



Ministry of Housing,
Communities &
Local Government

Government Response to the Consultation on Amendments to Statutory Guidance on Assessments in Lieu of Tests in Approved Document B



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Ministry of Housing, Communities and Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF
Telephone: 030 3444 0000

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Section 1: Introduction

1. In her independent review of building regulations and fire safety, Dame Judith Hackitt made wide ranging recommendations for the regulation of building safety and construction products. The Government is committed to a programme to reform the system and the industry. However, widespread reform takes time, so the Government is acting now, within the current system, to address immediate safety concerns.
2. We have already laid regulations to ban the use of combustible materials in the external walls of all new buildings over 18m containing flats, as well as new hospitals, registered care premises, dormitories in boarding schools and student accommodation over 18m. The regulations come in to force on the 21 December 2018. This also bans the use of assessments in lieu of tests for cladding and external wall systems for such buildings.
3. The Government has also made clear in advice issued in the summer that assessments in lieu of tests should not be used to justify the performance of Glass Reinforced Plastic (GRP) composite material fire doors – standards clearly say that tests should be carried out.
4. In her interim report¹, Dame Judith Hackitt recommended that Approved Document B (Fire Safety) should be amended to restrict the use of Assessments In Lieu Of Tests (AILOTs) also referred to as ‘desktop studies’:

“The government should significantly restrict the use of desktop studies to approve changes to cladding and other systems to ensure that they are only used where appropriate and with sufficient, relevant test evidence. Those undertaking desktop studies must be able to demonstrate suitable competence. The industry should ensure that their use of desktop studies is responsible and in line with this aim.” (Paragraph 1.94)
5. The Government agreed with Dame Judith Hackitt’s recommendation and launched a consultation on 10 April 2018.
6. The Building Regulations 2010 require that external walls on all buildings adequately resist fire spread. Statutory guidance in Approved Document B sets out two ways that external walls can meet the Building Regulations requirements for resisting fire spread:

¹ - Dame Judith Hackitt’s Interim Report on the Independent Review of Building Regulations and Fire Safety. <https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-interim-report>

- The first is for each individual component of the wall (insulation, filler, etc) to meet the required standard for combustibility.
 - The second is to ensure that all the combined elements of a wall, when tested as a whole installed system, adequately resist the spread of fire to meet a set standard.
7. This guidance should be read in conjunction with Appendix A of both volumes of Approved Document B (Fire Safety). This part of the guidance sets out how tests should be carried out for the performance of materials, products and structures and establishes the principle of assessments in lieu of tests.
 8. In many cases there are standards which provide rules for assessments in relation to specific tests and products (known as ‘standards for extended application’). For instance, BS EN 15254-5 provides rules for the extended application of results from fire resistance tests on non-loadbearing walls of sandwich panel construction.
 9. The term “desktop study” has commonly been used to describe an assessment in lieu of test, with respect to external wall insulation and cladding systems. For technical clarity and consistency, the term “assessment in lieu of test” is used throughout this consultation document.
 10. Dame Judith Hackitt’s Interim Report indicated concerns with the current approach to the use of assessments in lieu of tests for cladding systems. Some assessments in lieu of tests of cladding systems have been criticised for their lack of supporting test data. An assessment in lieu of test should be an extrapolation or interpolation of relevant, existing test data, not an estimate. Questions have also been raised in Dame Judith’s report about the competence of some of the assessment authors.
 11. Appendix A of both volumes of Approved Document B (Fire Safety) provides the basis for how the fire classification of products and systems should be carried out and applied in demonstrating compliance with the fire safety requirements of Building Regulations.
 12. In order to implement Dame Judith’s recommendation, the Government proposed to issue amendments to Appendix A which clarify the existing text and creates new requirements for assessments in lieu of fire tests, as well as consulting on a ban.

