



Fact Card 8 – Regulation 38

Passing fire door information on - Regulation 38

Regulation 38 is a requirement under the Building Regulations for England and Wales to provide fire safety information to the 'responsible person' no later than the date of completion of the work, or the date of occupation of the building, whichever is earlier.

It links the Building Regulations to the Fire Safety Order 2005 (FSO) which places the responsibility of fire safety onto the 'Responsible Person'. The law shifted responsibility for fire safety from the fire authorities to whoever has day-to-day control of premises that come under the FSO.

The Responsible Person, whether it is the owner, facilities manager or an expert consultant, is to manage the fire risk for the following:

- The building (e.g. of a hospital / school / flats)
- The people using the building and/or residents of the building
- The building's immediate surroundings

Compliance for fire doors - our recommendations

Fire doors play a vital role in the fire safety of buildings. Their correct specification, installation and maintenance is paramount to the safety of all those who use the building. A fire door assembly is made up of components which are required to make it perform correctly in the event of a fire. These components include the door leaf, frame, seals and essential building hardware which are referred to in the door's fire test evidence. Using the wrong components may have a significant effect on the overall performance of the fire door.

Please note, the term "fire door" always refers to the complete door assembly, not just the door leaf.

Passing on the right fire safety information

Where a building is erected, extended, or has undergone a material change of use,

and the Regulatory Reform (Fire Safety Order) 2005 applies to that building or extension, Regulation 38 requires that a package of fire safety information which records the fire safety design of the building or extension must be assembled and given to the responsible person for the premises.

The fire safety information provided should include all fire safety design measures in appropriate detail and with sufficient accuracy to assist the responsible person to operate and maintain the building safely. Where a fire safety strategy or a preliminary fire risk assessment has been prepared these should also be included.

The exact amount of information and level of detail necessary will vary depending on the nature and complexity of the building's design. Approved Document B, provides a guide for the type of information that should be provided which will depend on the complexity of the building. This information includes, among other details, the locations of:

- Escape routes
- Compartmentation and separation
- Fire doors, self-closing doors and other doors with relevant hardware (e.g. panic locks)
- Specifications of any fire safety equipment, in particular, routine maintenance schedules
- Any assumptions in the design of fire safety arrangements regarding building management

Who should receive the information?

The contractor is responsible for handing over the correct information to the client or their appointed representative, and this could vary considerably according to the nature of the building or contract. Typical recipients are likely to be a Health and Safety or Environmental Health Officer, client's surveyor or architect, or building project manager responsible for the final sign-off of the building contract. In turn, the client should then provide the relevant information to the Responsible Person.

You can trust the BWF Fire Door Alliance

- Fire doors and doorsets manufactured within the BWF Fire Door Alliance are required to be Third Party Certified and be labelled or plugged to show the fire door rating. The label or plug will also show the certificate number, and the labels will show the manufacturers number, and a serial number for each door to enable traceability. Additional labels or plugs maybe applied to convey further information about the door. Any glazed doors will have an additional label stating whether the door leaf has been glazed by the door manufacture, or by a company licensed to undertake this work. In the latter case, the label will show information relating to the licensed converter including their certificate number.
- All door leaves and door sets should be supplied with the manufacturer's installation and maintenance instructions, providing details of the correct components that should be fitted to that particular door.
- It is, however, important to check that information is provided in its original form and relates to the actual installed product.

When it comes to fire doors in a building, the guidance is not specific about the information that should be provided.

However, in order for the responsible person to carry out their role effectively, and to help in future inspections and maintenance of fire doors, it is important that the correct information concerning the fire door assembly is handed to them.

Use this simple checklist to ensure you have the correct information about fire doors at handover:

The location and rating of every fire door in the building.

The fire door certificate – which MUST be relevant to the installed fire door.* ☐

The type of seal (intumescent / smoke seal / acoustic) fitted to the door or frame. ☐

Details of the doorframe (hardwood, softwood, MDF etc.) and how that relates to the fire door test. ☐

Details of hinges, closers and other essential building hardware (conformity mark) and how that relates to the fire door test. ☐

Maintenance information for each component, including the door leaf. ☐

Frequency of inspection and maintenance, depending on expected usage of the door.

*For further information on the fire door certificate, refer to Fact Card 1 - Fire Door Certification.

For further information on the Fire Safety Order refer to our Fire Safety Order Fact Card 2

Disclaimer:

Note: Whilst every effort has been made to ensure the accuracy of advice given, the BWF cannot accept liability for loss or damage arising from the use of the information supplied in this publication.



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