

dhf response to Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety final report

May 2018



DHF has welcomed recommendations made in Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety's final report published on 17 May. In particular that a more transparent system with clear accountabilities is required to ensure that residents feel - and are - safe in their homes, and the promotion of industry-wide collaboration in translating and implementing best practice.

DHF, through its membership of CPA and Build UK has been heavily involved in contributing to the industry response group. DHF has also provided information independently, in response to the call for evidence from the Ministry of Housing, Communities and Local Government (MHCLG).

In addition to this, a DHF representative sits on the recently formed Technical Fire Door Group that was set up by MHCLG to advise the Expert Advisory Panel on fire door issues. DHF is pleased that the importance of fire resisting doors has been brought to the fore. Compartmentation is paramount in controlling the spread of fire and smoke and fire doors are a major part of this passive fire protection.

Investigation work by the Technical Fire Door Group has been on-going over several weeks resulting in the group participating in the drafting of three recent government statements on fire door concerns. **One of these statements issued is Advice Note no 16 entitled 'Government Building Safety Programme - advice for building owners on assurance and replacing of flat entrance fire doors' adds strength to the DHF campaign to demand third party certification by a UKAS accredited body of manufacture, installation maintenance and inspection for fire, smoke and security.**

The following commentary refers to the chapters in the final report and to the recommendations.

Chapter 1

New regulatory framework

Regulatory oversight of "high risk residential buildings" (HRRB) to be created. Creation of a new Joint Competent Authority (JCA) {LABC, Fire & Rescue, HSE} together with a new regulatory framework. All this is to ensure that the design is safe, that the actual build adheres to the design and the building is properly maintained.

DHF comment:

The introduction of a JCA (Joint Competent Authority) and the scope of their responsibilities is welcomed by DHF.

This will ensure a greater ownership of responsibility.

Chapter 2

Design, construction & refurbishment

Specific duties to be assigned to clients, designers and contractors. Information flow to be improved, with requirements for a digital record, a Fire and Emergency File, Full Plans and a Construction Control Plan. The Fire and Emergency File (FEF) builds on the existing regulation 38 requirement of the building regulations. There are to be three "gateway points" during a HRRB construction project requiring specific JCA approval: Planning permission, Full Plans Approval and Completion. The role of approved inspectors will change; duty holders will no longer be able to choose their own regulator. Regulators to receive greater powers, partly modelled on HSWA 1974.

DHF comment:

The new, more specific, allocation of responsibilities is likely to be a significant improvement. The availability of improved information when undertaking inspection and maintenance is particularly welcome; regulation 38 has not been particularly effective and DHF made representations on this point in its call for evidence. The need for the information flow to be improved with requirements for a digital record, a Fire and Emergency File, full plans and a Construction Control plan is encouraging. DHF is an advocate of information flow is a member of the Fenestration Relevant Authority.

Chapter 3 Occupation & maintenance

The current regulatory overlap between the Housing Act 2004 and RR(FS)O 2005 is to be replaced by a requirement for the owner or superior landlord to become the duty holder with overall responsibility for all parts of a HRRB, with the appointment of a “Building Safety Manager”. The duty holder is to be required to inform residents about the fire strategy and residents would have legal obligations to cooperate with the duty holder and to maintain fire compartmentation inside their flats, including the flat front door. The JCA would be empowered to inspect the entire building and take action as required.

DHF comment:

DHF’s response to the call for evidence in October 2017, highlighted the problem of this regulatory overlap and the inability of Fire & Rescue to compel individual tenants to maintain fire compartmentation; DHF is delighted that its voice has been heard and that this is being addressed.

Chapter 4 Residents’ voice

Residents to have the right to be kept informed and to be consulted; residents to meet their obligations to ensure their own safety and that of their neighbours.

