

## **Part 1: Fire safety information for people who live in high rise domestic buildings**

**1 Please indicate from 1 to 5 what would be your most and least preferred way to get fire safety information (1 most preferred - 5 least preferred).**

**Question 1 - Printed leaflet:**

**Question 1 - Written information on a website:**

**Question 1 - Video / animation on a website:**

**Question 1 - Notice board / poster in the building:**

**Question 1 - Mobile Device App:**

**Other / please provide any comments in the box below:**

**2 Does the fire safety information provide good advice on how to stop fires from happening?**

Not Answered

**Please select only one answer and provide any comments in the box below:**

**3 Does the fire safety information provide good advice on what to do if a fire starts?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

**4 Does the fire safety information help you to understand the reasons behind fire safety advice?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

**5 Is the fire safety information easy to understand?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

**6 Does your high rise domestic building have a way people can raise concerns about fire safety?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

**7 If you answered yes to Question 6; does the process work?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

**8 Please let us know if you think there is any other useful fire safety advice and information that could be included for people who live in high rise domestic buildings.**

**Please provide any comments in the box below.:**

**9 Do you think more information on the 'stay put' policy would be helpful?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

**10 Please provide any further comments on the information and advice in this section of the consultation in the box below.**

**Please provide any comments in the box below.:**

Whilst BAFE has a general responsibility for fire safety in its remit, Part 1 covers matters which are not central to its concerns. It does however seem to have been sensibly composed.

BAFE believes that there is nothing wrong with the Fire (Scotland) Act 2005. It is rather the implementation of the legislation and accompanying Regulations wherein difficulty lies, especially the lack of clarity regarding the ongoing use and maintenance of buildings and the competence of providers.

## **Part 2: Fire safety campaign regarding common areas**

### **11 Would having clearer information on the dangers of leaving items that will burn in common areas, encourage people not to do this?**

In part

**Please select only one answer and provide any comments in the box below.:**

Needs support of Duty holder to enforce

### **12 Would images to highlight the damage caused by fires started in common areas, be helpful to encourage people not to leave items that will burn in those areas?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

### **13 Please let us know if you have any further comments about the fire safety campaign regarding common areas in high rise domestic buildings.**

**Please select only one answer and provide any comments in the box below.:**

As they are common areas, no-one takes responsibility. So the actions of the Duty Holder and property management are crucial.

### **14 If you live in a high rise domestic building, is there a process in place for the assessment and removal of items left in common areas?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

### **15 If you answered yes to question 14; does the process work?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

### **16 What is the best way to get information on keeping common areas safe from fire? Please indicate from 1 to 5 what would be your most and least preferred (1 most preferred - 5 least preferred).**

Question 16 - Email:

Question 16 - SFRS Home fire safety visits:

Question 16 - Video/animation on a website:

Question 16 - Notice board/poster in the building:

Question 16 - Printed information from owner/landlord when first moving in:

Question 16 - Via local residents groups meetings:

**Other / Please provide any comments on how you prefer to get information below.:**

Part 2 is not especially for BAFE but it does seem a very good idea to instigate a fire safety campaign in this context. We refer to our comments in earlier consultations and in contacts with the Scottish Government that awareness campaigns with dutyholders and building managers are essential.

## **Part 3: Fire Safety in Existing High Rise Domestic Buildings - Overview**

### **Chapter 1: Guidance on Fire Safety in High Rise Domestic Buildings**

#### **17 Is it clear that the Guidance is aimed at those that own, factor, manage, give advice on and enforce standards in high rise domestic buildings?**

Yes

**Please select only one answer and provide any comments in the box below.:**

It is helpful to collect Guidance in one place and that it is applicable to all concerned.

**18 Is the purpose of the Guidance clear for those expected to use it?**

In part

**Please select only one answer and provide any comments in the box below.:**

It would improve the Guidance if there was a clear section entitled something like :  
How am I supposed to use this Guidance?

**19 Is it clear how the Guidance should be used in practice?**

In part

**Please select only one answer and provide any comments in the box below.:**

Again use of the Guidance is not especially clear as the paragraph headed 'Using this Guidance' starts by hedging the Guidance with qualifications. As declared under Scope the Guidance is not mandatory. There is a case for saying that having due regard to the Guidance is essential (one step short of mandatory) and also saying under Use that due regard is qualified only by particular circumstances in particular buildings. Please see 21 below.

**20 Is there further information that should be included?**

No

**Please select only one answer and provide any comments in the box below.:**

**21 Please provide any further comments on this chapter in the box below.**

**Please select only one answer and provide any comments in the box below.:**

There should be a much stronger warning in the last paragraph of Chapter 1 against proceeding if not competent or not ensuring that service providers are competent.

