



# ***Selecting a competent fire safety practitioner***

*A guide for building  
owners who must issue fire  
safety statements*

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# Executive summary

The NSW Government has recently made changes to the Environmental Planning and Assessment Regulation 2000 (**Regulation**) intended to improve fire safety in new and existing buildings. These changes came into effect on 1 October 2017.

Among other things, the changes require **competent fire safety practitioners** selected by the building owner to assess a building's essential fire safety measures and inspect for fire exit system compliance breaches before the owner can issue a fire safety statement. They also require that owners record their opinion regarding the competence of the persons selected.

This replaces the requirement for assessments and inspections to be completed by a properly qualified person chosen by the owner. The requirement for a record of the owner's opinion is new.

The NSW Government has developed a framework that will eventually recognise industry schemes that can accredit competent fire safety practitioners. It also has scope to recognise other kinds of accredited persons as competent fire safety practitioners.

Until then, building owners who issue fire safety statements continue to be responsible for choosing an appropriate person to undertake fire safety assessments and inspections.

This guide is designed to assist those building owners in selecting 'competent' persons to perform those tasks and sets out three basic steps to follow:

1. Identify tasks that the fire safety practitioner will need to perform.
2. Consider the fire safety practitioner's competence to perform those tasks, including knowledge, skills and experience.
3. Establish and record an opinion of the practitioner's competence.

This guide provides suggestions on what type of information a building owner might need when forming an opinion of the fire safety practitioner's competence. It also makes suggestions on how the building owner can make and keep records about this process.

# Introduction

The Regulation sets out various requirements about building matters, including provisions relating to fire safety measures and building fire safety offences related to safe escape in the event of a fire (see Part 9 of the Regulation).

Since a fire can occur at anytime, owners of buildings served by essential fire safety measures are obliged to ensure that those measures are always in working order. These measures may be in the building or externally on the site. They include fire sprinkler systems, fire hose reel systems, fire hydrant systems, portable fire extinguishers, illuminated exit signs, emergency lighting systems, fire detection and alarm systems, building occupant warning systems, smoke control systems, emergency lifts, fire-resistant building elements of lightweight construction, and fire safety strategies.

Generally, a building's essential fire safety measures are listed on the building's fire safety schedule. The kinds of buildings that will have a schedule include commercial, industrial, multi-unit residential, and institutional buildings. They do not include houses. Owners of affected buildings **should keep a copy of this schedule**. Copies of the schedule can be obtained from the relevant local council.

The Regulation also requires building owners (or someone authorised to act on their behalf) to verify they are meeting their fire safety obligations by issuing an annual fire safety statement. However, for some buildings supplementary statements may also be required.

Before a fire safety statement can be issued, an assessment of the fire safety measures must be carried out. The intent is to ascertain whether they can perform to required standards. For annual fire safety statements the building must also be inspected for any exit system compliance breaches.

Copies of these statements must be sent to the council and to Fire and Rescue NSW. A copy must also be displayed in a prominent position in the building alongside a copy of the fire safety schedule.

**From 1 October 2017, these assessments and inspections must be undertaken by a competent fire safety practitioner.** More information on these Regulation changes is available on [Building Regulation and Certification Reform](#) section of our website.

A Government framework for recognising competent fire safety practitioners has been established. However, recognised persons under that framework will not be available immediately. In the interim, building owners remain responsible for determining whether the people they select to perform the assessments and inspections are competent.

This guide is intended to assist building owners in assessing the competency of such practitioners.

**Appendix A** provides an example of a form that a building owner could provide to persons wishing to undertake fire safety assessments and inspections.

The amendments to the Regulation also require that the building owner record in writing their opinion about the competence of the fire safety practitioners they have selected. **Appendix B** provides an example of how this record may be made.

# Selecting a competent fire safety practitioner

Before selecting a person to undertake an assessment or inspection, a building owner must be satisfied that they are a competent fire safety practitioner (see clause 167A).

Due to the broad range of fire safety measures that may be encountered, more than one practitioner may be required to undertake the assessments and inspections for a building. For example, an electrician may have the competency to assess the illuminated exit signs, but may not be competent to assess the fire sprinkler system or fire detection and alarm system.

