2016-102 Scottish Fire + Rescue

Department for
Business, Energy
& Industrial Strategy

# Consultation on updating the Furniture and Furnishings (Fire) (Safety) Regulations (FFRs) response form

The consultation is available at: www.gov.uk/government/consultations/furniture-and-furnishing-fire-safety-regulations-proposed-changes-2016

The closing date for responses is **11 November 2016**.

The form can be submitted by email to: furniture.consultation2016@bis.gsi.gov.uk or submitted by letter to:

Christine Knox
Regulatory Delivery
Department for Business, Energy and Industrial Strategy
Second Floor
1 Victoria Street
London
SW1H 0ET

Please be aware that we intend to publish all responses to this consultation.

Information provided in response to this consultation, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes. Please see the section on confidentiality and data protection on page 7 of the consultation for further information.

If you want information, including personal data, that you provide to be treated in confidence, please explain to us what information you would like to be treated as confidential and why you regard the information 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.

I want my response to be treated as confidential ☐

Comments: Click here to enter text.

## Questions

Name: Assistant Chief Officer [redacted]
Organisation (if applicable): Scottish Fire and Rescue Service
Address: Director of Prevention and Protection, Scottish Fire and Rescue Service Headquarters, Westburn Drive, Cambuslang, G72 7NA

| | **Respondent type** |
|---|---|
| ☐ | Business representative organisation/trade body |
| ☒ | Central government |
| ☐ | Charity or social enterprise |
| ☐ | Individual |
| ☐ | Test House |
| ☐ | Manufacturer |
| ☐ | Retailer |
| ☐ | 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) |

## Questions on scope

**Q1 Do you agree with the revised definition of the Regulation's scope?**

☒ Yes ☐ No ☐ Not sure

Comments: The proposals may benefit from adding a comment regards the use of furniture and furnishings within a non-domestic environment and the requirement to adhere to additional guidance for such instances.

**Q2 Do you agree with the proposals relating to sleeping bags and mattress protectors (i.e. those which can be put in a washing machine are explicitly removed from scope and do not have to meet the requirements of the regulations)?**

☒ Yes ☐ No ☐ Not sure

Comments: Whilst there is a valid argument here for the exclusion of sleeping bags and mattress protectors with their retardant reduced through washing, this drew varied responses from service consultees. Concern raised with regards the potential for contact with modern and at times unregulated charging devices may contribute to ignition sources on excluded materials and a warning should be provided for such items to be kept away from fire and potential ignition sources.

**Q3 Do you agree with the proposals relating to cushions and seat pads (i.e. that they remain excluded from cover tests but the definition of these products to be specified more clearly)?**

☒ Yes ☐ No ☐ Not sure

Comments: Similar to above, whilst seat pads and cushions could be construed as a cover for the furniture and potentially part of it, they are still mobile items that can be washed separately and fall within the same reasons as above.

**Q4 Do you agree with the proposals relating to outdoor furniture (i.e. that outdoor furniture unsuitable for use inside the home, and clearly labelled as not complying with the Regulations) should be out of scope?**

☒ Yes ☐ No ☐ Not sure

Comments: Such items should be marked as above and also for outdoor use only. Any fires spreading from or resulting from such items outside would be readily identifiable.

**Q5 Do you agree with the proposals relating to baby products (i.e. that items covered by covered by BS EN1888 (wheeled child conveyances) and BS EN1466 (carry cots and stands) are removed from scope, with padded playpens treated in the same way as mattresses)?**

☐ Yes ☒ No ☒ Not sure

Comments: Whilst it is acknowledged that prams and cots may be covered by other guidance documents such as the BS above, they should also ensure that the fire resistance of the upholstery is addressed prior to removing from the Regulations. Such items are commonplace within homes and can not only be placed adjacent to heaters and combustible equipment, but also with modern technology having lights and monitors attached there is potential for ignition from them also.

**Q6 Do you agree with the proposed treatment of second-hand products (i.e. that they would be required to bear the relevant permanent label)?**

☒ Yes ☐ No ☐ Not sure

Comments: Click here to enter text.

## Questions on testing

**Q7 Do you agree to removing the Filling 1 option?**

☒ Yes ☐ No ☐ Not sure

Comments: Click here to enter text.

**Q8 Do you agree that the specifications set out in the draft Regulations for the test foam and fibre wrap are sufficient to achieve the objectives of the Regulations?**

☐ Yes ☒ No ☐ Not sure

Comments: In having testing carried out using solely CMF, consideration may have to be given to controlling or specifying the types of foam and additives to foam across the industry in order to reduce the variances that would or had the potential to affect test results.

