



Ministry of Housing,
Communities &
Local Government

Fire Safety: Risk Prioritisation in Existing Buildings

A Call for Evidence



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If you have any enquiries regarding this document/publication, complete the form at <http://forms.communities.gov.uk/> or write to us at:

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Scope of the Call for Evidence

Topic of this consultation:	<p>This Call for Evidence seeks views on fire risks and risk prioritisation in existing buildings and innovative ideas on how to categorise buildings based on a broader understanding of risk.</p> <p>The proposal is in line with the Secretary of State's commitment to conducting a full-scale technical review of the Fire Safety guidance to the Building Regulations (Approved Document B) and to provide advice to building owners and residents.</p>
Scope of this consultation:	Research
Geographical scope:	These proposals relate to England only.
Impact assessment:	None

Basic Information

Body/bodies responsible for the consultation:	Ministry of Housing Communities and Local Government (MHCLG)
Duration:	This Call for Evidence will last for 4 weeks from Monday 20 January 2020 until 11:45pm Monday 17 February 2020.
Enquiries:	For any enquiries about the consultation please contact The MHCLG Building Regulations team by emailing: ADBconsultation@communities.gov.uk
How to respond:	You may respond by completing an online survey at: https://www.surveymonkey.co.uk/r/BuildingRiskCFE Alternatively, you can email your response to the questions in this consultation to: ADBconsultation@communities.gov.uk

If you are responding in writing, please make it clear which questions you are responding to.

Written responses should be sent to:

Building Safety Programme

Ministry of Housing Communities and Local Government

4th Floor

Fry Building

2 Marsham Street

London SW1P 4DF

When you reply it would be very useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post-code),
- an email address, and
- a contact telephone number

Introduction

1. The Government is committed to make sure that people are safe and feel safe in their homes.
2. For new buildings, Building Regulations and the supporting guidance sets fire safety standards based on risks associated with generic categories of building type and size.
3. In existing buildings, a simplistic categorisation of building type and risk may not always be practicable and a more sophisticated, bespoke approach to the consideration of risk and appropriate mitigation is necessary. Previous consultations have found that the majority of respondents (66%) agreed that fire safety should be considered on a risk-based approach in existing buildings in-line with recommendations in Dame Judith Hackitt's Independent Review¹.
4. We are therefore commissioning research to develop the evidence base on fire safety risk in buildings, which would assist building owners in the prioritisation of risks in existing buildings and prioritisation of buildings based on a broader understanding of risk.
5. This Call for Evidence seeks views on how risks should be prioritised in existing buildings and innovative ideas on how to categorise buildings.

Background

6. Recent fires have demonstrated that fire risks associated with external wall systems have not been sufficiently considered in buildings below 18 metres. In addition, we are aware that there is a growing opinion that the height of a building alone is not sufficient to accurately reflect and characterise the complexity of existing buildings.
7. The Government has announced its intention to introduce a Fire Safety Bill which will put beyond doubt that the Fire Safety Order requires building owners and managers of multi-occupied residential premises of any height to fully consider and mitigate the risks of any external wall systems and front doors to individual flats.
8. There are a number of risk factors which may impact the level of risk and the consequent priority for inspection and/or remediation. Authorities are seeking a means to make these assessments and decisions based on them, using a risk informed methodology.
9. To better understand risks in existing buildings we are going to start a wide-ranging research project to develop an evidence base on how to characterise and prioritise the risks within existing buildings and how best to prioritise action based on a broader understanding of risk.

¹ <https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-final-report>

Fire Risk in Buildings

10. There are two main ways to address risks within buildings. First, through the use of trigger thresholds (e.g. a height threshold or performance requirement) which are used to account for grouped risks and provide clear definitive guidance. The alternative approach uses individual fire risk assessments carried out by competent assessors to determine and classify the risks within buildings. Fire risk assessments which can be conducted at design stage or for existing buildings are structured and systematic approaches to determining the consequences and likelihood of a fire in a given building situation.

Trigger thresholds

11. Trigger thresholds in the guidance to the Building Regulations (Approved Document B) are used to determine a number of fire safety provisions including, but not limited to, sprinklers, maximum compartment size, single stair allowances, wet risers, and fire resistance performance requirements. In addition, purpose groups are used within Approved Document B (ADB) to set standards for generic types of buildings. This enables the different risks associated with different types of buildings to be taken into account and appropriate mitigating measures to be provided.

12. In response to Dame Judith Hackitt's review following the Grenfell tragedy in 2017 the Government has committed to a full-scale review of Approved Document B². The technical review started with a Call for Evidence which invited views on technical issues and further improvements that could be made to ADB. A summary of the findings from the call for evidence was published on the 5 September 2019. In the call for evidence trigger heights and thresholds were identified as an area requiring further research.

13. A total of 98 responses were submitted regarding trigger heights and thresholds in response to a Call for Evidence³. Responses covered a variety of triggers and provisions. The findings questioned the existing approach, underlying background/assumptions, and considered that strengthened provisions were needed in relation to:

- The 30m threshold for sprinkler provision (the Government is currently preparing a response to a consultation on this);
- Efficacy of dry risers up to 50m;
- 18m threshold for provision of firefighting shafts in residential buildings;
- Basement depth trigger thresholds;

² <https://www.gov.uk/government/news/brokenshire-moves-to-review-building-regulations-fire-safety-guidance>

³ <https://www.gov.uk/government/consultations/technical-review-of-approved-document-b-of-the-building-regulations-a-call-for-evidence>

- Actual fire risk from modern roof forms regarding the performance requirements for materials in buildings over 15m in height.