Section 2: The Consultation

13. The consultation paper sets out proposed amendments to guidance, in line with Dame Judith Hackitt's recommendation, to restrict the use of assessments in lieu of tests, and to ensure that when assessments are carried out they are done by competent people and with sufficient, relevant test evidence. The consultation paper also sought views on whether the Government should go further and ban the use of assessments in lieu of tests either for all fire test classifications or for fire test classifications relating only to the BS 8414 full-scale cladding test.
14. The Government consulted on proposed amendments to the guidance on assessments in lieu of a test (desktop studies) as set out in Approved Document B. The consultation ran from 10 April 2018 to 25 May 2018.
15. Appendix A of Approved Document B provides the basis for how the fire classification of products and systems should be carried out and applied in demonstrating compliance with the fire safety requirements of the Building Regulations.
16. The consultation sought views on the proposal to:
 - Issue amendments to Appendix A of Approved Document B which (a) clarify the text (but do not change its meaning) and (b) which creates new rules for assessments in lieu of fire tests. The draft change would provide guidance on the use of all assessments in lieu of tests to meet Part B requirements (which cover fire safety), including cladding and external insulation.

It was proposed that the guidance should state that:

- Where a standard for extended application exists, this should be followed;
 - Where there is no standard for extended application, the principles of BS EN 15725:2010 should be followed;
 - Details of the test evidence that has been used to support the assessment must be included.
17. If these amendments are made, it will mean that the fire test data used to support an assessment in lieu of test would need to be referenced in the assessment report. This would increase transparency and allow the report to be scrutinised.
 18. Separately, the Government asked BSI to draft a standard for the extended application of BS 8414 results. This would provide detailed rules for assessments specifically relating to cladding systems.

19. The consultation proposed that assessments in lieu of tests should be carried out by bodies that have experience of the test in question. The proposed guidance would make it clear that laboratories accredited to carry out the test will have that experience.
20. These proposed changes are designed to ensure that the concerns raised in Dame Judith Hackitt's Interim Report are addressed in a proportionate way.

Section 3: Summary of responses

Overview

21. The Government received 235 responses on the proposal to amend statutory guidance on assessments in lieu of test in Approved Document B (Fire Safety). Of these, there were:
 - 77 responses from individuals
 - 129 responses from organisations
 - 5 responses from both individuals and organisations
 - 24 responses did not declare

22. One hundred and sixteen responses were submitted via an online form through Survey Monkey, with an additional 66 responses received via email. Hard copies were also considered.

23. Respondents were asked to assign themselves to one of 14 broad organisational type categories. Figure 1 below provides a breakdown of the 235 responses by organisational category.

