



Department
for Business
Innovation & Skills

**FURNITURE AND FURNISHINGS
(FIRE) (SAFETY) REGULATIONS
1988**

**Consultation on proposed
amendments to Schedule 5 - the
Match Test - Part 1 and Schedule 4
- the Cigarette Test**

AUGUST 2014

Annex 8: Proposed amendments to schedule 5 - the match test - part 1 and schedule 4 - the cigarette test - of the furniture and furnishings (fire) (safety) regulations 1988 - response form

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 7th October 2014.

Please provide answers to any of the questions below, and provide any additional response you believe is appropriate, headed:

Your name:

Redacted

Organisation (if applicable):

Institution of Fire Engineers

Address:

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64-66 Cygnet Court
Timothy's Bridge Road
Stratford-upon-Avon
CV37 9NW

Please return completed forms to:

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BIS
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London SW1 0ET

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Please tick boxes below which best describe you or your organisation.

	Organisation type
	Business representative organisation/trade body
	Central government
✓	Charity or social enterprise
	Individual
	Large business (over 250 staff)
	Legal representative
	Local Government
	Medium business (50 to 250 staff)
	Micro business (up to 9 staff)
	Small business (10 to 49 staff)
	Trade union or staff association
✓	Other (please describe): Professional Engineering Institution

Please note: in addition to the consultation questions below, we would be very grateful if you could also answer the questions from the Impact Assessment which follow them.

Consultation questions:

Question 1: Do you think this proposal will achieve its aims of: helping to make UK furniture greener, save money to industry and making UK furniture more fire safe?

Comments:

This is actually three questions in one, so each question should be answered separately:

"Greener" – Yes.

"Save money to industry" – depends on which bit of industry. Will there actually be a need to carry out more testing if the new methodology requires components to be included in the testing that were not previously and there is therefore a greater number of material combinations that need to be proven? The absence of information on the proposed revised test methodology

"Making UK furniture more fire safe" – Unproven. There is an absence of information on the proposed revised test standard and the existing requirement for coverings to be tested in conjunction with a non-combustion modified foam arguably provides an in-built factor of safety in terms of fire performance. The proposals make passing references to enforcement by Trading Standards and the success of any regulation in terms of improving fire safety will be dependent on effective enforcement of the regulation to ensure that manufacturers and suppliers are compliant. Recent revelations in respect of the prevalence of the supply of non-compliant furnishings indicates that there is an issue with the expectation for industry self-regulation and effectiveness of enforcement which needs to be addressed before any claims can be made in respect of revised regulations making a situation 'safer'. Whilst the consultation appears to relate specifically to the domestic environment (as per the FFFSR) it should be noted that there will be implications in the non-domestic environment. For instance, HTM05-03 Part C Textiles and Furnishings refers back to the FFFRS in relation to recommendations for health care environments.

Questions 2: Do you think that paragraphs 19-22 accurately set out the need for a change to the current match test?

A Yes No Not sure

Comments:

Question 3: Do you think the proposed changes are viable (paragraphs 23-29)?

A Yes No Not sure

Comments:

It is not possible to carry out a proper assessment without details and data on the proposed revised test methodology, specimen selection criteria and field of application derivation.

Question 4: What are your views on the inclusion of currently unregulated materials (paragraphs 27-29)?

Comments:

It sounds sensible but it depends on the full details of the proposed revised test methodology that is not provided with the consultation. How does the test methodology and rules for specimen selection affect the field of application for the test results? Will there be guidance to manufacturers and suppliers about interpretation of test results using combinations of materials and how these results can be used with variations of materials and geometry.

Question 5: Do you agree with the benefits BIS believes the changes will bring?

A Yes No Not sure

Comments:

For the reasons described above, it is not possible to make a proper assessment without full details of the proposed revised test methodology and associated rules, if any, for field of application of test results. It is noted that the consultation refers in Clause 29 to BIS/Intertek "widely" circulating information on the new test proposal in Feb 2014 and Annex 4 refers to an "informal" consultation in July 2014 on "5 options". Full details should be provided of the information previously consulted on and the reasoning for selection of the preferred option.

Question 6: What is your view on BIS's reasons for bringing forward the changes (paragraphs 41-42)?

Comments:

This is very difficult to understand as there are no references to any dates in these two paragraphs or any description of a previous and current position in relation to the changes. A better explanation is required and it is not possible to answer this question.

Question 7: General rating of the proposals.

On a scale of 1 to 5, 5 being the highest, grade your overall approval of the proposals

	5	4	3	2	1
Right problems identified			✓		
Range of options wide enough					✓
Preferred options well chosen					✓

Question 8: Do you have any other comments that might aid the consultation process as a whole?

Comments:

The IFE is surprised that the list of consultees did not include the IFE or other bodies with interest in fire safety matters such as FSF (Fire Sector Federation), FPA (Fire Protection Association), ABI or FIA.

Below are the additional questions from the Impact Assessment. Please respond to them on this part of the form.

The IFE does not feel able to answer these questions as they appear to predominantly relate to commercial concerns involved in the manufacture and supply of materials and products.

However, the IFE would make the general observation that full details of the proposed revised test methodology would be required in order to make the necessary assessment to answer these questions.

Q1: Is the assumption on the cost of testing above right in your view? Could you provide evidence supporting your arguments?

Q2: Do you have any evidence that could help to refine this cost estimates?

Q3: Are there any other costs not included here that should be included? Please provide evidence supporting your arguments.

Q4: Do you agree with the assumption that there will be minimal losses of stock given the transition period? What is your normal turnover of stock?

Q5: Do you agree with the assumption on annual cost savings to UK based companies testing of fabrics for the cigarette test? Could you provide information on the cost of the cigarette testing for your company?

Q6: Do you agree with the range of cost savings above? What are the cost savings most likely to be for your company?

Q7: Are there any other methodologies you think would be more appropriate?

Q8: Do you agree with the cost estimates above? Could you provide alternative estimates?
Could you provide estimates of cost savings for upholstered garden furniture and/or caravan upholstered furniture?

Q9: Do you agree with the assumptions above towards calculating the total annual amount of treated fabric? Please provide evidence supporting your arguments.

Q10: Are there any other unquantified costs or benefits? If possible, please provide evidence supporting your arguments.

Q11: Is this a fair reflection of how smaller businesses will be affected? Please provide evidence supporting your arguments.

Q12: Are the familiarisation cost savings, in time, between options 2 and 4 an accurate reflection of the difference? Please provide evidence supporting your arguments.

Q13: Do the cost saving time profiles accurately reflect the timings of cost savings your business expect to see?

Thank you for your views on this consultation. Thank you for taking the time to let us have your views. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

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