While assessing the competence of a practitioner can be undertaken in several ways, it is suggested that building owners follow these basic steps:

1. Identify tasks that the fire safety practitioner will need to perform
2. Consider the fire safety practitioner's competence to perform those tasks, including knowledge, skills and experience
3. Establish and record an opinion of the practitioner's competence.

## Step 1 – Identify tasks

There are three kinds of tasks performed by a competent fire safety practitioner:

- Assess essential fire safety measures
- Inspect the building for exit system compliance breaches, and
- Assess fire safety alternative solutions.

Before considering the competence of a practitioner, owners should identify which kinds of tasks need to be performed. They should also be as specific as possible in terms of what they relate to or involve since this affects the type and level of competency to look for.

**Appendix A** provides guidance to building owners on what knowledge, skills and experience to look out for when seeking fire safety practitioners to undertake assessments and inspections.

### Essential fire safety measure assessment

Essential measures are listed in the fire safety schedule. The standards the measures must be able to perform to in a fire event are also set out in the schedule, usually by reference to the technical design and installation codes for the measure.

For a person to be recognised as 'competent' to assess an essential fire safety measure they should have sufficient skills, knowledge and experience to assess the specific kind of measure for its ability to perform to the specified standard.

## Exit system inspection

Exit system compliance breaches can include:

- no fire safety notice displayed near a fire-isolated exit, or
- obstructed exits or paths of travel to exits, or
- faulty door mechanisms.

For a person to be recognised as 'competent' to undertake an inspection they should understand exit systems and the requirements that apply to them.

## Fire safety alternative solution checks

Some existing buildings may incorporate one or more fire safety 'alternative solutions'. These are non-standard fire safety designs under the Building Code of Australia, and they may apply to all or part of a building.

The fire safety schedule should indicate whether the existing building incorporates a fire safety alternative solution. If it does, it will also likely require specialist expertise to assess whether the fire safety measures that form part of that solution can still perform to the standard expected. This expertise can vary according to the nature and extent of that alternative solution.

## Step 2 – Consider competence

Once the tasks have been identified and described, the next step is for the building owner to consider the practitioner's competence, including whether they have sufficient knowledge, skills and experience to perform one or more of the specific tasks identified in Step 1.

NOTE. In assessing competence there is a need to make a distinction between those who maintain fire safety measures by conducting routine servicing, and those who assess and, if needed, test measures for the purposes of enabling the issue of the annual or supplementary fire safety statement.

**Appendix A** is an example of a form for persons wishing to provide assessment and inspection services related to fire safety statements. The form provides an opportunity to demonstrate:

- sufficient technical knowledge relevant to the specific tasks identified in Step 1
- knowledge of relevant laws and statutory responsibilities around building fire safety
- skills to perform the specific tasks and communicate the outcomes
- industry experience relevant to the specific tasks sufficient to demonstrate competence to perform the tasks.

## Documentation

Fire safety practitioners should provide adequate documentation to building owners to demonstrate their competence to undertake the tasks. This should include evidence of knowledge, skills and experience.

Knowledge and skills can be demonstrated through qualifications. A qualification is an official record that a person has completed a course of education or training. Examples of qualifications may include a degree, diploma, certificate or other official record. The qualification should be in a discipline relevant to the task that

would be performed, such as the assessment of a fire sprinkler system. It should be complemented by demonstration of suitable experience.

Where a person has no relevant qualifications, they may be able to demonstrate competence by other means such as a relevant license, accreditation, or suitable professional membership bound by a code of conduct. This should be complemented by more extensive suitable experience than would be expected if they had possessed a formal qualification.

### **Step 3 – Establish and record opinion**

Based on the assessment of a practitioner's knowledge, skills and experience, the final step is to determine whether the person is a competent fire safety practitioner for the tasks required.

There is a new provision in the Regulation requiring that the building owner record in writing that in their opinion the person or persons selected are competent to perform the fire safety assessments and inspection.

An example of a way to record this opinion in writing is provided in **Appendix B**.



