpose-Built Blocks of Flats</b>
5	<b>Leases</b>
6	<b>Front doors of flats</b>
8	<b>Internal Alterations to Flats</b>
10	<b>Replacement of windows or the installation of security grilles or shutters</b>
10	<b>Housekeeping and Common Parts</b>
11	<b>Installation of smoke detection</b>
11	<b>The Law</b>
12	<b>Further Information</b>

## SUMMARY

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This Advice Note gives general guidance about fire safety in blocks of flats. Specific advice for individual blocks will differ, so you should read this in conjunction with the guidance that's in place for your own building. That could be a leaflet or a fire safety notice posted in the communal areas.

The information in this advice note is important — taking a little time to read it now may save your life!

## PRINCIPLES OF FIRE SAFETY IN PURPOSE-BUILT BLOCKS OF FLATS

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### Design principals

Purpose built blocks of flats are usually built to common design principles:

- There is a high degree of compartmentation between each flat, and between flats and the common parts of the block;
- Each flat is formed within its own fire resisting enclosure;
- There is a low probability of fire and smoke spread beyond the flat of a fire's origin; and
- There is a low fire risk in common areas due to precautionary management.

If these design principles are in place then the following fire safety principles will apply, subject of course to the fire risk assessment of each block:

- a stay put policy will be suitable;
- there is usually no need for simultaneous evacuation, unless it is advised by the fire service;
- residents in the flat of a fire's origin should evacuate it and immediately call the fire service - other residents are safe to stay in their flats without the need for immediate evacuation;
- there is no need for fire alarms in common areas, or that are linked into or between flats;
- there is no need for fire extinguishers in common parts except for plant and service rooms; and
- emergency lighting is required in common parts stairs and corridors, plant and service rooms.

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## Evacuation strategy

The compartmentation between flats prevents fire-spread from one flat to another. It also enshrines the principle that a person's actions, while they may affect their own safety, should not endanger their neighbours.

To achieve this compartmentation is required to be of a higher standard of fire and smoke containment than that normally considered necessary simply to protect the escape routes. This is to ensure that a fire should be contained within the flat of fire origin, for a suitable period of time, allowing the fire and rescue service to intervene with a fire and bring it safely under control before there is any risk of early fire or smoke spread into the common parts or other flats. Accordingly, those in flats remote from the fire are safe to stay where they are and the means of escape is protected so that it will remain safe for use if evacuating the building is later advised by the fire service.

This is the essence of the 'stay put' principle. It has underpinned fire safety design standards from before the 1960s, when national standards were first drafted. It still is the basis upon which blocks of flats are designed today. In the majority of existing blocks, it remains entirely valid.

Where the fire and rescue service do not believe they can contain the fire within the flat of origin or there is a risk that the means of escape could be compromised they may decide to evacuate others in the building.

## Stay put policies

Stay put policies allow residents to remain in their own demise in relative safety in the event of a fire in another flat. They do not usually require an alarm warning to be sounded other than in the flat of the fire's origin. A 'stay put' policy involves the following approach.

- When a fire occurs within a flat, the occupants alert others in the flat, make their way out of the building and summon the fire and rescue service;
- If a fire starts in the common parts, anyone in these areas makes their way out of the building and summons the fire and rescue service;
- All other residents not directly affected by the fire would be expected to 'stay put' and remain in their flat unless directed to leave by the fire and rescue service.

It is not implied that those not directly involved who wish to leave the building should be prevented from doing so. Nor does this preclude those evacuating a flat that is on fire from alerting their neighbours so that they can also escape if they feel threatened.

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If it is safe to do so a resident should leave their home if smoke or heat affects it.

### **Simultaneous evacuation**

The alternative to a 'stay put' policy is one involving simultaneous evacuation which involves evacuating the residents of a number of flats together. It requires a means to alert all of these residents to the need to evacuate, i.e. a fire detection and alarm system. Purpose-built blocks of flats are not normally provided with such systems.

Simultaneous evacuation is sometimes applied to buildings converted into blocks of flats, but usually only where it has not been possible to achieve the level of compartmentation required for a 'stay put' policy. In purpose-built blocks of flats, experience has shown that most residents do not need to leave their flats when there is a fire elsewhere. Indeed, in some circumstances, they might place themselves at greater risk when they do so.

Some enforcing authorities and fire risk assessors adopt a precautionary approach whereby, unless it can be proven that the standard of construction is adequate for 'stay put', the assumption should be that it is not. As a consequence, simultaneous evacuation has sometimes been adopted, and fire alarm systems fitted retrospectively, in blocks of flats designed to support a 'stay put' strategy.