DHF comment:

DHF advocates a two-way communication between the residents and the Building Safety Manager. It is essential that tenants are properly informed of the fire strategy of the building and the part that their flat front doors and associated hardware play in this. DHF highlighted in its response to the call for evidence that cooperation of tenants in reporting problems with fire-resisting doors and avoiding misuse of such doors is vitally important and are extremely pleased that this has been addressed.

Chapter 5 Competence

Existing professional and accreditation bodies within the fire safety and construction sectors are to define the role and remit of an overarching body to provide oversight of competence requirements for people working on HRRBs. Progress is to be monitored by government. New competence frameworks are required for building inspectors and for building safety managers.

DHF comment:

This is something DHF feels strongly about and stressed in its response to the call for evidence. This is not a new concept and was recognised many years ago, so for the past 5 years DHF has been running training courses in collaboration with BRE. DHF awaits with eagerness the new competence frameworks required for building inspectors and for building safety managers. DHF believes that certification could have a role here as well as individual qualifications, as all company-level third-party certification schemes do involve scrutiny of training records and feature on-site audits. Mandatory third-party certification of companies manufacturing, installing or repairing fire resisting doorsets is something DHF is constantly striving for and is pleased its message has been taken seriously, and that a change is happening.

Chapter 6 Guidance

Guidance on how to meet building regulations is to be owned by industry. Government is to replace BRAC (Building Regulations Advisory Committee) by a new structure to validate guidance and provide expert advice. Guidance is to be made more accessible and readable.

DHF comment:

Already DHF provides its members with easy to read documentation and guidance and has constantly advocated third-party schemes for manufacture and installation of fire doors. DHF has previously made proposals relating to Approved Documents and have commented on drafts. DHF is pleased this is being addressed and await further details of how this new process will work.

Chapter 7

Products

The report requires improvements to the standards and testing regime, including third-party certification of safety-critical products; it is not clear how the CPR and Brexit negotiations may affect this. Also required is improved traceability (using digital technologies). More effective market surveillance is proposed.

DHF comment:

DHF has campaigned for many years for third party certification of safety critical products, including fire doorsets. DHF believes this is a major step forward in improving the safety element in building.

DHF certainly supports more effective market surveillance on construction products, particularly where safety is involved. It is encouraged by the recommendation for improvements to the standards and testing regime. Equally, for DHF the improved traceability using digital technologies is a move in the right direction for the maintenance of the product.

Chapter 8

Golden thread

Digital records of design, construction and occupation of HRRBs are to be mandated. Duty holders are to be required to update and, where necessary, transfer the data.

DHF comment:

The Golden Thread has a synergy with BIM, something DHF has been supporting for many years. It makes sense to know the digital footprint of a building so maintenance and repair is simple to understand and to 'get it right first time'.

Chapter 9

Procurement

Contracts are to state that safety is not to be compromised for cost reduction. Tenders are to explain how a safe building outcome will be achieved. Contracting documentation is to be retained in the digital record.

DHF comment:

DHF has constantly discouraged the practice of 'cheaper options'. Through its constant dedication to promoting safe and compliant products, DHF has been the driving force in creating many standards and best practice guides to raise the standards of products in the industry.

The introduction of several technical specifications for safety critical products is just one example of how DHF is driving standards forward. Another route DHF has taken to driving standards forward is with the introduction of 14 generic EPD one of which covers Door Closers. Primarily EPD is an environmental declaration, however it does require the door closer pass a mechanical endurance test of 500,000 cycles minimum. It is especially reassuring to see that finally DHF's campaign to assert quality over price has been heard.

Going forward

DHF eagerly anticipate the government's proposals to implement the recommendations included in the report. DHF is committed to continue playing a major role in leading the change.



Contact us for more information

Email: info@dhfonline.org.uk

Telephone: (0)1827 52337

Address: **dhf** 42 Heath Street, Tamworth, Staffordshire B79 7JH

© Copyright **dhf** (Door & Hardware Federation) 2018

No part of this publication may be reproduced in any form without prior permission in writing from **dhf**. E&OE