‘Getting started’
Diocese of Chelmsford

Kevin Thomas, FCII CFIRM
Principal Risk Management Surveyor, Ecclesiastical Insurance

Rebecca Chantler, Dip CII
Church Insurance Consultant
Our agenda today....

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<tbody>
<tr>
<td>1</td>
<td>Health and safety</td>
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<td>Fire safety</td>
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<td>3</td>
<td>Q &amp; A</td>
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</tbody>
</table>
Liability insurance and church premises

- Protect PCC’s legal responsibility towards others
- EL - legal liability for death/injury to employees (volunteers) arising out of employment during course of business
- PL - liability for non-employees e.g. visitors
- Various Extensions

**Cover**

*We will indemnify you against your legal liability to pay damages and legal costs arising out of bodily injury to an employed person caused during the period of insurance.*

(a) within the geographical limits or (b) while temporarily outside these territories in connection with the business.*
Church Health & Safety - Not
Why manage health and safety?

- Moral
- Legal
- Economic
Our shared goals

GOALS

- Defend
- Record
- Investigate
- Reduce Risk of Accidents
- SFAIRP
- Comply
Some drivers....
How health and safety law applies to churches

- Civil Law
  - Negligence
  - Occupiers Liability Act 1957 & 1984

- Churches NOT EXEMPT

- Criminal Law
  - Health & Safety at Work etc. Act 1974 + Regulations
HASAWA: church premises

As an **employer** to:

- **protect employees (S2)**
  - safe equipment
  - safe system of work
  - safe substances
  - information, training
  - safe access
  - safe environment
  - welfare facilities
  - written policy (5+)
  - consultation

- **protect others (S3)**

As someone in **control of premises** (non-domestic):

- **used**
  - as a place of work
  - where plant or substances are provided for use

- **to protect others (S4):**
  - safe premises
  - safe access
  - safe plant
  - safe substances

A PCC as a ‘corporate body’ (under the Parochial Church Councils (Powers) Measure 1956 (as amended)) is responsible for meeting any duty owed.
Health and safety regulations: church premises

**Employer:**
- Management/risk assessment
- Construction work
- Asbestos
- Hazardous substances
- Electricity
- Gas
- Fire
- Display screen equipment
- First-aid
- Lifting equipment
- Work equipment
- Personal protective equipment
- Working at height etc. etc. etc.

**Duty-holder:**
- Construction work
- Asbestos
- Certain hazardous substances
- Electricity
- Gas
- Lifting equipment
- Work equipment
- Fire
- Work at height
- Reporting certain accidents
- Workplaces (e.g. access)
Criminal Prosecution - HASAWA Breach
St Botolph’s Church

- Volunteer fell 6m through known rotten floorboard in Tower
- Severe spinal/leg injuries
- £3,000 fine by Local Authority + costs
Criminal Prosecution - HASAWA Breach
St Paul’s Church

- Fall 3m from poorly guarded balcony
- Paralysed waist down
- Fine £5,000 + £4,500 costs + reputational damage
Who is an ‘employee’?
S53(1) HASAWA

Employees:

- Someone working under a ‘contract of employment’
- An individual deemed to be ‘de facto’ an employee.

Contract of employment:

"a contract of employment or apprenticeship (whether express or implied and, if express, whether oral or in writing)".

Relevant factors

✓ The degree of control exercised over the worker
✓ Whether the worker can properly be regarded as part of the employer's organisation
✓ Whether the employer has the power to dismiss or suspend the worker
✓ Whether wages/salary/holiday pay are paid
✓ The person who fixes the time and place of work
✓ Whether personal service is provided
✓ Payment of income tax and National Insurance contributions
✓ The intention of the parties

www.hse.gov.uk/enforce/enforcementguide/investigation/status-contract.htm
What about ‘volunteers’?

Volunteers:

- are not employees.

Under HASAWA:

- As an **employer**: afford a similar level of protection to that of employees
- As a person who **controls non-domestic premises**: to ensure the safety of premises and plant or substances provided there
In simple terms, everyone has a **duty of care** to ensure that their activities do not cause injury or damage to another.

Negligence is a failure to exercise the care that a reasonably prudent person would exercise in like circumstances.

