

Fire (Scotland) Act 2005

Fire Safety (Scotland) Regulations 2006

The Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006 repealed previous fire safety legislation and introduced a new fire safety regime in Scotland which took effect from 1 October 2006 and which affects the occupiers of church premises. Fire certificates have been abolished. The present law is based on the principles of risk assessment and the requirement to take steps to prevent fire and mitigate the effects of any fire to ensure the safety of individuals.

A fire safety risk assessment must be carried out by each congregation, thereafter be acted upon, be reviewed regularly and updated if required. This should be done separately from the general health and safety risk assessment. If a congregation has 5 or more employees, then the findings of the fire safety risk assessment must be recorded. It is however, strongly recommended that these findings are recorded irrespective of the number of employees.

The Deacons' Court or Finance Committee for each congregation is responsible for ensuring that the obligations of the congregation as regards fire safety are complied with. In broad terms these obligations are:

- To carry out the fire risk assessment and, if applicable, to record the findings of it.
- To check that a fire can be detected in a reasonable time for warning.
- To check that those on the premises can get out safely.
- To provide reasonable fire fighting equipment.
- To check and maintain fire safety equipment.
- To check that those on the premises know what to do in the event of fire.
- To check what effect a fire would have on any neighbours.

Detailed information from Safer Scotland/ The Scottish Government which should be useful to Deacons' Courts and Finance Committees in carrying out fire risk assessments and taking the appropriate implementation action thereafter can be accessed at:

<https://www.gov.scot/publications/fire-safety-risk-assessment-forms-and-guidance/>

The full Safer Scotland "Fire Safety Guidance" booklet can be downloaded at:

<https://www.gov.scot/publications/practical-fire-safety-guidance-existing-non-residential-premises-9781788511322/>

There is also sector specific guidance available from them and "Practical Fire Safety Guidance for Places of Entertainment and Assembly", which is aimed at various buildings including religious worship buildings and public halls, can be downloaded at:

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/08/practical-fire-safety-guidance-existing-non-residential-premises-9781788511322/documents/00523508-pdf/00523508-pdf/govscot%3Adocument/00523508.pdf>

Relative to this, a “Record of fire safety risk assessment” form is provided for use in carrying out and recording the findings of a fire risk assessment and this is available at:

<https://www.gov.scot/publications/fire-safety-risk-assessment-forms-and-guidance/>