**Q9a Do you agree that the regulations should provide a protective cover option?**

☐ Yes ☐ No ☒ Not sure

Comments: Further clarification on what is deemed to be a protective cover should be cited. Can it be easily removed, washed and therefore be considered similar to cushions and seat pads? If meant to be a cover fixed over the seating then yes.

**Q9b If yes, do you agree with our proposed definition of protectiveness?**

☐ Yes ☐ No ☒ Not sure

Comments: It is unclear if the proposed hole size will be adequate and that it is suggested that the holes are not always regular in size.

**Q10 Do you agree with the proposed requirements for components close to the cover?**

☐ Yes ☐ No ☒ Not sure

Comments: Click here to enter text.

**Q11 Do you agree that there is no need for the cigarette test for covers that pass the revised match test?**

☐ Yes ☒ No ☐ Not sure

Comments: It is acknowledged that there are some materials which are less susceptible to a direct flame than that of a smouldering source or cigarette. Whilst the majority of cigarette tests will also pass the match test, we still see potential for some not to be successful. With smoking being the major contribution to fatal fires in dwellings, we would need to be certain and not just probable we would cover everything.

***For business respondents:***

**Q12 Which of the routes to compliance do you expect to follow for most of your products?**

☐ Schedule 3 interliner ☐ Protective cover

☐ Non-protective cover + compliant components ☐ Not sure

Comments: N/a

**Q13a What do you expect the impact of the testing proposals to be on your use of flame retardants in covers?**

☐ Increase ☐ Decrease ☐ No change ☐ Not sure

Comments: N/a

**Q13b What do you expect the impact of the testing proposals to be on your overall use of flame retardants?**

☐ Increase ☐ Decrease ☐ No change ☐ Not sure

Comments: N/a

## Questions on traceability and enforcement

**Q14 Do you agree with the product record/technical file requirements for manufacturers and importers?**

☒ Yes ☐ No ☐ Not sure

Comments: traceability and accountability are important factors, not just in enforcement but in identifying potential bad batches of product.

**Q15a Do you agree with the requirements for the single permanent label, and the proposal to remove the requirement for additional display labels?**

☒ Yes ☐ No ☐ Not sure

Comments: The single permanent system would have the potential to simplify the marking (which is required) but further information regarding the "single label" system would be required.

**Q15b What do you think is the most effective means of conveying the use of flame retardants in the cover of this product eg by text, symbol?**

Comments: Both text and symbol information should be required with specific information and any warnings regards washing or cleaning.

## Other questions on the proposals

**Q16 Do you agree that a 24 month transition period is sufficient, and that the changes should be reviewed in five years?**

☒ Yes ☐ No ☐ Not sure

Comments: Seems reasonable for all.

**Q17 Do you have any other comments on the proposals or draft regulations?**

☒ Yes ☐ No ☐ Not sure

Comments: Some responses felt that some changes have been driven by cost savings and environmental pressures. The question relating to the hole sizes seems difficult to quantify due to the variables in materials. This is highlighted by representatives in the manufacturing sector although it does at least give some degree for optional testing with protective covers.

## Questions on the Impact Assessment

**Q18 Do you agree with our estimate of traceability time in the Impact Assessment – ie one-off input of 16 hours per firm and ongoing per year time of 48 hours per firm? If not can you provide additional evidence to support your answer?**

☐ Yes ☐ No ☒ Not sure

Comments: Click here to enter text.

**Q19 How much do you estimate you would save per year from the removal of the cigarette test?**

Amount saved: N/A. May have potential for minimal effect on fire service

☐ Nothing ☐ Not sure

**Q20 How much do you estimate you would save per year from reduced use of flame retardants?**

Amount saved: N/a – As above

☐ Nothing ☐ Not sure

**Q21 Are you aware of any further costs or benefits we have not identified in the impact assessment? Please support with any evidence you have.**

☐ Yes ☒ No ☐ Not sure

Comments: Click here to enter text.

**Q22 To what extent do you agree that, overall, these proposals represent a reasonable compromise – bearing in mind the information in this consultation document, feedback on the previous (2014) consultation, and other stakeholder input during the review?**

☐ Strongly Agree ☐ Agree ☒ Not sure ☐ Disagree ☐ Strongly Disagree

Whilst we are looking to modernise and keep abreast of technological advances, we have introduced these requirements after recognising a significant contributory factor to fire deaths in the UK. I don't think we should be trying to compromise on safety but rather reform to ensure that modern requirements meet modern furnishings to the same or greater standard.

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 BEIS 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

**BEIS/16/11/RF**