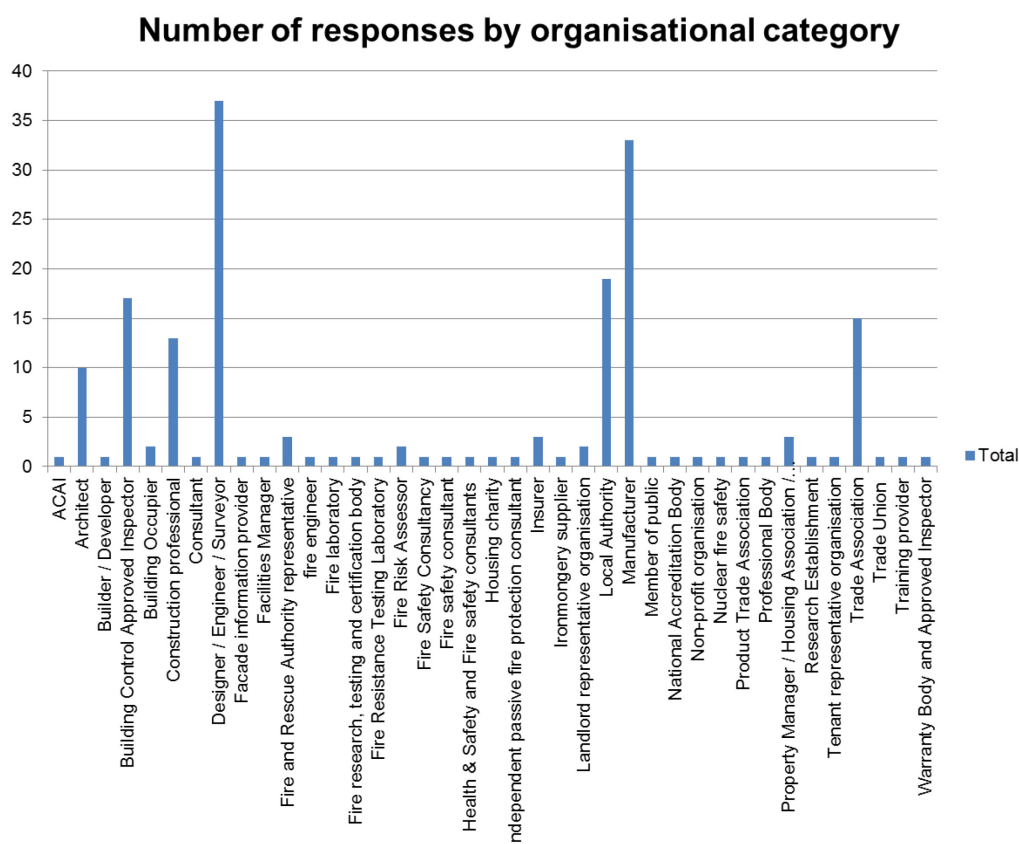


Figure 1: Breakdown of respondents by broad organisational type

Summary of responses for the five major organisation types

24. **Manufacturers** were broadly supportive of Dame Judith Hackitt's recommendation that AILOTs should be restricted. One respondent endorsed *"the use of desktop studies that are backed up by appropriate test evidence."* They strongly supported the amendment to the text provided but called for a more detailed definition of "necessary expertise". The response to the Impact Assessment (IA) was mixed, with concerns over costs to industry and the capacity of testing centres and resulting delays. There were also concerns that reference to European standards would require re-assessment of existing products which have been originally assessed based on national standards or guidance. Almost all the respondents believed that other products would be affected by the proposed amendment, including fire doors, fire resisting glass, and other products tested for fire performance. Some respondents believed that there would be unintended consequences, that the "quick fix" doesn't address fundamental issues with Approved Document B, or that the current approaches were sufficient in some areas – such as timber based fire door sets using assessments undertaken to industry guidance by third party certification bodies. The majority believed that assessments in lieu of tests should not be banned for all construction products, as they are "used safely and successful in a range of situations", and most also believed that they shouldn't be banned in the case of wall systems tested to BS 8414. However, one commented that *"the assessment methods must be far more robust, undertaken by competent people, properly managed and crucially better enforced."* Overall, the support for a clear, robust, properly enforced system was very strong, and seen as adequate in ensuring fire safety.
25. **Surveyor/Designer/Engineers** were mostly supportive of Dame Judith Hackitt's recommendation that AILOTs should be restricted, although one called for *"greater emphasis ... to be placed on the competence of the assessing person/body."* Another, who opposed the recommendation, said that *"desktop studies should not be permitted, even by qualified individuals. These are too open to abuse. Only full-scale tests or material of limited combustibility should be permitted."* There was broadly disagreement with the proposed amendments to the text and a mixed response to the proposed amendments on the text on who could carry out AILOTs and to the situations where an AILOT could be carried out. There was criticism of the impact assessment, such as its focus on cladding, as well as concerns over the costing and delays to industry not properly being accounted for. There was also a mixed response on whether AILOTs should be banned for all products,

with some arguing that they have been “*used successfully for decades*” and others arguing that AILOTs are “*open to abuse and misfeasance.*” The consensus was that a ban would affect other products, with the list including “*timber doors...glass and glazing fire-resistant systems ... insulation foams and other similar products*” and more. The response was mixed as to whether a ban would achieve Dame Judith Hackitt’s report aims, with one warning “*the impact of prohibiting Engineering Assessments changes could be disastrous*” and others calling for more regulated use of AILOTs, including clear requirements, competence and responsibility.

26. **Local Authorities** agreed on the whole that AILOTs should be restricted. Responses argue that terms such as competence, suitable and appropriate need to be clearly defined. The majority disagree with the text of the proposed amendments on how to undertake an assessment and who can undertake an assessment, but mostly support the changes describing the circumstances where an assessment can be undertaken. Most local authority respondents did not have a view on the impact assessment. Most agreed that other products would be affected, and a respondent wanted the scope to be considered further - “*all regulatory requirements should be considered not just Part B in isolation. Thermal performance under Part L for example will need to be given consideration.*” Most respondents did not have a view on whether the proposal would achieve Dame Judith Hackitt’s aims, with some emphasising that the change must be “*in conjunction with all other recommendations currently under scrutiny.*” The response was split between yes/no/don’t know for the question as to whether AILOTs should be prohibited for all products.
27. **Trade Association** respondents agreed with the recommendation in the interim report. There were a mix of responses to the text on how to undertake a test, with suggestions that “*the terms “appropriate”, “sufficient”, “relevant” and “competence” as used in the question are clearly defined in this context*”. One answer complained that “[*the proposals*] are also unfair on the many professional organisations who have satisfactorily demonstrated their ability to provide professional and safe assessments for many years.” There was also broad agreement over the proposed text amendments on who could carry out an assessment and under what circumstances the assessments could be used. Issues with the Impact Assessment included that there was no option of banning AILOTs and that there will be greater costs and spill over effects to other products. The consensus was that other products would be affected such as roofs, compartment walls and other passive fire protection elements. The response to whether Dame Judith Hackitt’s recommendation would be achieved was uncertain, and there were questions over competence, with a comment that “*further clarity, supporting documentation, training, and enforcement is required to achieve the outcome.*” The majority of respondents answered that they did not agree that the use of AILOTs should be prohibited