**Chapter 2: Fire safety design in high rise domestic buildings**

**22 Do you think the fire safety measures are clearly explained in the guidance to those that own, factor, manage, give advice on and enforce standards in high rise domestic buildings?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**23 Do you think there is further information that should be included?**

Yes

**Please select only one answer and provide any comments in the box below.:**

The section on Evacuation Strategy is not very helpful. There is a sense that the Guidance is again hedging its bets. What happened at Barking  
<https://www.bbc.co.uk/news/uk-england-london-48574044>

was Stay Put employed there? At Lakanal House Stay Put appears to have cost lives. Maybe the answer is that there is no answer and accordingly surely more emphasis should be placed on responding to SFRS's advice when they attend.

With regard to Barking attention is drawn to

<https://www.gov.uk/government/publications/balconies-on-residential-buildings-advice-note>

We believe this or at least the sense of it should be incorporated into this Guidance

**24 Please provide any further comments on this chapter in the box below.**

**Please select only one answer and provide any comments in the box below.:**

There is no mention of emergency lighting provision in the bullet points on page 32 and an absence of any warning that inspection and competent maintenance of systems, doors, lighting etc is essential.

In addition the installation of automatic fire suppression systems and other fire safety measures are mentioned on P33 but these systems only remain effective if they are maintained and the is no mention of maintenance anywhere.

**Chapter 3: Risk management - assessing the risk to persons**

**25 Do you think the reasons for carrying out a fire risk assessment in high rise domestic buildings are clearly explained?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**26 Do you think how to carry out a fire risk assessment in high rise domestic buildings is clearly explained in the 7 step methodology for assessing fire risk in the Guidance?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**27 Do you think there is other information that should be included?**

Yes

**Please select only one answer and provide any comments in the box below.:**

Particular care should be taken in assessing wooden balconies especially given the experience of the recent fire in Barking. Flats with such balconies may require a different evacuation strategy.

**28 If you own, factor, manage, give advice on and enforce standards in high rise domestic buildings: is there a process in place for the assessment and removal of items left in common areas?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

This question is not relevant to BAFE

**29 If you answered yes to question 28; do you have confidence that the process works in practice?**

Not Answered

**Please select only one answer and provide any comments in the box below.:**

**30 Please provide any further comments on this chapter in the box below.**

**Please select only one answer and provide any comments in the box below.:**

We would comment here that removal of obstructions in common areas is essential. Also the installation of inflammable decorative features should be discouraged.

As to fire risk assessments for common areas BAFE believes that the Scottish Government should make this compulsory by regulation. (page 35)

We welcome the recommendation that fire stops should be checked and would refer to Professor Cole's findings regarding the deficiencies in certain Edinburgh schools. (page 35)

The competence of fire risk assessors is critical and an additional way of checking their credentials is to check their professional indemnity insurance. (page 36)

Step 4 of the Methodology of Assessing Fire Risk on page 39 refers to maintenance of fire mains and fire-fighting lifts. The adequacy of maintenance should indeed be verified but by whom - the fire risk assessor ?

Under Step 7 on page 40 the last paragraph is counter productive. How many blocks of flats have in-house staff across Scotland? If staff are remote from the site that alone will undermine engagement. BAFE believes that reviews in high rise buildings should be led by or at the very least monitored by suitably qualified fire risk assessors.

#### **Chapter 4: Risk management - preventing fires**

**31 Do you think it is clearly explained how to prevent the impact of fires in high rise domestic buildings?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**32 Do you think it is clearly explained how to reduce the impact of fires in high rise domestic buildings?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**33 Do you think there is further information that should be included?**

In part

**Please select only one answer and provide any comments in the box below.:**

See below

**34 Please provide any further comments on this chapter in the box below.**

**Please select only one answer and provide any comments in the box below.:**

BAFE welcomes the emphasis placed upon third party certification of products as a way to obtain assurance of quality, reliability and safety.

## **Chapter 5: Risk management - physical fire safety measures**

**35 Do you think the physical fire safety measures in high rise domestic buildings are clearly explained?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**36 Do you think there is further information that should be included?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**37 Please provide any further comments on this chapter in the box below.**

**Please select only one answer and provide any comments in the box below.:**

We would suggest adding that obtaining third party certificated products is one means for the dutyholder to demonstrate due diligence. (page 48)

BAFE particularly welcomes the references to ducted heating, ventilation and air conditioning systems and fire stopping in the last two paragraphs on page 48.

The Scottish Government may wish to be aware that third party certification of specialists in the testing of risers is being developed. A suitable reference might usefully be included on page 49.

