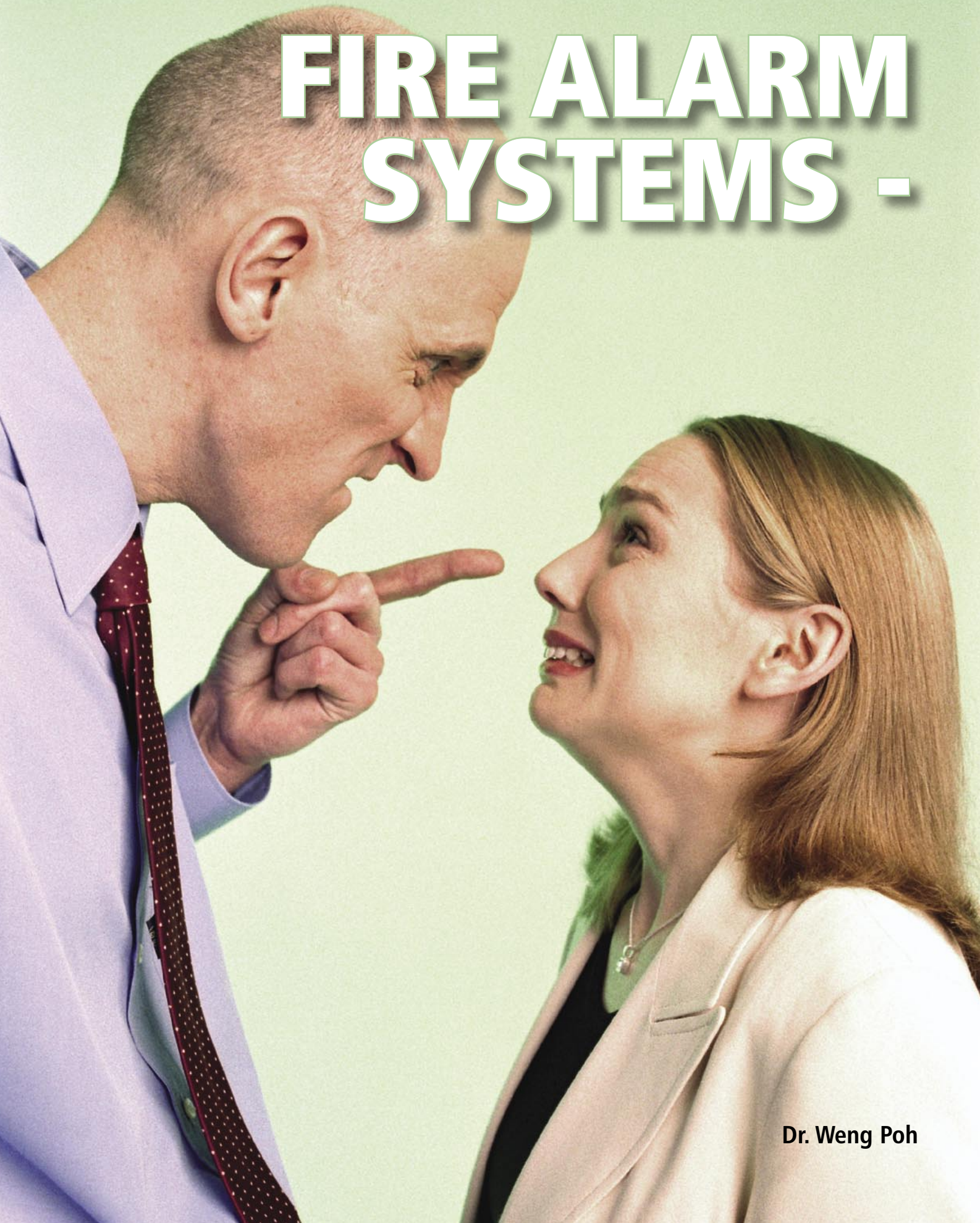


FIRE ALARM SYSTEMS -



Dr. Weng Poh

Whose responsibility are they?

Someone once told me, “You can delegate duties, but you cannot delegate responsibilities.” My first reaction was to disagree and to argue that duty and responsibility are synonymous. We use them interchangeably in writing and in day-to-day life. After some debate, the person further expounded that, for example, I may delegate the duty of feeding my child to a carer, but the responsibility of ensuring my child is fed is still mine. That, as a parent, I am responsible for my child. I may delegate various duties but I cannot delegate my responsibility. Eventually, I was convinced.

The memory of the debate came back to me when I heard the following questions raised by the security industry:

- Whose responsibility should it be to oversee and maintain the fire alarm systems within a building or organisation?
- Is it the facility manager’s role or the security manager’s role?

These questions arose from the fact that there is a significant interface or interaction between fire alarm and security systems in modern buildings. This has caused some confusion about the roles of various parties in maintaining the systems.

So, does the subject of the earlier debate regarding responsibility and duty apply to maintenance of fire alarm systems — or fire protection systems in general? If we differentiate responsibility and duty, will we also answer the above questions?

Let us now look at responsibility and duty with respect to maintenance of fire alarm systems and try to answer the above questions.

Responsibility

In Australia, the responsibility for the maintenance of fire protection systems in buildings is set out in the relevant legislation of the State or Territory. This legislation is

statute law and consists of an Act of Parliament and subordinate legislation and contains the administrative provisions necessary to give effect to the legislation.