on all products or that AILOTs should be prohibited for wall systems tested BS 8414.

28. **Approved inspectors** agreed on the whole with the recommendation to restrict the use of AILOTs. They mostly agreed with the text on how to undertake an AILOT, who should undertake an assessment, and the circumstances under which an assessment should be undertaken. The response to the Impact Assessment was mixed. There were concerns over costs, delays and some recommendations that office and commercial blocks should require scrutiny. There was also a mixed response to the impact on any other building features, with a mix of yes/no/don't know answers. There was also a mixed response to the question of whether the changes would meet the outcome set out in the Dame Judith Hackitt's interim report. Most were against banning AILOTs for all products. There was a more mixed response to the BS 8414 tested walls, with many respondents believing that the use of AILOTs should be prohibited. One respondent emphasised where it was appropriate to undertake an AILOT, saying "*The degree of change must be a consideration so something like changing the colour would seem appropriate but not a change of a principal component. The suitability of the person carrying out the assessment is critical and the recommendations of A4 should be adopted.*"

Qualitative and quantitative analysis

29. This section is structured around the questions set out in the consultation document. Each section includes a quantitative analysis of the responses and a summary qualitative analysis of the views and comments submitted for each consultation question. The question numbers used in this report are consistent with the question numbers on the Survey Monkey form.
30. It should be noted that none of the questions in the consultation received a 100% response. Every percentage given in the tables and text in this report is a percentage of the replies of those who answered the particular question, unless stated otherwise.

Question 3:

Do you agree with the recommendation in Dame Judith Hackitt's report to restrict the use of desktop studies to ensure that they are only used where appropriate and with sufficient relevant test evidence by people with suitable competence?

31. There were 188 responses to this question who answered "yes", "no" or "don't know". Of these 188 responses:

- 159 (84%) answered “yes”
 - 24 (13%) answered “no”
 - 5 (3%) answered “don’t know”
 - 47 (20%) of the overall respondents to the consultation survey did not explicitly answer this question
32. Of those respondents who answered “yes”, suggestions were made as to how this could be achieved included setting up a central database of people with suitable competence. There was a specific recommendation to use of the Passive Fire Protection Federation (PFPF) publication "Guide to Undertaking Assessments in Lieu of fire tests" as a basis of determining competence. It was also suggested that desktop studies should be written by a third party to that which intends to offer the associated products to market.
33. For those respondents who said that they did not agree, the reasoning provided by some respondents included:
- That they should be banned outright.
 - AILOTs should only be allowed if a British Standard were to be introduced and this new standard should outline circumstances where such studies are acceptable.
 - That the acceptance of ‘desktop studies’ should only be considered by people with suitable competence.

Question 4:

Do you agree with the proposed amendment to the text on how to undertake an assessment in lieu of test as outlined in Annex A? If no, please provide reasons and suggest alternative text.

34. There were 137 responses to this question who answered “yes”, “no” or “don’t know”. Of these 137 responses:
- 53 (39%) Answered “yes”
 - 72 (52%) Answered “no”
 - 12 (9%) answers were not clear/don’t know
 - 98 (42%) of the overall respondents to the consultation survey did not explicitly answer this question
35. For those respondents that agreed, a small number provided additional suggestions on how to improve the text which included tightening up the definition of who can undertake AILOTs, another reference to updating the PFPF “Guide to Undertaking Assessments in Lieu of Fire Tests.” Several respondents also suggested interim guidance was required until the new British Standard was developed.