On page 56 if new fire resisting doors are to be fitted, these should be installed by competent people. BAFE is aware of examples of the efficacy of fire resistant doors being undermined by poor fitting. Competency schemes are available.

BAFE's experience suggests that a common failure is that lighting on escape routes is not regularly tested and, or maintained. (page 57) We are concerned that the last paragraph could be taken to infer that testing and maintenance is a low priority when the reverse is the case.

There appears to be an error on page 59 in the seventh paragraph. It is unclear where the suggested reference to "paragraphs 38 and 39" actually is and BAFE may have additional comments in this regard.

As regards page 64 we refer to earlier comments on External Fire-spread in relation to the recent fire in Barking. Additional commentary is clearly required about the prevention of external spread via all wooden balconies or trellises.

## **Chapter 6: Risk management - ongoing control**

**38 Do you think there is further information that should be included?**

Yes

**Please select only one answer and provide any comments in the box below.:**

See below

**39 Please provide any further comments on this chapter in the box below.**

**Please select only one answer and provide any comments in the box below.:**

On page 67 BAFE strongly suggests that either towards the end of significant alterations or repair work or immediately thereafter a qualified fire risk assessor inspects the work carried out. Dutyholders should be required to provide documentary evidence as to the specification of materials used and a copy of any plans to the assessor.

BAFE particularly welcomes the emphasis placed upon inspection, testing and maintenance of fire safety systems and equipment on page 68. We would suggest that competence checks should be emphasised on page 70 for those installing and maintaining the listed fire safety equipment.

## **Chapter 7: The law on fire**

**40 Do you think this is useful information to have in the guidance?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**41 Is the information on legislation in this section of the guidance clear?**

In part

**Please select only one answer and provide any comments in the box below.:**

On page 74 there appears to be an error in the first paragraph under Fire (Scotland) Act 2005 where there is a reference to "including those listed in paragraph 13". Where is paragraph 13?

**Appendix 3: Fire risk assessment template**

**42 Do you think that those responsible for carrying out a fire risk assessment will find the included fire risk assessment template easy to use to carry out an effective assessment?**

In part

**Please select only one answer and provide any comments in the box below.:**

There should be a section to identify whether this is a re-inspection after the initial fire risk assessment because of significant alterations to the high rise building in question.

On P84 if fire suppression installations are provided there should be an additional question about whether they are maintained.

**General questions on the Guidance**

**43 Can you suggest ways to let people know this Guidance is available once it is published?**

**Please provide any comments in the box below.:**

Radio adverts, social media

**44 Will this Guidance be straightforward to use by those that own, factor, manage, give advice on and enforce standards in high rise domestic buildings?**

Yes

**Please select only one answer and provide any comments in the box below.:**

**45 Do you think the content is clear and easy to understand?**

In part

**Please select only one answer and provide any comments in the box below.:**

Perhaps the layman may have difficulty with certain more technical parts.

**46 We will publish a Business and Regulatory Impact Assessment (BRIA) with the Guidance that will set out any expected impact that implementation of the guidance might have on business. Please give information and views on any business impacts you consider the Fire Safety in Existing High Rise Domestic Buildings guidance might have.**

**Please provide any comments in the box below.:**

The argument is often advanced that requiring qualifications adds to business' burdens. BAFE is of the view that while such considerations need to be taken into account these should be secondary where defective, substandard or negligent work can lead to a threat to life. It is further of importance to say that setting basic competence standards for the quality of workmanship means that all should be able to commence at the same threshold and cost base which allows for fair competition. The reassurance of tenants is of primary importance and their clear understanding that work is being undertaken to appropriate standards by competent providers is a key to achieving this.

**47 Please give information and your views on impacts on groups with protected characteristics as noted below, that implementation of the Fire Safety in High Rise Domestic Buildings guidance might have.**

**Please provide any comments in the box below.:**

Not in BAFE's remit

**48 Please provide any further comments you have on the Guidance below.**

**Please provide any comments in the box below.:**

**About you**

**What is your name?**

**Name:**

Stephen Adams

**What is your email address?**

**Email:**

-

**Are you responding as an individual or an organisation?**

Organisation

**What is your organisation?**

**Organisation:**

BAFE

**The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:**

Publish response with name

**We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?**

Yes

**Additional information**

Not Answered

**How would you describe your tenure?**

Not Answered

**Other / please provide any comments below:**

**Do you have a long term condition or disability?**

Not Answered

**Evaluation**

**Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)**

**Matrix 1 - How satisfied were you with this consultation?:**

**Please enter comments here.:**

**Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:**

**Please enter comments here.:**