### **Fire detection and alarm systems**

In 'general needs' blocks designed to support a 'stay put' policy, it is unnecessary and undesirable for a fire alarm system to be provided. A communal fire detection and alarm system will inevitably lead to a proliferation of false alarms. This will impose a burden on fire and rescue services and lead to residents ignoring warnings of genuine fires. Fire detection may also be provided in order to operate automatically opening vents to clear smoke from common areas. However, these systems do not incorporate means to warn the occupants of flats. Leaseholders should be encouraged to install smoke detection within their flats to ensure that they can evacuate safely from their flats in a fire.

## **LEASES**

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Most leases will include have clauses requiring leaseholders to:

- comply with statutory requirements in respect of their own demised premises and/or to maintain their property in a condition to prevent



others being put at risk, this of course would include maintaining any fire doors in a suitable condition;

- apply for a licence to alter before they alter their property, the requirement usually includes any alterations to the fire door to a property.

Not all leases are the same. You should consult your lease to identify who owns your flat from door and what your responsibilities are for its maintenance.

In general you are advised to contact your Landlord or the Managing Agent for the block before making any changes to any part of your flat that may forms part of a fire compartment of the building.

## FRONT DOORS OF FLATS

Most of blocks of flats are designed to support a stay put policy and will have flat entrance doors that forms part of a fire compartment of the building.

Whether they are demised to the leaseholder or the landlord, flat entrance doors leading to a shared or communal area are required to provide fire and smoke protection and are critical to most fire strategies for buildings.

In order to prevent the spread of fire outside the flat of origin for the relevant period of time and to protect the means of escape from the building allowing safe access for the fire and rescue service to fight the fire and to allow residents to escape from the building should the need arise, such doors should:

- be robust fire doors at least 44mm thick;
- fitted with self-closing devices that are ideally manufactured and installed in accordance with British Standard 1135;
- fitted with fire rated hinges that are ideally manufactured and installed in accordance with British Standard British Standard 1935;
- have a 25mm door stop fitted around the door frame which the door closes too or fitted with an intumescent or smoke seal and smaller door stop.

A fire door can only offer protection in limiting the spread of smoke and fire if the door seals are working effectively and if the door can fully close under the action of its door closer. 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. All fire door self-closing devices should be regularly checked and maintained to ensure that they are operating correctly.

If your door has a glazed panel(s) within it, the glass should either be Georgian wired or have a special fire resistant glazing fitted (this will be indicated by an etched mark 'BS476:22'). If the glazing does not have either, it's unlikely that the door is a fire door.

UPVC doors are not currently accepted as fire doors.

According to the Ministry of Housing, Communities & Local Government [MHCLG] in their Advice Note 168 which gives advice for owners of residential flats on assurance and replacing of flat entrance fire doors:

- all fire doors, including their closers, should be routinely checked or inspected by a suitably qualified professional;
- flat entrance fire doors should have test evidence demonstrating they meet the performance requirement in Building Regulations guidance for fire resistance and smoke control from both sides;
- test evidence used should be carefully checked to ensure it is to the same specifications of the doorsets being installed; and
- building owners should replace flat entrance doorsets if they suspect they do not meet the fire or smoke resistance performance in the Building Regulations guidance.

The Fire risk assessment processes should be used to determine how urgently such doors should be replaced.

Article 17 of the Regulatory Reform (Fire Safety) Order 2005 [Fire Safety Order]<sup>1</sup> requires the Landlord of a residential building in their capacity as the responsible person to ensure that flat entrance doors are subject to a suitable system of maintenance and are maintained in an efficient state, in efficient working order and in good repair. The Fire Safety Order allows the Responsible Person to make arrangements with the leaseholder or occupier of any flat to ensuring these requirements are met.

Article 17 of the Fire Safety Order also imposes a duty on both Leaseholders and occupiers of flats to co-operate with the Responsible Person so far as is necessary to allow them to comply with their duties under Article 17 which will include providing access to inspect flat entrance doors.

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### Altering or changing a flat entrance door

Altering or changing a flat entrance door that forms part of a fire compartment of the building, is categorised as controlled work under the Building Regulations.

This means that anyone who wishes to change or alter their flat entrance door (or any other door between their flat and a communal area i.e. a secondary means of escape door), will need ensure the new or altered door and its installation complies with all relevant requirements of the Building Regulations.

All new fire door sets to flats must be to FD30s standard in accordance with BS476: Part 22 1987 or BS EN 1634-1 2000. It is also recommended that new flat doors meet “security by design” standards.