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**Occupiers Liability Act 1957**
- Visitors
- To take reasonable care that premises are safe
- Greater duty of care owed to children

**Occupiers Liability Act 1984**
- Unlawful visitors and trespassers
- Duty owed if:
  - known risk
  - someone may be in danger
  - Visitors would be offered some protection

---

Even if you are not an employer, simple documentation can be important (e.g. pamphlet; diary entries etc.).
Managing health and safety in church premises

Key points to remember:

▪ For most churches H&S should not be complicated, costly or time consuming

▪ Comparatively a low risk environment.

▪ Proportionate action required
1. Resources to help you

Church Health and Safety
Keeping all those involved with your church and its activities safe is very important. Nobody wants to see anyone suffer an injury, so it’s important that your church has taken steps to protect users of your building.

You may also have to comply with relevant legal requirements, including the Health and Safety at Work etc. Act 1974. This applies to any organisation that has at least one employee, including a church.

All of this can seem a bit daunting when starting from scratch, so we’ve developed these pages to help you. They provide a range of information and checklists to help you get started or check the adequacy of what you already have in place.

Take a look at our short video below for more information on church health and safety, along with advice on how to get started.

Even if you do not have employees, it is important to consider some aspects of health and safety, such as the premises and equipment within the church hall. Here, you may have staff and volunteers.

You should also remember that if you run assessments for certain hazards, such as fire, then you will need to keep records of your findings.

How safe is your church?
To help you decide what you need to do, why not work through our self-assessment template available on our self-assessment page. These will identify some of the steps you might need to take to manage health and safety properly. It will also pinpoint some of the more common hazards where further action may be necessary.

Want to know more?
Download our simple guide to managing health and safety in churches or contact our Risk Management Advice Line on 0345 600 7531 (Monday to Friday, 09:00 to 17:00 - excluding Bank Holidays) or email risk.advice@ecclesiastical.com.

2. Getting started

Church Health and Safety

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3. Developing your policy

[Image of a church]

**Health and Safety Policy**

**Organisation and Responsibilities**

1. The member of the PCC with overall responsibility for implementing our policy is:

   - Any accidents are investigated, recorded and reported if necessary
   - Relevant health and safety documents and records are retained
   - They keep up to date on health and safety matters relevant to the church
   - Set a personal example on matters of health and safety

   They will ensure that:
   - The standards set out in this policy are implemented and maintained
   - Where necessary, specialist health and safety assistance is obtained
   - Any hazards reported to them are rectified immediately
   - Only competent persons carry out repairs, modifications, inspections and tests

2. The Churchwardens have day-to-day responsibility for implementing our policy. They are:

   They will ensure that:
   - All employees and volunteers are aware of their health and safety responsibilities
   - Adequate precautions are taken as set out in this policy and related risk assessments
   - Adequate information and training is provided for those that need it
   - Any hazards or complaints are investigated and dealt with as soon as possible
   - Where defects cannot be corrected immediately, interim steps are taken to prevent danger
   - All accidents are reported in line with the requirements of this policy
   - Advice is sought where clarification is necessary on the implementation of this policy
   - Set a personal example on matters of health and safety

Typical church hazards

- Damaged building fabric
- Building or maintenance work
- Work at height (external)
- Fire
- Lifting equipment
- Electricity
- Oil storage
- Trees
- Slips and trips (outside)
- Working alone
- Tools and equipment
- Tower tours
- Bell tower
- Asbestos
- Lifting and carrying
- Slips and trips (inside)
- Work at height (inside)
- Gas supplies
- Hazardous substances
- Events
- Damaged monuments, gravestones and railings
- Catering
Key risks

- Slips and trips
  The Major Risk
  (e.g. Paths/Floor Surfaces/Stairs)
- Ladders/Working at height
- Miscellaneous
Slips and trips

Keeping People Safe
CHURCH HEALTH & SAFETY TOOLKIT
Slips and Trips
# Slips and trips