36. For those respondents who did not agree with the proposed amendment to the text on how to undertake an assessment in lieu of test, the majority of respondents considered that desktop studies should be banned outright. However, a proportion of respondents also highlighted that the current assessments are fine in practice. Responses also highlighted views that notwithstanding the proposed amendments to the text, there will still be concerns around the BS 8414 test integrity on which the assessment would reference. Respondents also broadly flagged issues regarding ambiguity and lack of clarity around the expertise/competence defined in the text.

Question 5:

Do you agree with the proposed amendment to the text on who is permitted to undertake an assessment in lieu of test as outlined in Annex A? if no, please provide reasons and suggest alternative text.

37. There were 182 responses to this who answered “yes”, “no” or “don’t know”. Of these 182 responses:
- 91 (50%) answered “yes”
 - 81 (45%) answered “no”
 - 10 (5%) answered “don’t know”
 - 53 (23%) of the overall respondents to the consultation survey did not explicitly answer this question.
38. Comments made by those who agreed with the amendments suggested that more clarity was needed, for example, a definition of what is meant by ‘necessary expertise’ and how ‘suitable competence’ was to be defined. Suggested solutions included a register or method of certification. Comments included a need for clarity and a robust chain of evidence and record of who undertook the assessment and signed it off as the ‘competent’ person.
39. Suggestions for improvement included specific drafting points, for example on definition, as well as more general points about how the competence of individuals is measured and defined. This would ensure that there are no gaps and that the assumption of competence moves beyond virtue of employment within an approved assessment body.
40. Forty-five per cent of respondents answered that they did not agree with the proposed amendment to the text. The majority highlighted issues with regards to clarity of the text and suggested amendments particularly on the competence of those undertaking the tests. Respondents raised concerns whether a ‘notified body’ would necessarily mean there was expertise, and of what ‘suitably qualified’ means, or whether a notified body would have the competence for specific situations.

Question 6:

Do you agree with the proposed amendment to the text on the circumstances under which an assessment in lieu of test may be carried out, as outlined in Annex A? If no, please provide reasons and suggest alternative text.

41. There were 181 responses to this who answered “yes”, “no” or “don’t know”. Of these 181 responses:
 - 98 (54%) answered “yes”
 - 65 (36%) answered “no”
 - 18 (10%) answered “don’t know”
 - 54 (23%) of the overall respondents to the consultation survey did not explicitly answer this question.
42. For those respondents who agreed to the question we received some further commentary that it would be important for the wording to be reviewed periodically to ensure that the amendment reflects current guidance and/ or available scientific knowledge.
43. For those respondents who disagreed, 36% highlighted the issue with limitations to testing (in particular fire resistance testing) and the need for AILOTs.
44. Respondents also highlighted issues in relation to the clarity and interpretation of the text with numerous suggested amendments including a requirement for additional guidance for fire test classifications.
45. Other respondents made general comments about the approach, including that the BS 8414 test is an unsuitable test standard and that assessments should be the exception to testing. A proportion of respondents also suggested that there should be an outright ban on desktop studies or that they should be discouraged with full scale fire tests to be used only.

Question 7:

Do you agree with the impact assessment? (Please see Annex B of the consultation document) If no, please provide evidence.

46. There were 177 responses to this who answered “yes”, “no” or “don’t know”. Of these 177 responses:
 - 53 (30%) answered “yes”
 - 60 (34%) answered “no”
 - 64 (36%) answered “don’t know”

- 58 (25%) of the overall respondents to the consultation survey did not explicitly answer this question
47. For those respondents that said no, 38% of the responses disagreed with the proposal of Option 2, to restrict the use of assessments in lieu of tests. An additional 43% of the responses disagreed only with the impact assessment, rather than the policy option.
 48. The majority of responses raised issues about the impact assessment. Some of these were about the policy options, for example that an option of banning assessments in lieu of tests for all products was not considered, or that the costs methodology was not clear.
 49. Thirty-three per cent of respondents to the question expressed concerns over the increase of costs which could result from restrictions to the use of assessments in lieu of tests, whether that was increased costs from testing costs, or increased costs as a result of delays in testing centres.
 50. Other potentially negative impacts identified included delays in testing centres, a lack of training or specialists in this area, and industry wide effects such as restrictions resulting in less freedom for designers and architects or less innovation.