For example, in Victoria, the current Building Regulation states that:

1215 Owner’s responsibility

The owner of a building or place of public entertainment to which this Division applies must ensure that any essential safety measure required in relation to that building or place under the Act or these Regulations or any corresponding previous Act or regulations -

before 1 July 1994 (Division 2 Buildings). Similar requirements apply to buildings constructed in Victoria on or after 1 July 1994 (Division 1 Buildings).]

It should be noted, however, that legislation governing maintenance varies amongst the States and Territories in Australia. Different terminology is also used in the legislation for denoted fire protection systems, of which fire alarm systems are a part. Nevertheless, their maintenance is generally the responsibility of the owners or the occupiers of buildings. These are summarised in the following table.

State or Territory	Relevant Act/ Regulations/ Code	Defined term for fire protection systems	Party responsible for maintenance
Australia Capital Territory	Fire Brigade Act 1957	Fire Appliance	Owner
New South Wales	Environmental Planning and Assessment Regulations 2000	Essential Fire Safety Measures	Owner
Northern Territory	Building Regulation / Building Code of Australia 2006	Safety Measures	(unspecified)
Queensland	Building Fire Safety Regulation 1991	Fire Safety Installations	Occupier
South Australia	Development Regulations 1993	Essential Safety Provisions	Owner
Tasmania	Building Regulations 2004	Essential Safety and Health Features/ Measures	Owner/occupier
Victoria	Building (Interim) Regulations 2005	Essential Safety Measures	Owner
Western Australia	Building Regulations 1989	(no defined term)	(unspecified)

(a) is maintained in a state which enables the essential safety measure to fulfil its purpose;

This regulation explicitly states that the building owner is responsible for maintenance of essential safety measures, which the fire alarm system is part of. [Note: the above regulation applies to buildings constructed in Victoria

The responsibility for the maintenance of fire protection systems, and in fact the responsibility for fire safety of a building in general, are mandated by these statute laws to the owner or occupier. So long as the owner owns the building or the occupier occupies the building, this responsibility remains. It cannot be delegated.

From this perspective, the answer to the first question posed earlier becomes clear: neither the facility manager nor the security manager is responsible under the statutory law obligations for maintenance of fire alarm systems, unless he/she is also the owner or the occupier of the building.

Duty

Now that we have clarified the responsibility, what about the duty? That is, whose duty is it to maintain the fire alarm system?

Unlike responsibility, the answer regarding duty is not as straightforward. It is not governed by statute law, but by choice of the party having the responsibility, that is the owner or the occupier.

In practice, the party responsible for a large building rarely carries out the maintenance work. More often than not, the duty for maintenance work is delegated to an agent, which is in turn delegated to specific managers, and down the chain to the contractors, who ultimately carry out the maintenance work. Each of these parties has a defined role and specific duties in this arrangement. Their roles depend on the organisation structure or contractual arrangement. As alluded to earlier, how these roles are organised or interact are not governed by regulations but by choice of the owner/occupier through delegation or contracts.

In an organisation where the roles of the parties involved are well defined, their duties

will be clear and less confusion will arise. The converse is also true.

In either case, the parties having a role are bound by common law obligations to fulfil their duties. Therefore, although not having the mandated responsibility, the parties involved will still have a 'duty of care' in their roles to ensure that the fire alarm systems are properly maintained.

The above argument may sound convoluted or contradictory. To clarify this, let us go back to the earlier debate about responsibility and duty. In the case of a child, its parents have the responsibility for its well being. When the parents entrust the child to a carer, their responsibility remains. However, the carer now also has a common law 'duty of care' to ensure the child's well being during the time when in his/her care.

If we came back to the case of the fire alarm system, it means that both facility manager and security manager may have a 'duty of care' to ensure the system is well maintained, depending on their defined roles. It is, therefore, important that the roles are clarified if they are not well defined.

Effective Maintenance

With regard to the fire alarm systems, it is somewhat immaterial how and by whom they are maintained, so long as the system is maintained

to fulfil its intended function. However, within an organisation, for it to be effectively maintained, it becomes important that the roles of the parties involved are commensurate with the organisation structure and are supported by the management.

So, as for the second question posed earlier, there is no one-size-fits-all answer to how the roles should be organised; and whether the facility manager or the security manager should take a lead role. It depends on the structure of the organization. In some organizations, it works well with the facility manager taking the lead role and in others the security manager.

Regardless of who is taking the lead role, both the facility manager and security manager should have a clear understanding of the intended function of the fire alarm system. They should communicate and work together to ensure that the fire alarm system fulfils its intended function, which is to provide early fire detection and warning to the building's occupants so that they may safely move away from the effects of the fire. Ultimately, that is what matters — the safety of the building's occupants. ■

Dr Weng Pob is an Associate Director and Principal Fire Engineer at Umow Lai & Associates Pty Ltd 3 Yarra Street, South Yarra, VIC 3141. For further information about fire systems, he can be contacted on 03 9824 0711.

BUREAU MONITORING

Call Paul-Tec for all your Alarm and Remote Video Monitoring needs. Rock solid since 1977.

- Grade 1 Control Room – AS2201.2.A1 ASIAL certified
- SIMS11, SIMS Web, Securitel, GPRS, GSM, all major protocols
- 'Event activated' remote video monitoring specialist (if you also install CCTV, ask for a brochure explaining the new RemGuard Dealer Program – the 'next big thing' in security)
- Flexible 1345 line numbers and call rebate arrangements
- Friendly personalised service to thousands of satisfied bureau customers
- Competitive negotiated rates

Call **Robert McLellan** today to talk about how we can work together.

1300 652 700

Paul-Tec
Dealer Alarm Monitoring



Master Licence 405190412



ABN 52 071 004 129