<table>
<thead>
<tr>
<th>Root Cause</th>
<th>Example</th>
<th>Precautions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weather (C)</td>
<td>▪ Slip on leaves, moss, algae, wet grass or ice</td>
<td>▪ Safer temporary routes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>▪ Work schedule clear paths</td>
</tr>
<tr>
<td></td>
<td></td>
<td>▪ Manage trees/plants</td>
</tr>
<tr>
<td></td>
<td></td>
<td>▪ Adverse weather procedure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>▪ Remove water quickly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>▪ Absorbent mats</td>
</tr>
<tr>
<td></td>
<td>▪ Slip on spills</td>
<td></td>
</tr>
<tr>
<td></td>
<td>▪ Trip-worn steps, exposed manhole, trailing cables, worn floor coverings</td>
<td></td>
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<td></td>
<td>▪ Fall-inadequate lighting</td>
<td></td>
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<tr>
<td></td>
<td>▪ See it/sort it culture</td>
<td></td>
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<tr>
<td></td>
<td>▪ Walking routes clear</td>
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<tr>
<td></td>
<td>▪ Tidy away cables or use covers</td>
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<tr>
<td></td>
<td>▪ Repair carpets/rugs</td>
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<tr>
<td></td>
<td>▪ Improve lighting</td>
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<td></td>
<td>▪ High visibility nosing's</td>
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<td></td>
<td>▪ Warning signs</td>
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<td></td>
<td>▪ Handrails</td>
<td></td>
</tr>
<tr>
<td>Housekeeping (C)</td>
<td>▪ Unexpected Change in floor level</td>
<td>▪ Temporary barrier until repair</td>
</tr>
<tr>
<td></td>
<td>▪ Uneven floor surface/path</td>
<td>▪ Improve lighting</td>
</tr>
<tr>
<td></td>
<td>▪ Trip-potholes, drain cover, pew end</td>
<td>▪ Repair holes</td>
</tr>
<tr>
<td></td>
<td>▪ Slip on downward slope on floor e.g. ramp</td>
<td>▪ Install handrails</td>
</tr>
</tbody>
</table>

© Ecclesiastical Insurance Group 2016
Slips and trips: steps
Slips and trips: redundant boiler house
Slips and trips: potholes
Slips and trips: stair carpets
Slips and trips: trailing leads and cables
Slips and trips: best practice

- Inspection Regime Documented
- Thorough Investigation
- Evidence-Photos & Witness Statements
Work at height (including ladders)
Working Safely?
Using ladders: best practice

- Include in risk assessment
- Inspect ladders on regular basis for defects
- Training and supervision
- Capability and competence
- Record keeping

www.hse.gov.uk
Completing risk assessments

Risk Assessments

You need to ensure that reasonable precautions are in place at your church to keep it safe for those who use it. To do this, you need to think about what might cause harm to people. You will then need to decide if the precautions already in place are adequate. If they are not, you may need to identify further action to prevent any danger. When done formally, this is known as a risk assessment.

Where you are an employer, you must complete these and they will need to meet specific requirements in particular; they must identify the steps you need to take to comply with relevant health and safety regulations.

It is worth remembering that even if you are not an employer but own or control premises, you may still have to complete detailed risk assessments for certain hazards, for example, asbestos. These will have to meet specific requirements and in some cases you may need specialist assistance with this.

Watch the video below for advice and tips on carrying out risk assessments.

Getting started

We have prepared a worked example you can use to help guide you through completing your own church risk assessment.

Example risk assessment

Small churches

For larger churches, the risk assessments may mean numbers of employees, volunteers or staffs the activities involved there.

Large churches

Completing risk assessments is not about deriving huge amounts of paperwork - it is about identifying sensible precautions for your church.

Of course, completing risk assessments on their own won’t prevent accidents happening. It is important that you take the precautions you have identified as being necessary.

4. Completing Risk Assessments – Worked Example

## Risk Assessment (Worked Example)

### Area assessed:

1. Inside our Church

### Who might be harmed:

- Internal areas of the church normally open to the public (for example, nave, aisles, porches, balconies, etc.).
- Members of the congregation, employees, volunteers, visitors, clergy, in fact anyone visiting the church.