Installing a fire door correctly is as important as ensuring the door itself is to the correct standard. The Government’s expert panel advises third party certification by a UKAS accredited body. There are various third party accredited schemes, which allow you to view their registers and locate a suitably qualified trade person:

- BRE Group – LPCB scheme, LPS 1271 installation of fire and security door sets;<sup>15</sup>
- BM Trada Q Mark: OP37 Fire door installation scheme<sup>16</sup>; and
- Warrington Fire FIRAS scheme for fire doors.<sup>17</sup>

An installation certificate for all replacement doors will be provided to the homeowner by the contractor supplying/ fitting the door confirming that the door set meets the required standard and has been installed correctly.

You must provide a copy of any certification you receive to your Landlord or the Managing Agent.

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## INTERNAL ALTERATIONS TO FLATS

Any alteration which affects the measure that were designed and installed to prevent the spread of fire and smoke in a building must comply with the relevant requirements of the Building Regulations.



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Examples of work that may affect the building fire compartmentation include:

- changing a flat entrance door and not replacing it with a suitably fire resisting and self-closing door;
- installing a letter box or 'cat flap' in a flat entrance door that is not appropriately fire rated;
- installing a new bathroom suite and not ensuring that breaches of riser walls created for new drains are fire-stopped afterwards to maintain fire separation to the common riser;
- removing the doors and walls to the kitchen and lounge to create an open plan living area, but in so doing making all the bedrooms inner rooms, and possibly impairing protection to the common parts;
- fitting non-condensing tumble dryers with holes through fire walls and doors for vent pipes without appropriate fire collars;
- installation of down lighters in a fire compartment ceiling, which are not of a 'fire-rated' design and which have not been fitted with intumescent fire hoods or covered by an insulation support box; and
- installation of television or satellite cable through fire resisting walls without fire stopping the holes around the cables.

Where holes have been made in compartment walls, floors or ceilings it is essential that any new openings are made good to ensure the levels of fire containment are not in any way reduced by such works.

### **Unauthorised alterations**

If you have replaced your flat entrance door or carried out alterations to your flat and did not obtain building control approval or your landlord's consent, you can, if you believe that your door meets the necessary standard, apply for retrospective consent for the alteration from both building control and your landlord.

Similarly if you have undertaken alterations to your flat without attaining consent, you can also apply for retrospective consent for the alteration, however you may be required to reinstate or alter the layout or features of the flat, if the work carried out does not comply with Building Regulation requirements. There will be charges for this consent.

If you do not obtain the necessary consents, you may find it difficult to sell your property in the future, as solicitors now require more detailed information regarding fire protection within blocks of flats as part of the conveyancing process.

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If you are aware that your door does not meet the required standard you are strongly advised that you take the necessary steps to replace it, to ensure your families safety and the safety of other residents of the building, should a fire occur.

## REPLACEMENT OF WINDOWS OR THE INSTALLATION OF SECURITY GRILLES OR SHUTTERS

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In flats located at basement, ground and 1st floor level, or in flats accessed from communal walkways/balconies the windows from living areas and bedrooms are often designed to be escape windows, to enable residents to use the windows to escape through, if there is a fire in their home.

As such if you would like to replace your windows, it will be necessary for the windows to meet the requirements of the Building Regulations in relation to their design and the size of the opening required. Where a window is an escape window, consent cannot be provided for security grilles or shutters to be installed, as the window must be maintained unobstructed to enable escape.

## HOUSEKEEPING AND COMMON PARTS

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The guidance on fire safety in purpose-built blocks of flats suggests two possible approaches to maintaining precautions in common parts: zero tolerance or managed use.

A zero tolerance approach is one in which residents are not permitted to use the common areas to store or dispose of their belongings or rubbish, with no exceptions.

A managed use approach allows for strictly defined use of common areas with certain low risk items to be present (e.g. pot plants, door mats etc.).

The most appropriate approach will depend on the specific circumstances, and whatever approach is taken should be considered within the overall context of the fire safety measures in the building. It

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should be considered as part of the fire risk assessment for the block. A managed use and its constraints should, where appropriate, be agreed by consultation with residents.

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## INSTALLATION OF SMOKE DETECTION

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ARMA supports the Fire Kills Campaign [<https://firekills.campaign.gov.uk/>] and the advice given by the government in 'Fire Safety in the Home' and strongly recommends that all home owners:

- fit at least one smoke alarm on every level of their home; and
- test their smoke alarms at least monthly.

If you don't already have smoke detection, get some. We would recommend that you fit what are called hardwired independent smoke detectors, which have a life span of 10 years.

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## THE LAW

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There are three main pieces of legislation which apply to fire safety in residential buildings, these are:

- **The Building Regulations 2010** (also known as building control regulations) – which requires all home owners to comply with building control requirements, when undertaking any alterations to their property.
- **The Regulatory (Reform Fire) Safety Order 2005** – which requires lessee's to cooperate and coordinate with [managing agent] to ensure the risk from fire is reduced as far as possible.
- **The Housing Act 2004** – Which requires lessee's to reduce the risk from fire within the home (particularly relevant where a property is sublet).

