Questions

Respondent Details

|  |  |
| --- | --- |
| 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
 |  |
| * Other interested party (please specify)
 |  |

|  |  |
| --- | --- |
| Question 3 | Yes/No/Don’t Know  |
| a. Do you agree that combustible materials in cladding systems should be banned? |  |
| b. Should the ban be implemented through changes to the law? |  |
| c. If no, how else could the ban be achieved? | [Free text answer] |

|  |  |
| --- | --- |
| Question 4 | Yes/No/Don’t Know  |
| Do you agree that the ban should apply: |
| a. to buildings 18m or over in height? |  |
| b. throughout the entire height of the wall, i.e. both below and above 18m? |  |
| c. to high-rise residential buildings only? |  |
| d. to all high-rise, non-residential buildings e.g. offices and other buildings, as well as residential buildings? |  |
| e. Please provide any further information in relation to your answers above. | [Free text answer] |

|  |  |
| --- | --- |
| Question 5 | Yes/No/Don’t Know  |
| a. Do you agree that the European classification system should be used and do you consider that Class A2 or better is the correct classification for materials to be used in wall construction? |  |
| b. If no, what class should be allowed in wall construction and why?  | [Free text answer] |

|  |  |
| --- | --- |
| Question 6 | Yes/No/Don’t Know |
| a. Do you agree that a ban should cover the entire wall construction? |  |
| b. If no, what aspects of the wall should it cover? |  |
| c. Should a ban also cover window spandrels, balconies, brise soleil, and similar building elements? |  |
| c. Please provide any further information in relation to your answers above. | [Free text answer] |

|  |  |
| --- | --- |
| Question 7 | Yes/No/Don’t Know |
| a. Do you agree that a limited number of wall system components should, by exception, be exempted from the proposed ban?  |  |
| b. If yes, what components should be included on an exemption list and what conditions should be imposed on their use? | [Free text answer] |
| c. Would you recommend an alternative way of achieving the policy aims stated above? |  |

|  |  |
| --- | --- |
| Question 8 | Yes/No/Don’t Know |
| Do you agree that: |
| a. a risk-based approach is appropriate for existing buildings? |  |
| b. the ban should apply to alterations to existing buildings, including over-cladding? |  |
| c. the ban should extend to projects that have been notified before the ban takes effect but work has not begun on site? |  |
| d. the ban should not affect projects where building work has already begun? |  |
| e. Please provide any further information in relation to your answers above. | [Free text answer] |

|  |  |
| --- | --- |
| Question 9 | Free text answer |
| a. Which wall elements are likely to be affected by the proposed change – i.e. where they would pass as part of a cladding system in a BS8414 test but would not meet the proposed Class A2 or better requirement (e.g. sheathing boards or vapour barriers)?    |  |
| b. We understand that since the Grenfell tower fire, a high proportion of relevant building work is already using elements which meet Class A2 or better.  How frequently are elements which do not meet the proposed requirement, as identified in question 3, currently being used on buildings in scope?   |  |
| c. What the impact of removing access to the BS8414 for those buildings affected by the ban test is likely to be? |  |
| d. What types of buildings 18m or over are likely to be affected by this change (e.g. hotels, residential, student accommodation)?  What proportion of each type would likely be affected by the proposed change?  |  |
| e. How much extra cost would typically be involved in meeting the proposed new requirements over and against a building which meets the current requirements?  (Please provide any further details.)  |  |
| f. Please provide any further comments on the likely impact of this change for construction (e.g. supply chains) |  |

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 information, 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) and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. 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 Ministry.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

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](https://www.gov.uk/government/organisations/department-for-communities-and-local-government/about/complaints-procedure).

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. There is a statutory requirement in the Building Act to consult on substantive changes to the building regulations.

**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.**