### What could cause harm?

<table>
<thead>
<tr>
<th>Trips:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carpeted in good condition, properly fixed down. No trailing leads or cables noted. All steps/stairs in good condition. Good lighting levels. Regularly maintained.</td>
</tr>
<tr>
<td>Risk: Yes, N/A: No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Slips:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No smooth floor surfaces noted. No polishes or wet-mop cleaning undertaken. Matting provided in entrance porch (see above). There are no kitchen areas.</td>
</tr>
<tr>
<td>Risk: Yes, N/A: No</td>
</tr>
</tbody>
</table>

### Completion date

- 30/08/2017

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4a. Completing risk assessments – Small Church

**Risk Assessment (Small Church)**

**Area assessed:**

1. [Blank]

**Who might be harmed:**

[Blank]

- Internal areas of the church normally open to the public (for example, nave, aisles, porches, balconies, etc.).
- Members of the congregation, employees, volunteers, visitors, clergy, in fact anyone visiting the church.

<table>
<thead>
<tr>
<th>What could cause harm?</th>
<th>Tick here if risk or N/A</th>
<th>Existing precautions in place</th>
<th>Additional precautions required</th>
<th>Who needs to take action</th>
<th>When does this need to be completed by?</th>
<th>Tick when completed</th>
<th>Completion date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Trips:</strong></td>
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<tr>
<td>- Worn or unfixed carpet edges, rugs and doormats</td>
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<tr>
<td>- Worn, damaged or uneven steps or stairs</td>
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<tr>
<td>- Poor lighting</td>
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<tr>
<td>- Missing or defective handrails</td>
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<tr>
<td>- Variations in the level of floors (for example, ramps)</td>
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<td>- Restricted access including doorway widths</td>
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<td>- Other</td>
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<tr>
<td>Risk N/A</td>
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<tr>
<td><strong>Slips:</strong></td>
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<tr>
<td>- Cleaning activity making floors slippery (for example, wet mopping, use of polishes, etc.)</td>
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<td>- Wet or contaminated floors from poor maintenance (for example, leaking roofs)</td>
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<tr>
<td>- Spillage of food or drink (particularly in kitchen areas)</td>
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<tr>
<td>- Walk-in contaminant from adverse weather (for example, mud, rainwater, etc.)</td>
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<tr>
<td>Risk N/A</td>
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### 4b. Completing Risk Assessments – Large Church

**Risk Assessment (Large Church)**

**Area assessed:**

1. 

**Who might be harmed:**

- Internal areas of the church normally open to the public (for example, nave, aisles, porches, balconies, etc.).
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</tr>
<tr>
<td>Worn or unfixed carpet edges, rugs or doormats</td>
<td>Risk ✔️ N/A</td>
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<td></td>
</tr>
<tr>
<td>Trailing wires, cables or leads</td>
<td>Risk ✔️ N/A</td>
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</tr>
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<td>Risk ✔️ N/A</td>
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<td></td>
</tr>
<tr>
<td>Poor lighting</td>
<td>Risk ✔️ N/A</td>
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<td></td>
</tr>
<tr>
<td>Missing or defective handrails</td>
<td>Risk ✔️ N/A</td>
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</tr>
<tr>
<td>Variations in the level of floor (for example, ramps)</td>
<td>Risk ✔️ N/A</td>
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<td>Restricted access including doorway widths</td>
<td>Risk ✔️ N/A</td>
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<td></td>
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<tr>
<td>Other</td>
<td>Risk ✔️ N/A</td>
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<td>Cleaning activity making floors slippery (for example, wet mopping, use of polishes, etc.)</td>
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<td>Spillages of food or drink (particularly in kitchen areas)</td>
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<tr>
<td>Wall-in contaminant from adverse weather (for example, mud, rainwater, etc.)</td>
<td>Risk ✔️ N/A</td>
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<tr>
<td>Other</td>
<td>Risk ✔️ N/A</td>
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</tbody>
</table>
Fire Safety – The Fire Risk Assessment (FRA)
Regulatory Reform (Fire Safety) Order 2005

- Replaced 100+ pieces of fire safety legislation
- Effective 1st October 2006
- Includes Places of Worship
- Focus on People Safety not Property (but helps to reduce the risk of fire damage to property)
- Requirement to appoint a Responsible Person (RP) who has control of the premises.
The Responsible Person (RP)