# Appendix A – request form

## For recognition as a competent fire safety practitioner (example)

### Part 1 - Practitioner's details

Title:		Given name:		Family name:	
Business name:					
Property no:		Street:			
Suburb:				Postcode:	
Work phone:			Mobile:		
Email:					

### Part 2 - Practitioner's nomination requests for competency recognition

Note: Requests must align with task(s) to be performed (see step 1 of guide)

#### Essential fire safety measure assessment

✓	Description	Experience (No. of years)		
		Design	Implement	Assess
	Access panels, doors & hoppers to fire-resisting shafts			
	Automatic fire detection and alarm systems			
	Emergency lifts			
	Emergency warning and intercommunication systems			
	Fire control centres and rooms			
	Fire doors			
	Fire hydrant systems			
	Fire shutters			
	Lightweight construction			
	Perimeter vehicle access for emergency vehicles			
	Safety curtains in proscenium openings			

✓	Description	Experience (No. of years)		
		Design	Implement	Assess
	Smoke and heat vents			
	Smoke detectors and heat detectors			
	Solid core doors			
	Wall-wetting sprinkler and drencher systems			
	Automatic fail-safe devices			
	Automatic fire suppression systems			
	Emergency lighting			
	Exit signs			
	Fire dampers			
	Fire hose reel systems			
	Fire seals to openings in fire-resisting components			
	Fire windows			
	Mechanical air handling systems			
	Portable fire extinguishers			
	Smoke alarms and heat alarms			
	Smoke dampers			
	Smoke doors			

### Fire safety alternative solution assessment request nomination

✓	Description	Experience (No. of years)		
		Design	Implement	Assess

### Exit system inspection request nomination

✓	Description	Experience (No. of years)

### Part 3 - Practitioner's knowledge

Note: Entries must align with task(s) to be performed (see Part 2 of this form)

#### I know and understand:

<b>Technical</b>	✓
the features of the design, construction, and operation of the essential fire safety measures (see Part 2 of this application)	
what constitutes a satisfactory assessment of essential fire safety measures (see Part 2 of this application)	
exit systems	
what constitutes an exit system compliance breach	
fire safety performance solutions	
what constitutes a satisfactory assessment of fire safety performance solutions	

<b>Regulations</b>	✓
the regulations relevant to that task, including my responsibilities under those regulations	

#### Part 4 - Practitioner's skills

Note: Entries must align with task(s) to be performed (see Part 2 of this form)

I have the ability to:	✓
determine the standard or performance required of the measures	
locate and interpret relevant documentation	
assess whether the measures can still perform to their respective standards	
carry out an inspection of, and assess an exit system for compliance breaches	
assess a fire safety performance solution	
clearly record and communicate the outcomes of my assessment or inspection	

#### Part 5 - Practitioner's qualifications

The information provided under this Part must describe relevance to competence to perform task(s) nominated under Part 2 and support the claims made under Parts 3 and 4.

Qualification	Relevance to competence to perform task(s) (see Parts 2, 3 and 4)

Note: Attach copies of qualifications if requested

#### Part 6 – Other documentary evidence of competence

The information provided under this Part must describe relevance to competence to perform task(s) nominated under Part 2 and support the claims made under Parts 3 and 4.

Accreditation, registration, license	Relevance to competence to perform task(s) (see Parts 2, 3 and 4)

Note: Attach copy of document evidencing possession of accreditation, registration, license if requested

**Part 7 - Practitioner's experience – specific**

Note: Information provided must align with task(s) to be performed (see Part 2 of this form).

**Provide a summary of relevant experience in (at least) the last five years\***

\* Provide an attachment if this form does not provide sufficient space

**Practitioner's name (print)** .....

**Practitioner's signature** .....

**Date** .....

# Appendix B – record of opinion

## Competence of fire safety practitioner (example)

### Determination - competent fire safety practitioner

I, \_\_\_\_\_ (insert full name), being the owner of the building at \_\_\_\_\_ (insert street number, street name, suburb, state and postcode) consider that \_\_\_\_\_ (insert full name of person deemed competent) is competent to perform the following tasks for the purposes of Division 4 of Part 9 of the *Environmental Planning and Assessment Regulation 2000*:

(Complete the following table)

✓	Task(s)
	Assess all essential fire safety measures that serve my building
	Assess the essential fire safety measures listed in the attached document <i>(Attach a list of the measures that serve your building that the person deemed competent will assess)</i>
	Inspect my building's egress system for compliance breaches
	Assess the fire safety alternative solutions that apply to my building

I made this determination based on the following documentation:

(Insert details of documentation relied upon)
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Signature .....

Date .....