## FURTHER INFORMATION

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- The Regulatory Reform (Fire Safety) Order 2005 [[www.legislation.gov.uk/uksi/2005/1541/contents/made](http://www.legislation.gov.uk/uksi/2005/1541/contents/made)]
- The Building Regulations 2010 [<http://www.legislation.gov.uk/uksi/2010/2214/schedule/2/made>]
- The Housing Act 2004 [<https://www.legislation.gov.uk/ukpga/2004/34>]
- Fire safety in purpose-built blocks of flats [<https://www.local.gov.uk/sites/default/files/documents/fire-safety-purpose-built-04b.pdf>]
- LACORS guidance titled 'HOUSING - FIRE SAFETY: Guidance on fire safety provisions for certain types of existing housing' - download from [http://www.cieh.org/library/Knowledge/Housing/National\\_fire\\_safety\\_guidance\\_08.pdf](http://www.cieh.org/library/Knowledge/Housing/National_fire_safety_guidance_08.pdf)
- Ministry of Housing, Communities & Local Government: Regulatory Reform (Fire Safety) Order 2005 Guidance Note No. 1: Enforcement [<http://www.nahfo.org/docs/6.pdf>]
- The Chief Fire Officers' Association [CFOA] agree with this position in their Guidance Document 'Collected Perceived Insights Into and Application of The Regulatory Reform (Fire Safety) Order 2005 For the Benefit of Enforcing Authorities - 2015 Revision' [<http://www.cfoa.org.uk/download/19059>] otherwise known as the 'Enforcers' Guidance'.
- Government Building Safety Programme - advice for building owners on assurance and replacing of flat entrance fire doors [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/707440/Advice\\_for\\_building\\_owners\\_on\\_assurance\\_and\\_replacing\\_of\\_flat\\_entrance\\_fire\\_doors.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707440/Advice_for_building_owners_on_assurance_and_replacing_of_flat_entrance_fire_doors.pdf)
- Competency Criteria for Fire Risk Assessors [http://www.fia.uk.com/filemanager/root/site\\_assets/technical/fire\\_risk\\_assessment\\_competency\\_document\\_-\\_21\\_12\\_11\\_final\\_version\\_.pdf](http://www.fia.uk.com/filemanager/root/site_assets/technical/fire_risk_assessment_competency_document_-_21_12_11_final_version_.pdf)
- Building Regulations Approved Document B Volume 2 (Buildings other than dwelling houses) [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/441669/BR\\_PDF\\_AD\\_B2\\_2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/441669/BR_PDF_AD_B2_2013.pdf)



**The Association of  
Residential Managing  
Agents Ltd**

**3rd Floor  
2-4 St George's Road  
London  
SW19 4DP**

**Tel 020 7978 2607**

[info@arma.org.uk](mailto:info@arma.org.uk)  
[www.arma.org.uk](http://www.arma.org.uk)

- British Standard 9991 (Fire safety in the design, management and use of residential buildings) <http://shop.bsigroup.com/ProductDetail/?pid=000000000030301830>
- Housing health and safety rating system (HHSRS): guidance for landlords and property related professionals [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/9425/150940.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf)
- Fire Safety in the Home published by the Ministry of Housing, Communities and Local Government - March 2015 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/564803/Fire-Safety-in-the-Home.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/564803/Fire-Safety-in-the-Home.pdf)
- NFCC National Fire Chiefs Council - Waking Watch / Common Fire Alarm - Guidance to support a temporary simultaneous evacuation strategy in a purpose-built block of flats [[https://www.nationalfirechiefs.org.uk/write/MediaUploads/NFCC%20Guidance%20publications/NFCC\\_Guidance\\_-\\_Waking\\_watch\\_and\\_Common\\_Fire\\_Alarm..pdf](https://www.nationalfirechiefs.org.uk/write/MediaUploads/NFCC%20Guidance%20publications/NFCC_Guidance_-_Waking_watch_and_Common_Fire_Alarm..pdf)]
- BRE Group - LPCB scheme, LPS 1271 installation of fire and security door sets [<https://www.bre.co.uk/page.jsp?id=3229>]
- BM Trada Q Mark: OP37 Fire door installation scheme. [<https://www.exovabmtrada.com/en-gb/certification/product-certification/q-mark-installation-maintenance-certification/fire-door-installation-scheme>]
- Warrington Fire FIRAS scheme for fire doors [<http://www.warringtoncertification.com/firas/fire-doors.html>]

**Note:**

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