- RP appointed to be responsible for fire safety. Can be more than one person e.g. the PCC.
- Must make a suitable & sufficient FRA to risks to which persons to the premises exposed RP ensure (so far as is reasonably practicable) that everyone or the premises or near by can safely escape if there is a fire.
- FRA = evaluation of current level of fire safety.
- Record significant findings of FRA in writing if 5+ persons employed.
- RP other duties (Provide information, training, instruction & supervision, emergency plan, review/update and implement FRA actions).
- RP may appoint Competent Person who understands fire hazards & risks to carry out FRA. RP remains responsible in law for meeting the order.
The Responsible Person (RP)

RP must consider everyone who might be on the premises

- Employees
- Visitors
- Members of the public
- Persons in immediate vicinity of the premises (e.g. Glasgow)
Enforcement

- Fire and Rescue Service for the area where the premises are located

- Officers may enter premises (without force) where they have reason to believe it may be necessary

- Enforcement Notices

- Prohibition Notice

- Right of Appeal to a Magistrates Court

- Fines and up to two years imprisonment
The first prosecution

- June 2007 - Prohibition Notice
- January 2008 - Compliance Visit
- July 2009 - Prosecution
Fire Risk Assessment - 5 Steps

1. Identify fire hazards
2. Identify people at risk
3. Evacuate, remove, or reduce and protect people from risk
4. Record, plan, inform, instruct and train
5. Review
Common Themes – Places of Worship (F&RS Audit)

- No Fire Risk Assessment
- No Emergency Plan
- No Procedure to raise alarm
- No Evacuation Plan if fire detected
- No Steward Training on evacuation
- No Emergency Lighting
Church Buildings - General Perspectives

- Comparatively a low risk environment
- Low Fire Load
- Generally low Weekly Occupancy Rate
- Service User familiarity
- Ground – Ceiling Height
- Rare for fire to occur when building occupied
Help to Reduce the Fire risk

- Proactive Maintenance (Electrical Installation/Appliances/Heating/Lightning Conductor/FEA’s)

- Proactive Housekeeping (waste bins/combustible material/petrol)

- Proactive Contractor Management
Electrical inspection, how frequent?

1. Electrical Installation Checking – Churches & Halls 5 years & PDH’s – 10 Years
2. Portable Appliances – INDG236
3. Lightning Conductors – 4 Years
## Emergency Routes & Exits Principles

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>1</strong></td>
<td>Should lead as <strong>directly</strong> as possible to a place of safety</td>
</tr>
<tr>
<td><strong>2</strong></td>
<td>Should be able to evacuate as <strong>quickly</strong> and as safely as possible</td>
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<tr>
<td><strong>3</strong></td>
<td>Number, dimensions and distribution of emergency routes and exits should be <strong>adequate</strong> having regard to the use of the premises and the numbers of persons present</td>
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<td><strong>4</strong></td>
<td>Other requirements for the nature of exit doors, signage and lighting</td>
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</table>
Churches do not necessarily have to install:

- Fire exit signs
- Emergency lighting
- Outward opening doors
- Fire alarm systems

Provided the FRA shows that these are not necessary.
Template Church FRA

- Target Typical Anglican Church e.g.
  Services & Occasional Public Events.

- Input from Institution of Fire Engineers –
  Special Interest Group for Heritage Buildings

- Not suitable if wide range of activities -
  seek professional support from competent Fire Risk Assessor (UKAS Accredited Company or person Scheme/Professional Body Registration Scheme)
Church Matters: web site

- All guidance notes easy to find
- Online forms to help
- Latest news
- Sign up to receive email updates
Bespoke Risk Advice Line – New

- Dedicated number 0345 600 7531 (9.00 – 17.00)
- risk.advice@ecclesiastical.com
- Contact by Specialist Expert (Property or Health & Safety) within 24 hours
- Target – all enquiries resolved within 5 working days
Key Messages

- Our Desire – Proactive/Structured & Regular/Auditable/Supportive
- Be confident & positive
- Sensible & proportionate approach
- Use the information, guides & tool freely available to you
- Make reasonable pocket friendly adjustments
- See insurance as enabler (not a blocker)
- Support mission
- Here to help
Questions