Question 8:

The impact assessment is principally focused on external wall construction. Do you consider it will impact any other building features? If yes, please specify.

51. There were 179 responses to this who answered “yes”, “no” or “don’t know”. Of these 179 responses:
 - 125 (70%) answered “yes”
 - 21 (12%) answered “no”
 - 33 (18%) answered “don’t know”
 - 56 (24%) of the overall respondents to the consultation survey did not explicitly answer this question.
52. The majority view was that there would be an impact on other building features. Recurring areas of concern raised included fire doors and thermal performance.
53. The respondents who disagreed noted that if a new system is introduced it should apply across the board to all building features rather than have

different systems for different products/systems. Some respondents also commented that further guidance should be provided and be developed for other issues e.g. internal wall construction and fire doors.

Question 9:

Do you think that making this change will achieve the desired outcome expressed in Dame Judith Hackitt's interim recommendation? If no, please explain why and provide alternatives.

54. There were 178 responses to this who answered “yes”, “no” or “don’t know”. Of these 178 responses:
- 59 (33%) answered “yes”
 - 76 (43%) answered “no”
 - 43 (24%) answered “don’t know”
 - 57 (24%) of the overall respondents to the consultation survey did not explicitly answer this question.
55. For those respondents that answered yes, additional comments highlighted that the changes promoted clarity, with one respondent saying that *‘the proposed changes to Appendix A of both volumes of Approved Document B will have the benefit of simplifying and consolidating the text, making it clearer and easier to follow’*.
56. Other responses highlighted the concern that this is only part of the solution and should be considered alongside the wider recommendations identified in Dame Judith Hackitt’s interim and final report in relation to products and testing. These will be addressed in the Government’s implementation plan for the review.
57. For those respondents who said ‘no’ or ‘don’t know’, the majority highlighted that enforcement and compliance needed to be addressed to ensure the desired outcome was achieved. Others stated that this change in isolation is insufficient and that it needs to be considered in conjunction with other recommendations under consideration and part of a wider cultural change which will need to be rigorously enforced to ensure proper compliance.
58. A number of respondents referred to the clarity of the guidance being an issue to achieving the desired outcome and some took the view that that introducing a general change will ultimately have unintended consequences. A couple of respondents recommended an outright ban of AILOTs and one suggested prescriptive guidance.

Question 10:

Do you consider that the use of assessments in lieu of fire tests should be prohibited for all construction products? Please provide an explanation of your answer.

59. There were 187 responses to this who answered “yes”, “no” or “don’t know”. Of these 187 responses:
- 50 (27%) answered “Yes”
 - 126 (67%) answered “No”
 - 11 (6%) answered “don’t know”
 - 48 (20%) of the overall respondents to the consultation survey did not explicitly answer this question.
60. For those respondents who said yes, the majority of respondents stated that there should be universal mandatory testing across all construction products as this is the only way to determine how a product will perform.
61. For those who said no, 28% flagged concerns over the practicalities of testing, in particular, that fire resistance testing furnaces are limited to a maximum of 3m by 3m furnace size and therefore it is practically difficult to be able to test some products.
62. Fifteen per cent of respondents stated that a prohibition would have serious consequences for many sectors within UK industry where problems have not been identified and where internal industry controls are already established and working effectively.
63. Respondents also highlighted that the use of desktop studies plays a valid role provided that the assessment is carried out by competent, qualified individuals in a transparent and controlled process.

Question 11:

Do you consider that the use of assessments in lieu of fire tests should be prohibited for wall systems tested to BS 8414? Please provide an explanation of your answer.

64. There were 183 responses to this question who answered “yes”, “no” or “don’t know”. Of the 183 responses:
- 59 (32%) answered “yes”
 - 88 (48%) answered “no”

- 36 (20%) answered “don’t know”
 - 52 (16%) of the overall respondents to the consultation survey did not explicitly answer this question.
65. The majority did not consider that that the use of assessments in lieu of fire tests should be prohibited for wall systems tested to BS 8414. Respondents said this was on the basis that AILOTs are suitable provided they are undertaken by competent persons and based on relevant test evidence. Also it was highlighted that it would not be practical, or would be very costly, to test every combination of material and fixing system on a cladding system. Some said that AILOTs are suitable for minor variations only, and therefore when used within this scope they are appropriate.
66. For those respondents who said “yes”, some said that the situation is too complex for anyone to reliably undertake an AILOT, or that there is not a sufficient body of testing knowledge to form a sound evidence base for AILOTs. Some had concerns around the suitability of the tests to which the assessments were based on. Others considered that assessments should be prohibited until there is clear guidance on how to undertake them.
67. For those respondents who said, “don’t know”, most said it would be outside their area of expertise, with some saying that the rules of who carries the tests should be tightened up.

