

Introduction

The Institute of Materials, Minerals and Mining (IOM3) is a major UK science and engineering institution whose activities promote and develop all aspects of the materials cycle. IOM3 represents and supports over 15,000 individual members and has drawn on this bank of knowledge to prepare this response.

The Fire Safety consultation is another welcome and significant step in the Government's plan to improve building and fire safety for all buildings. Actions to strengthen the Fire Safety Order, implement the recommendations from the Grenfell Tower Inquiry Phase 1 report and improve the regulatory framework for how building control bodies consult with the enforcing authorities, will all contribute to a positive direction of travel for building safety.

IOM3 is largely supportive of the proposals laid out but recognises that there will be further work required in some areas to enable and ensure successful implementation and to deliver the desired improvements.

Key issues and principles

Key issues and principles that should be considered as the proposals are developed include:

Guidance review

Updated guidance that reflects recent legislative reform, clarifies roles, and better supports compliance and enforcement activity will be essential. The proposal to overhaul guidance to ensure it is comprehensive, clear and accessible is pivotal to ensuring awareness, compliance and effective enforcement for all those that have responsibilities under the Fire Safety Order or are otherwise concerned with it. Information relevant to fire safety should be accessible, available and useable by all parties throughout the life cycle of the building.

Language and definitions

To enable successful and consistent adoption and implementation of the requirements, standard definitions should be employed. Normal industry terms should be used where possible to limit confusion, improve accessibility and prevent inconsistent interpretations from hampering progress.

Scope

The ambitions to clarify the scope of the Fire Safety Order and to align where possible and sensible with the Building Safety Bill are welcomed. Further work, however, will be required to iron out the detail of the proposed scope due to the complicated nature and range of building types, tenancy and ownership models. Furthermore, height is just one factor which could be regarded to assess fire risks in complex buildings – other factors such as the vulnerability of the occupants, the reaction of materials to fire and potential consequences should be considered. Further work is required to identify the appropriate scope using a more sophisticated risk matrix and IOM3 would welcome further examination and clarity during Phase 2 of the Inquiry.

Alignment with the Building Safety Bill

To ensure a workable building safety system, the various regimes should be aligned and provide a complimentary and coordinated suite of measures to effectively manage buildings as a whole. The draft Building Safety Bill is an important step forward to implement the recommendations from the Dame Judith Hackitt Review and put in place an enhanced safety framework for high-rise residential buildings. As the Fire Safety Order and Housing Act 2004 (where appropriate) will continue to apply alongside the Building Safety Bill, it is essential that the different obligations under the relevant

regimes are clear and any undue burden on those with responsibilities is minimised. Comprehensive and accessible operational guidance will support those responsible to manage safety risks cooperatively and ensure the requirements of the respective regimes are met. Where the Accountable Person under the Building Safety Bill is not the same person as the Responsible Person under the Fire Safety Order, such as in a mixed-use building, cooperation and coordination is vital to ensure that the building, as a whole, is effectively managed.

Competent person requirements

As a professional body, IOM3 recognises and supports the role and importance of identifiable competent persons. Individuals with responsibilities under the Fire Safety Order that do not fall within the definition of a competent person can currently undertake roles such as supporting the responsible person in undertaking fire risk assessments without any requirement for competence, potentially compromising fire safety. Proposal 3 requires, through amending the Fire Safety Order, that any person engaged by the Responsible Persons to undertake all or any part of the fire risk assessment must be competent. In addition to this proposal, improved clarity in relation to qualifications, training and experience would be beneficial, alongside benchmarking of competence. Relevant professional bodies are well placed to provide useful and positive support in the development, demonstration, and maintenance of competence.

Changes in materials

Proposal 10 requires the relevant Responsible Persons in high-rise residential buildings to provide information about the design of the building's external walls, as well as details of the materials they are constructed from, and to inform local Fire and Rescue Services of any material changes. Proposal 11 requires additional information is provided in relation to the level of risk that the design and materials of the external wall structure gives rise to and the associated mitigating steps taken. Guidance to assist both compliance and enforcement activity will be required to enable standardisation and to support both the Responsible Persons and the Fire and Rescue Services.

Regulation 38 that requires fire safety information to be provided to the Responsible Persons for premises subject to the Fire Safety Order by the person carrying out the work does not currently apply when material alterations are undertaken. The proposals to strengthen the arrangements and include material alterations are welcomed.

Changes in materials have the potential to substantially affect the fire safety of a building. Materials should be considered using a systems-based approach, assessing the real-life use and how the materials and products interact and work in association with other materials and products. Materials predictability in fire is important, for example how timber chars and burns in fire is very predictable which can be an important factor in creating safe passage out of buildings. Product performance under fire load should be identified and the positives and potential problems/risks associated with materials highlighted. IOM3 acknowledges that this is linked to the competence and capacity of appropriate persons to make judgements on risks posed. Skills shortages should be identified and addressed with urgency and appropriate education and training provision developed to upskill the sector.

Conclusion

The Fire Safety consultation marks significant progress and the proposed reforms will lay the foundations to improve building safety. As the process continues, it is vital that the ambition and momentum is maintained and translates through the forthcoming detail to successful practical implementation to deliver the improvements required.