Fire risk assessments

14. There are several approaches to individually assessing the fire risk in buildings that are used in England and internationally. Risk assessments consider a variety of risks such as building design (including height), building layout and purpose, users (e.g. familiarity and whether there is a sleeping risk), operational capacity of fire and rescue services, expected fire load and probability of a fire occurring, among others.
15. British Standard BS 9999 (code of practice for fire safety in the design, management, and use of buildings) offers an alternative risk-profiling based approach to the use of trigger heights. This guidance document takes into consideration the potential for fire growth and building users awareness, mobility, and familiarity to create risk profiles which can provide a more tailored approach to a wide range of building uses. It is, however, an approach that requires a high level of technical understanding and knowledge. It is also commonly used at design stage instead of for existing buildings.
16. The Local Government Association has set out some guidance on how to conduct fire risk assessments in the “Fire Safety in Purpose-Built Blocks of Flats” guidance⁴. As set out in section 72 of this guide, any fire risk assessment should take in to account the likely fire performance of the external wall.
17. We are aware of the EFFECT™ tool for the assessment of the risk regarding external wall systems in buildings sponsored by the National Fire Protection Association (NFPA)⁵. This tool provides a qualitative risk assessment methodology to assist authorities in assessing risks and prioritizing inspection efforts in high-rise buildings. This follows internationally recognized risk assessment approaches and is therefore not tailored for the buildings in England. It does not recommend specific mitigation measures and only prioritizes the need for mitigation and suggests that mitigation be assessed on a project by project basis.
18. We are aware of tools such as CRISP developed by the Building Research Establishment which aims to compare risks between alternative building designs through a Monte-Carlo modelling approach of fire development and user behaviour⁶.
19. Risk-based approaches are commonly used outside of the realm of fire assessments, e.g. infrastructure projects and health and safety. These often operate on the concept of prioritised risks and a target risk threshold set as low as reasonably practical.

⁴ Local Government Association, *Fire safety in purpose-built blocks of flats*, <https://www.local.gov.uk/sites/default/files/documents/fire-safety-purpose-built-04b.pdf>

⁵ <https://www.nfpaeffect.com/signup>

⁶ <https://www.bregroup.com/a-z/fire-modelling/>

This Call for Evidence

20. This Call for Evidence is seeking views and innovative ideas on how to assess and prioritise risks and to better understand the complexity of building risk to ensure that an appropriate level of safety is achieved in existing buildings.
21. This call for evidence will help inform prioritisation of our work to make existing buildings safer, and can be seen in conjunction with our review of the ban of combustible materials in and on the external walls of certain buildings, the wider building regulations regime, as well as the Independent Expert Advisory Panel's advice and other Government measures regards existing buildings
22. We are going to commission research on this topic and the evidence and views gathered from this Call for Evidence will help define the scope for this research by providing, in advance, stakeholder and industry views on approaches, tools and methodology that should be considered for this complex project.
23. Any evidence and views gathered by this Call for Evidence may also be used to further policy development by MHCLG and to inform the Independent Expert Advisory Panel's further consideration of the issue of fire safety and risk in existing buildings.

Questions

QUESTION 3.

Do you agree that a case by case risk-based approach should be taken for existing buildings?

QUESTION 4.

What factors, aside from height, do you think should be considered when classifying building risk? Please provide evidence to support your answer.

QUESTION 5.

How significant do you consider height to be when classifying building risk? Please provide evidence to support your answer.

QUESTION 6.

Please specify areas the research on the prioritisation of risks in buildings should consider.

QUESTION 7.

Please specify approaches and evidence the research should consider when prioritising action between different buildings.

QUESTION 8.

Please provide innovative ideas and supporting evidence of approaches to assessing risk in existing buildings.

How to respond

To respond to this Call for Evidence please respond via an online survey at the link below:

<https://www.surveymonkey.co.uk/r/BuildingRiskCFE>

Alternatively, please complete the table below and send it to the following email address along with any accompanying evidence:

ADBconsultation@communities.gov.uk

Question 1	Respondent details
Name	
Position (if applicable)	
Organisation (if applicable)	
Address (including postcode)	
Email address	
Telephone number	
Please state whether you are responding on behalf of yourself or the organisation stated above	

Question 2	Select one
Please indicate whether you are applying to this consultation as:	
Builder / Developer	
Designer / Engineer / Surveyor	
Local Authority	
Building Control Approved Inspector	
Architect	
Manufacturer	
Insurer	
Construction professional	
Fire and Rescue Authority representative	
Property Manager / Housing Association / Landlord	
Landlord representative organisation	
Building Occupier / Resident	
Tenant representative organisation	
Trade Association / Trade Body	
Other interested party (please specify)	

Question 3	Yes/No/Don't Know
Do you agree that a case by case risk-based approach should be taken for existing buildings?	
Question 4	Free Text Answer
What factors, aside from height, do you think should be considered when classifying building risk? Please provide evidence to support your answer.	
Question 5	Free Text Answer
How significant do you consider height to be when classifying building risk? Please provide evidence to support your answer.	
Question 6	Free Text Answer
Please specify areas the research on the prioritisation of risks in buildings should consider.	
Question 7	Free Text Answer
Please specify approaches and evidence the research should consider when prioritising action between different buildings.	
Question 8	Free Text Answer
Please provide innovative ideas and supporting evidence of approaches to assessing risk in existing buildings.	

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the EU General Data Protection Regulation, and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included at Annex A.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

Annex A

Personal data

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at

dataprotection@communities.gsi.gov.uk

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

4. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for two years from the closure of the consultation.

5. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law.
You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

6. The Data you provide directly will be stored by Survey Monkey on their servers in the United States. We have taken all necessary precautions to ensure that your rights in terms of data protection will not be compromised by this.

7. Your personal data will not be used for any automated decision making.

8. We use a third party provider (Survey Monkey) to gather data. Once the consultation has closed, your data will be moved to a secure government IT system.