Question 12:

68. The final question in the consultation survey invited respondents to provide any further comments (and where appropriate supporting evidence). 52% of the overall respondents to the consultation answered this question.
69. Issues raised included general concerns about how the industry operated such as conflicts of interest, as highlighted in Dame Judith Hackitt’s report, including:
- Full support of the recommendations in Dame Judith Hackitt’s report;
 - The need for industry to work together on implementing the review;
 - The need for accountability and consequences for those who don’t comply;
 - Further clarity was needed for guidance on existing buildings (remedial work);
 - The need for testing of whole systems as opposed to just cladding;
 - Clarity and consistency required between the use of EN and BS testing as there is concern these are being used interchangeably and their respective assessments are very different.

Section 4: Government Response

70. Following consultation, the Government has decided to go further than Dame Judith recommended and has laid regulations which ban the use of combustible materials for certain high-rise buildings over 18 metres (blocks of flats, hospitals, residential care homes, dormitories in boarding schools and student accommodation). This bans the use of assessments in lieu of tests for the external walls of such buildings. Consequently, the use of AILOTs for components (for example cladding, insulation and windows) of the external wall systems is now redundant. The regulations will come into effect on 21 December 2018.
71. The Government has also made clear in advice issued in the Summer that assessments should not be used to justify the performance of Glass Reinforced Plastic (GRP) composite material fire doors – standards clearly say that tests should be carried out. Since then, the industry has removed from the market doors which it could not demonstrate met the required fire test standards. The industry has committed to only reintroducing GRP composite fire doors to the market where full test evidence is available. This has had an impact on the number of AILOTS undertaken for GRP composite fire doors.
72. Beyond the ban of use for cladding, wall systems and fire doors as detailed above, assessments in lieu of tests currently cover a range of other products and systems which are not relevant to fire spread over the external surface of tall buildings. For example, sealing systems, structural steel protection, glazed screens, ventilation ducts, partitions, suspended ceilings. Test capacity and feasibility means that assessments may need to be carried out for these products. We will keep this position under review.
73. Following the consultation, the Government has decided to apply much tighter and more restrictive conditions, properly evidenced on the basis of other test data and to make clear that tests and assessments should be undertaken by appropriate bodies for example, Notified Bodies or bodies accredited by UKAS. Notified bodies and bodies accredited by UKAS have to demonstrate as part of the process that they have the competence to do the job – this will include demonstrating that they have competent individuals within their organisation. To maintain accreditation, bodies will be periodically audited to demonstrate that they are maintaining their competence.
74. The relevant guidance has been tightened further to:

- Make clear that Assessments in Lieu of Tests cannot be used in any circumstances for cladding and other external wall materials covered by the new ban on combustible materials.
- Rule out assessments for all other products where testing is necessary to demonstrate performance and make clear that they should only be carried out where it is clearly impractical or not feasible to carry out tests. For example, products which are too large to fit in a test furnace, would first need to have been tested at a smaller scale to obtain data on actual performance before undertaking an assessment.
- Emphasise that in the more limited circumstances where assessments are carried out, this should only happen when sufficient and relevant test evidence is available to support the assessments.
- Make clear that tests and assessments should only be carried out by organisations with the necessary expertise, for example organisations listed as Notified Bodies in accordance with the European Construction Products Regulation or laboratories accredited by UKAS for the relevant test standard.
- Control how they are undertaken by requiring that where an assessment based on the extended application of test results is the only practical or feasible way of demonstrating performance, a standard for extended application of test evidence should be followed, or if there is no standard, the principles outlined in BS EN 15725:2010 should be followed.
- Ensure transparency by requiring the test evidence which forms the basis for the assessment to be referenced.
- For those buildings outside the scope of the ban on combustible wall materials, require any assessments in relation to the BS 8414 fire resistance standard to be carried out in accordance with a more stringent new British Standard.